

# Repertoire of the Practice of the Security Council 22<sup>nd</sup> Supplement

2019

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

# Part II

Provisional rules of procedure and related procedural developments

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# **Introductory note**

Part II of the present Supplement covers the practice of the Security Council in relation to its provisional rules of procedure and relevant Articles of the Charter of the United Nations. Since the provisional rules of procedure are routinely applied by the Council at its formal meetings, the focus of part II is on special applications of the rules in the proceedings of the Council, rather than on the standard applications of the rules.

Part II is divided into 10 sections, in the order of the relevant chapters of the provisional rules of procedure, as follows: section I, meetings and records (Article 28 of the Charter and rules 1 to 5 and 48 to 57); section II, agenda (rules 6 to 12); section III, representation and credentials (rules 13 to 17); section IV, presidency (rules 18 to 20); section V, Secretariat (rules 21 to 26); section VI, conduct of business (rules 27, 29 and 30, and 33); section VII, participation (rules 37 and 39); section VIII, decision-making and voting (Article 27 of the Charter and rules 31, 32, 34 to 36, 38 and 40); section IX, languages (rules 41 to 47); and section X, provisional status of the rules of procedure (Article 30 of the Charter).

The remaining rules are covered in other parts of the present Supplement, as follows: rule 28, concerning subsidiary organs of the Council, in parts IX and X and concerning Security Council missions, in part VI; and rule 61, regarding relations with other United Nations organs, in part IV.

During the period under review, there were no instances of the application of rules 58 to 60, concerning the admission of new Members, and therefore the present Supplement contains no material relating to those rules.

\* \* \*

During the period under review, the Council held a total of 258 meetings. Most of the meetings were public, with a total of 243 public meetings and 15 private meetings held in 2019. The Council held a total of 135 informal consultations of the whole in 2019 and Council members continued to meet in the framework of informal interactive dialogues and Arria-formula meetings, following past practice. During the period under review, the Council

continued to expand the practice of holding informal "wrap-up" sessions at the end of the month, except for the months of January and February, in which no wrap-up session was held. For the months of March and April, France and Germany held a joint informal wrap-up session at the end of April 2019.

In 2019, the Council was seized of 69 items. The Council introduced the item entitled "The situation in the Bolivarian Republic of Venezuela" in the list of matters of which it was seized. While being seized of 69 items, the Council considered 49 items during its meetings. Of the 49 items considered in meetings of the Council in 2019, 27 concerned country-specific and regional situations, and 22 dealt with thematic and other issues.

During the period under review, the Council adopted 52 resolutions and 15 presidential statements. The Council also issued 18 notes and 32 letters by the President. There were three instances in which draft resolutions were not adopted for lack of the required nine affirmative votes, and three instances in which draft resolutions were not adopted because of the negative vote of a permanent member. In 2019, objections to the adoption of the agenda led to procedural votes on two occasions.

Aspects related to the working methods of the Security Council continued to be raised and discussed in Council meetings, particularly in the context of the open debate on working methods under the item entitled "Implementation of the note by the President of the Security Council (\$\frac{\subseteq}{2017/507}\)" on 6 June 2019 (see cases 1, 6, 7 and 8).\frac{1}{2}\$ Speakers exchanged views, in particular, on aspects relating to the format of and participation in Council meetings. The discussion focused also on the cooperation and communication between the Council and the Secretariat, as well as on issues pertaining to the decision-making process and initiatives to restrain the use of the veto, penholdership and the drafting of outcome documents of the Council.

At the closing of the year, on 27 December 2019, the Council issued a total of eight notes by the President covering a wide variety of aspects of the working methods of the Council, including the planning and conduct of Security Council missions, the informal process for the selection of Chairs of subsidiary bodies, the inclusion of an unofficial addendum to the provisional programme of work, the early participation of newly elected members, the conduct and publicity of wrap-up sessions, the circulation of reports of the Secretary-General, the use of

<sup>&</sup>lt;sup>1</sup> S/PV.8539. A concept note was circulated by a letter dated 29 May 2019 (S/2019/450).

the male pronoun in the provisional rules of procedure, and the process of elaboration and adoption of the annual report to the General Assembly.<sup>2</sup>

<sup>&</sup>lt;sup>2</sup> S/2019/990, S/2019/991, S/2019/992, S/2019/993, S/2019/994, S/2019/995, S/2019/996, S/2019/997.

# I. Meetings and records

#### Note

Section I covers the practice of the Security Council concerning meetings, publicity and the records of the Council, in relation to Article 28 of the Charter of the United Nations and rules 1 to 5 and 48 to 57 of the provisional rules of procedure of the Council.

# Article 28

- 1. The Security Council shall be so organized as to be able to function continuously. Each member of the Security Council shall for this purpose be represented at all times at the seat of the Organization.
- 2. The Security Council shall hold periodic meetings at which each of its members may, if it so desires, be represented by a member of the government or by some other specially designated representative.
- 3. The Security Council may hold meetings at such places other than the seat of the Organization as in its judgment will best facilitate its work.

#### Rule 1

Meetings of the Security Council shall, with the exception of the periodic meetings referred to in rule 4, be held at the call of the President at any time he deems necessary, but the interval between meetings shall not exceed fourteen days.

# Rule 2

The President shall call a meeting of the Security Council at the request of any member of the Security Council.

#### Rule 3

The President shall call a meeting of the Security Council if a dispute or situation is brought to the attention of the Security Council under Article 35 or under Article 11 (3) of the Charter, or if the General Assembly makes recommendations or refers any question to the Security Council under Article 11 (2), or if the Secretary-General brings to the attention of the Security Council any matter under Article 99.

#### Rule 4

Periodic meetings of the Security Council called for in Article 28 (2) of the Charter shall be held twice a year, at such times as the Security Council may decide.

# Rule 5

Meetings of the Security Council shall normally be held at the seat of the United Nations.

Any member of the Security Council or the Secretary-General may propose that the Security Council should meet at another place. Should the Security Council accept any such proposal, it shall decide upon the place and the period during which the Council shall meet at such place.

#### Rule 48

Unless it decides otherwise, the Security Council shall meet in public. Any recommendation to the General Assembly regarding the appointment of the Secretary-General shall be discussed and decided at a private meeting.

#### Rule 49

Subject to the provisions of rule 51, the verbatim record of each meeting of the Security Council shall be made available to the representatives on the Security Council and to the representatives of any other States which have participated in the meeting not later than 10 a.m. of the first working day following the meeting.

# Rule 50

The representatives of the States which have participated in the meeting shall, within two working days after the time indicated in rule 49, inform the Secretary-General of any corrections they wish to have made in the verbatim record.

#### Rule 51

The Security Council may decide that for a private meeting the record shall be made in a single copy alone. This record shall be kept by the Secretary-General. The representatives of the States which have participated in the meeting shall, within a period of ten days, inform the Secretary-General of any corrections they wish to have made in this record.

Corrections that have been requested shall be considered approved unless the President is of the opinion that they are sufficiently important to be submitted to the representatives on the Security Council. In the latter case, the representatives on the Security Council shall submit within two working days any comments they may wish to make. In the absence of objections in this period of time, the record shall be corrected as requested.

#### Rule 53

The verbatim record referred to in rule 49 or the record referred to in rule 51, in which no corrections have been requested in the period of time required by rules 50 and 51, respectively, or which has been corrected in accordance with the provisions of rule 52, shall be considered as approved. It shall be signed by the President and shall become the official record of the Security Council.

# Rule 54

The official record of public meetings of the Security Council, as well as the documents annexed thereto, shall be published in the official languages as soon as possible.

#### Rule 55

At the close of each private meeting the Security Council shall issue a communiqué through the Secretary-General.

# Rule 56

The representatives of the Members of the United Nations which have taken part in a private meeting shall at all times have the right to consult the record of that meeting in the office of the Secretary-General. The Security Council may at any time grant access to this record to authorized representatives of other Members of the United Nations.

#### Rule 57

The Secretary-General shall, once each year, submit to the Security Council a list of the records and documents which up to that time have been considered confidential. The Security Council shall decide which of these shall be made available to other Members of the United Nations, which shall be made public, and which shall continue to remain confidential.

This section comprises five subsections, namely: A. Meetings, concerning the convening of meetings pursuant to rules 1 to 5 as well as rule 48; B. Informal consultations of the whole; C. Other informal meetings of the members of the Security Council; D. Discussions concerning meetings; and E. Records, which are maintained pursuant to rules 49 to 57.

During the period under review, the Council held 258 meetings: 243 public meetings and 15 private meetings. Furthermore, in 2019 the Council held a total of 135 informal consultations of the whole (also known as consultations, or informal consultations).

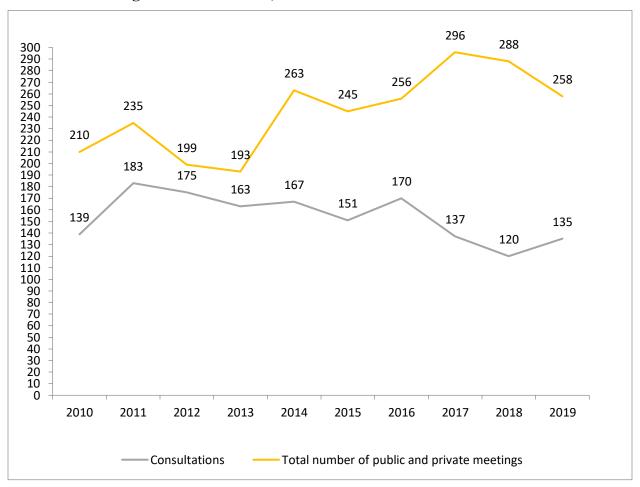
During the period under review, the Council continued to expand the practice of holding informal "wrap-up" sessions at the end of the month, either formal or informal, at the end of the month, except for the months of January and February, where no wrap-up session was held respectively. For the months of March and April, an informal joint wrap-up session was held by Germany and France at the end of April.

During the period under review, Council members continued to hold informal interactive dialogues (IIDs) and Arria-formula meetings. A total of seven IIDs and 22 Arria-formula meetings were held during the year. Figure I shows the total number of meetings and informal consultations of the whole held from 2010 to 2019.

In 2019 the question of the format of meetings was raised during an open debate concerning the working methods of the Council (see case 1).

Figure I

Number of meetings and consultations, 2010-2019



# A. Meetings

# 1. Application of rules relating to meetings

In 2019, there were no intervals exceeding 14 days between meetings of the Council, as provided for under rule 1 of the provisional rules of procedure. The Council continued to convene more than one meeting a day, on certain occasions.

In 2019, the Council did not hold any periodic meetings pursuant to rule 4 or any meetings away from Headquarters in accordance with rule 5.

During the reporting period, there was one communication from a Member State requesting the Council to "investigate the recent threats against Venezuela", in which Articles 34 was cited explicitly as the basis for the request.<sup>3</sup> Some Council members made explicit references to rule 2 of the provisional rules of procedure at the 8529th meeting on 20 May 2019 convened by the Russian Federation under the item entitled "Letter dated 13 April 2014 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/2014/264)". At the meeting, the Council held a procedural vote concerning the adoption of the agenda. After the procedural vote, which resulted in the rejection of the request of the Russian Federation by six votes against, five in favour and four abstentions,<sup>4</sup> the representative of South Africa explained his support of the meeting based on the fact that Ukraine was on the agenda of the Security Council and on rule 2 of the provisional rules of procedure.<sup>5</sup> Having abstained, the representative of Indonesia, the Presidency for the month, explained that the request from the Russian delegation had been addressed in accordance with rule 2. However, he expressed his strong belief that the discussion could only be effective and productive if members of the Council were united in the decision to proceed with the discussion.<sup>6</sup>

No requests for a meeting were received citing rule 3 of the provisional rules of procedure explicitly. This notwithstanding, during the period under review, there was one request to convene meetings in which either rule 2 or 3, was referenced implicitly.

Table 1 lists a case in which an urgent or emergency meeting of the Council was requested without explicit reference to rule 2 or 3 and/or Articles 34 or 35 of the Charter.

2

<sup>&</sup>lt;sup>3</sup> See letter dated 6 August 2019 from the representative of the Bolivarian Republic of Venezuela to the President of the Security Council (\$\sigma 2019/641\$).

<sup>&</sup>lt;sup>4</sup> *In favour*: China, Dominican Republic, Equatorial Guinea, Russian Federation, and South Africa; *Against*: Belgium, France, Germany, Poland, United Kingdom, and United States; *Abstaining*: Côte d'Ivoire, Indonesia, Kuwait, and Peru; For more information on the adoption of the agenda, see section II below.

<sup>&</sup>lt;sup>5</sup> S/PV.8529, p. 2. For more information on the discussion, see part I, sect. 21B.

<sup>&</sup>lt;sup>6</sup> S/PV.8529, p. 8.

Table 1

Letters in which Member States requested an urgent or emergency meeting without explicit reference to any provision of the Charter or the provisional rules of procedure in 2019

Letter addressed to the President of the Council	Summary	Meeting convened on the basis of the request (agenda item and date)
Letter dated 13 August 2019 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council	The letter requested the President of the Security Council convene an urgent meeting of the Security Council under the item entitled "The India-Pakistan question" to consider the situation arising from the recent aggressive actions by India, which pose a threat to international peace	16 August 2019 The Council held consultations on the situation in Jammu and Kashmir <sup>a</sup>
( <u>S/2019/654</u> )	and security.	

<sup>&</sup>lt;sup>a</sup> <u>A/74/2</u>, p. 15

Complaints raised by Member States concerning the application of rule 3

During the period under review, no complaints were raised concerning the application of rule 3.

# 2. Format

# Public meetings

The Council continued to convene meetings in public as provided for in rule 48 of the provisional rules of procedure, mainly for the purposes of (a) receiving briefings on country-specific or regional situations, or thematic issues, under its consideration; (b) holding debates on particular items; and (c) adopting decisions. In 2019, the Council held a total of 243 public meetings, compared to 275 public meetings held in 2018, and 282 in 2017. In 2019, the Council meet in public 94.2 per cent of the times (243 out of the total 258 Council meetings were held in public).

During the review period, the Council held 18 high-level meetings, at which two or more Council members were represented at ministerial or higher level, 12 on thematic items, and six on regional and country-specific items. In 2019, the Council held three meetings at which more

<sup>&</sup>lt;sup>7</sup> On the formats of public meetings, see also note by the President dated 30 August 2017 (<u>S/2017/507</u>, annex, sect. I.C.1).

than half of the Council members were represented at the ministerial or higher levels. Those meetings were held in connection with the following items: "Maintenance of international peace and security", "Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security", and "Peace and security in Africa". On 26 September 2019, the Council held its 8627th meeting under the item entitled "Peace and security in Africa", which focused on the African-led efforts, including Silencing the Guns by 2020 initiative. The meeting registered the highest number of Council members represented at a high-level in 2019 with a total of 12 Council members represented at the ministerial level. In addition, the Council held one meeting in which a Council member was represented at the Head of State-level. On 4 February 2019, the President of Equatorial Guinea presided the 8456th meeting of the Council in connection with the item entitles "Threats to international peace and security", focusing on the mercenary activities in Africa. 9

Table 2 lists all high-level meetings held in 2019 at which two or more Council members were represented at ministerial or higher levels.

Table 2 **High-level meetings in 2019** 

Meeting record and date	Item	High-level participation
<u>S/PV.8450</u> 23 January 2019	Identical letters dated 19 January 2016 from the Permanent Representative of Colombia to the United Nations addressed to the Secretary-General and the President of the Security Council (S/2016/53)	Ministerial level (2)  Dominican Republic (Minister for Foreign Affairs), Indonesia (Minister for Foreign Affairs)
<u>S/PV.8451</u> 25 January 2019	Maintenance of international peace and security	Ministerial Level (7)  Belgium (Deputy Prime Minister and Minister for Foreign Affairs and Defence), Dominican Republic (Minister of Foreign Affairs), Germany (Federal Minister for Foreign Affairs), Kuwait (Deputy Prime Minister and Minister for Foreign Affairs), Indonesia (Minister for Foreign Affairs), Poland (Secretary of State in the Ministry of Environment), United Kingdom (Minister of State for the Commonwealth and the United Nations)

<sup>&</sup>lt;sup>8</sup> S/PV.8627. For more information on the meeting, see part I, sect 11.

<sup>&</sup>lt;sup>9</sup> S/PV.8456. For more information on the meeting, see part I, sect. 37.

Meeting record and date	Item	High-level participation
S/PV.8452	The situation in the Bolivarian Republic of Venezuela	Ministerial Level (2)
26 January 2019		United Kingdom (Minister of State for Europe and the Americas), United States (Secretary of State)
		Heads of State or Government level (1)
C/DV 0456		Equatorial Guinea (President)
<u>S/PV.8456</u> 4 February 2019	Threats to international peace and Security	Ministerial Level (2)
		<b>China</b> (Permanent Representative and Special Representative of the President), <b>Côte d'Ivoire</b> (Minister for Foreign Affairs)
	Cooperation between the	Ministerial Level (2)
<u>S/PV.8473</u> 27 February 2019	United Nations and regional and subregional organizations in maintaining international peace and security	<b>Equatorial Guinea</b> (Minister for Foreign Affairs and Cooperation), <b>Germany</b> (State Secretary of the Federal Foreign Office)
G (DV ) 0.40 <	Threats to international peace	Ministerial Level (3)
<u>S/PV.8496</u> 28 March 2019	and security caused by terrorist acts	<b>France</b> (Minister for Foreign Affairs), <b>Indonesia</b> (Vice-Minister for Foreign Affairs), <b>South Africa</b> (Minister for Foreign Affairs)
	The situation in Mali S/PV.8497 29 March 2019	Ministerial Level (5)
		Côte d'Ivoire (Minister for Foreign Affairs), France (Minister for Europe and Foreign Affairs), Germany (Federal Minister for Foreign Affairs), United Kingdom (Minister of State for the Commonwealth and the United Nations), United States (Under Secretary of State for Political Affairs)
	The situation concerning the Democratic Republic of the Congo	Ministerial Level (3)
<u>S/PV.8498</u> 29 March 2019		<b>Côte d'Ivoire</b> (Minister for Foreign Affairs), <b>France</b> (Minister for Europe and Foreign Affairs), <b>South Africa</b> (Minister for Foreign Affairs)
		Ministerial Level (5)
<u>S/PV.8500</u> 2 April 2019	Non-proliferation	France (Minister for Europe and Foreign Affairs), Germany (Federal Minister for Foreign Affairs), Indonesia (Minister for Foreign Affairs), Kuwait (Deputy Prime Minister and Minister for Foreign Affairs), Poland (Minister for Foreign Affairs)
		Ministerial Level (3)
<u>S/PV.8514</u> 23 April 2019	Women and peace and security	Germany (Federal Minister for Foreign Affairs), United Kingdom (Minister of State for the Commonwealth and the United Nations), Equatorial Guinea (Secretary of State for Foreign Affairs)
	Protection of civilians in	Ministerial Level (2)
<u>S/PV.8534</u> 23 May 2019	armed conflict	<b>Germany</b> (Minister of State at the Federal Foreign Office), <b>Indonesia</b> (Minister for Foreign Affairs)
	Cooperation between the	Ministerial Level (2)
13 June 2019 and submin maint	United Nations and regional and subregional organizations in maintaining international peace and security	<b>Poland</b> (Minister for Foreign Affairs), <b>Kuwait</b> (Deputy Prime Minister and Minister for Foreign Affairs)

Item	High-level participation
he promotion and	Ministerial Level (2)
rengthening of the rule of aw in the maintenance of atternational peace and ecurity	<b>Germany</b> (Federal Minister for Foreign Affairs), <b>Poland</b> (Minister for Foreign Affairs)
faintenance of international	Ministerial Level (3)
eace and security	<b>United States</b> (Secretary of State), <b>Germany</b> (State Secretary of the Federal Foreign Office), <b>Poland</b> (Minister for Foreign Affairs)
	Ministerial Level (11)
cooperation between the finited Nations and regional and subregional organizations a maintaining international eace and security	Belgium (Deputy Prime Minister and Minister of Finance and Development Cooperation), China (State Councillor and Minister for Foreign Affairs), Dominican Republic (Minister for Foreign Affairs), Equatorial Guinea (Minister for Foreign Affairs and Cooperation), France (Minister of State attached to the Minister for Europe and Foreign Affairs), Germany (Minister of State at the Federal Foreign Office), Indonesia (Minister for Foreign Affairs), Kuwait (Deputy Prime Minister and Minister for Foreign Affairs), Poland (Undersecretary of State in the Ministry of Foreign Affairs), Russian Federation (Minister for Foreign Affairs), South Africa (Minister for International Relations and Cooperation)
	Ministerial Level (12)
eace and security in Africa	Belgium (Secretary-General of the Ministry of Foreign Affairs), China (State Councillor and Minister for Foreign Affairs), Cote d'Ivoire (Minister for Foreign Affairs), Equatorial Guinea (Minister for Foreign Affairs and Cooperation), France (Minister for Europe and Foreign Affairs), Germany (Minister of State at the Federal Foreign Office), Indonesia (Minister for Foreign Affairs), Kuwait (Deputy Prime Minister and Minister for Foreign Affairs), Peru (Minister for Foreign Affairs), Poland (Minister for Foreign Affairs), Russian Federation (Minister for Foreign Affairs), South Africa (Minister for International Relations and Cooperation)
	Ministerial Level (2)
he situation in the Middle ast, including the Palestinian uestion	<b>Germany</b> (State Secretary of the Federal Foreign Office), <b>South Africa</b> (Minister for International Relations and Cooperation)
	Ministerial Level (2)
Vomen and peace and ecurity	<b>Germany</b> (Minister of State at the Federal Foreign Office), <b>South Africa</b> (Minister for International Relations and Cooperation)
Te lance	rengthening of the rule of win the maintenance of ternational peace and security  faintenance of international cace and security  cooperation between the nited Nations and regional ad subregional organizations maintaining international cace and security  cace and security  cace and security in Africa  the situation in the Middle cast, including the Palestinian desicn

Private meetings

During the period under review, the Council continued to hold meetings also in private, in accordance with rule 48 of the provisional rules of procedure. Private meetings continued to constitute a small percentage of all Council meetings.<sup>10</sup> In 2019, the Council met in private 15 out of the total 258 Council meetings (5.8 per cent).

Of the 15 private meetings held in 2019, 13 (86.7 per cent) were meetings held with troop- and police-contributing countries under the item entitled "Meeting of the Security Council with the troop- and police-contributing countries pursuant to resolution 1353 (2001), annex II, sections A and B". Of the two remaining meetings (13.3 per cent), one was held under the item "Briefing by the President of the International Court of Justice" for the Council to hear the annual briefing by the President of the International Court of Justice, following its established practice in that regard, and the second one was held under the item entitled "The situation in the Middle East" to hear briefings by the High Representative for Disarmament Affairs and Director-General of the Organization of the Prohibition of Chemical Weapons under the agenda. Figure II shows the percentage of public and private meetings during the period concerned as well as the breakdown of private meetings by type as described above. In addition, table 3 below provides information on all private meetings held by the Council during the period under review, by item and in chronological order.

Figure II: Public and private meetings held in 2019

<sup>&</sup>lt;sup>10</sup> On the formats of private meetings, see also note by the President dated 30 August 2017 (<u>S/2017/507</u>, annex, sect. I.C.2.

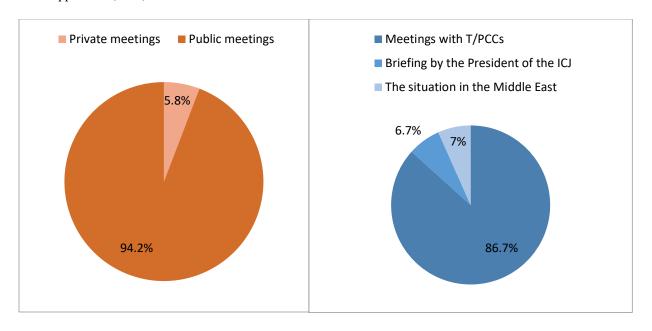


Table 3 **Private meetings in 2019** 

Item	Meeting record and date
Meeting of the Security Council with the troop- and police-contributing countries pursuant to resolution 1353 (2001), annex II, sections A and B (12 meetings)	S/PV.8447, 17 January 2019; S/PV.8478, 5 March 2019; S/PV.8483, 14 March 2019; S/PV.8505, 9 April 2019; S/PV.8542, 10 June 2019; S/PV.8544, 11 June 2019; S/PV.8545, 11 June 2019; S/PV.8574, 15 July 2019; S/PV.8594, 8 August 2019; S/PV.8637, 8 October 2018; S/PV.8662, 7 November 2019; S/PV.8677, 3 December 2019; S/PV.8680, 10 December 2019
Briefing by the President of the International Court of Justice	<u>S/PV.8653</u> , 31 October 2019
The situation in the Middle East	<u>S/PV.8659</u> , 5 November 2019

# B. Informal consultations of the whole

Informal consultations of the whole are not official meetings of the Council. The members gather in private for the purpose of holding discussions and receiving briefings from the Secretariat and representatives of the Secretary-General. These meetings are normally held in the Consultations Room, adjacent to the Security Council Chamber.

During the period under review, members of the Council continued to meet often in informal consultations of the whole: a total of 135 times in 2019 (as shown in figure I above).

Frequently, informal consultations of the whole were held immediately after public meetings of the Council.

Pursuant to the Council's established practice, no official records of informal consultations were issued, and non-members were not invited. On several occasions, however, statements to the press were issued or elements to the press were read out by the President of the Council following informal consultations. As provided for in the note by the President dated 30 August 2017, the members of the Security Council encourage the President of the Council to make efforts, whenever appropriate, to suggest, at the end of consultations, general lines or elements to be used when providing briefings to the press, in order to make consultations result-oriented as well as to increase the transparency of the work of the Security Council while securing confidentiality. 2

# C. Other informal meetings of the members of the Security Council

During the period under review, the Council continued to hold informal interactive dialogues (IIDs) and Arria-formula meetings. <sup>13</sup> Informal interactive dialogues and Arria-formula meetings are convened at the initiative of one or more members of the Council. In practice, informal interactive dialogues are convened normally with the participation of all Council members, while Arria-formula meetings are convened with the participation of all or some Council members. While informal interactive dialogues are presided by the President of the Security Council for the month, Arria-formula meetings are not. Frequently, the member or members convening the Arria-formula meeting also chairs the meeting. Neither of the two types of meeting is considered a meeting of the Council. Neither type of meeting is announced in the *Journal* of the United Nations or in the Council's programme of work and no official records are prepared. Invitees to informal interactive dialogues and Arria-formula meetings include Member States, relevant organizations and individuals. In past practice Arria-formula meetings were

<sup>&</sup>lt;sup>11</sup> Not all statements to the press were issued as a result of informal consultations.

<sup>&</sup>lt;sup>12</sup> <u>S/2017/507</u>, annex, para. 54.

<sup>&</sup>lt;sup>13</sup> For more information on informal interactive dialogues and Arria-formula meetings, see <u>\$\( \)2017/507</u>, annex, paras. 92, 95 and 97–99.

closed to the public while in recent practice, these meetings have been open to the public or even broadcast. <sup>14</sup> Informal interactive dialogues are not open to the public or broadcast.

# Informal interactive dialogues

During the reporting period, the Council held seven informal interactive dialogues.<sup>15</sup> According to the note by the President dated 30 August 2017, the Council, "when it deems appropriate", may utilize informal dialogues to seek the views of Member States that are parties to a conflict and/or other interested and affected parties.<sup>16</sup> All informal interactive dialogues held in 2019 concerned country-specific or regional situations, as shown in table 4.

<sup>&</sup>lt;sup>14</sup> 17 out of the 22 Arria-formula meetings held in 2019 were broadcast to the public.

<sup>&</sup>lt;sup>15</sup> For information on the evolution of informal interactive dialogues, see *Repertoire*, *Supplements 2008–2018*, part II, sect. I. C.

<sup>&</sup>lt;sup>16</sup> S/2017/507, annex, para. 92.

Table 4 **Informal interactive dialogues in 2019** 

Date	Subject	Participants (including non-members of the Council)
21 January 2019	The situation in the Central African Republic	All Council members; Under-Secretary-General for Peacekeeping Operations
20 March 2019	Peace and security in Africa (Activity of the Peacebuilding Commission and Peacebuilding Support Office in the Sahel)	All Council members; Colombia (as Chair of the Peacebuilding Commission); Egypt and Romania and (as Vice-Chairs of the Peacebuilding Commission), Assistant Secretary-General for Peacebuilding Support; Burkina Faso; Mali
21 March 2019	The situation in the Middle East (Fostering dialogue and cooperation as a response to conflicts and common challenges in the Middle East and North Africa)	All Council members; Program Director for Middle East & North Africa of the International Crisis Group; Professor of Montreal University; Assistant Administer and Director of the Regional Bureau for Arab States, United Nations Development Programme; Senior Political Affairs Officer of the Middle East Team, Department of Political and Peacebuilding Affairs/Department of Peace Operations
7 June 2019	The situation in Libya	All Council members; Deputy Secretary General for Common Security and Defence Policy of the European External Action Service
31 July 2019	Peace and security in Africa (Ebola outbreak in the DRC)	All Council members; African Union Commissioner for Social Affairs; Ebola Emergency Response Coordinator; Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator; Executive Director of World Health Organization/Health Emergencies Programme; Democratic Republic of Congo
28 August 2019	The situation in Burundi	All Council members; Director for Central and Southern Africa Division, Department of Political and Peacebuilding Affairs/Department of Peace Operations; Switzerland (as Chair of the Burundi configuration of the Peacebuilding Commission)
27 November 2019	Peace consolidation in West Africa (United Nations Office for West Africa and the Sahel)	All Council members; Former Special Representative for Central Africa and Head of the United Nations Regional Office for Central Africa (UNOCA); Assistant Secretary-General for Africa, Department of Political and Peacebuilding Affairs/Department of Peace Operations; Colombia (as Chair of the Peacebuilding Commission)

# Arria-formula meetings

As provided for in the note by the President dated 30 August 2017, Arria-formula meetings are utilized by members of the Council as "a flexible and informal forum" for enhancing their deliberations and their contact with civil society and non-governmental organizations. <sup>17</sup> According to that note, Council members may invite, on an informal basis, any Member State, relevant organization or individual to participate in Arria-formula meetings.

<sup>&</sup>lt;sup>17</sup> Ibid., para. 98.

During the period under review, the Council held a total of 22 such meetings. Arria-formula meetings held during the period under review are listed in table 5.

Table 5 **Arria-formula meetings in 2019** 

Date	Subject	Organiser(s)
24 January 2019	What's next for women, peace and security in Middle East and North Africa: the potential of National Action Plans	Germany
31 January 2019	Preventing and countering the financing of terrorism	France
8 February 2019	Accountability for conflict-related sexual violence as a central pillar for prevention	Germany
12 February 2019	Protecting boys and girls in shrinking humanitarian space	Belgium
11 March 2019	Human rights, accountability and justice: contributions to international peace and security	France, Peru
13 March 2019	Women's participation in political processes, with a focus on the Sahel	France, Germany
15 March 2019	A symbolic date: Fifth anniversary of the beginning of Russia's occupation of Crimea: A blatant violation of international law	France; Germany; Poland; Belgiur United Kingdom; United States
1 April 2019	Protecting Humanitarian and Medical personnel	France; Germany
8 April 2019	The Western Balkans roadmap for the control of small arms and light weapons as a model for effective regional arms control	Dominican Republic, Equatorial Guinea, Germany, France
12 April 2019	Explosive ordnance threat mitigation: For the implementation of a coherent and comprehensive response	Belgium and Poland, in collaboration with Germany
17 April 2019	Human Rights components in peace operations	Côte d'Ivoire, France, Germany, Kuwait, Peru
9 May 2019	Israeli settlements and settlers: core of the occupation, protection crisis and obstruction of peace	Indonesia, Kuwait, South Africa
13 May 2019	The humanitarian crisis in Cameroon	Dominican Republic Germany, United Kingdom, United States
24 May 2019	Peacekeeping impact on peacebuilding and sustaining Peace	Côte d'Ivoire, Indonesia
7 June 2019	Transnational organized crime and drug trafficking in the Caribbean region as a threat to international stability	Dominican Republic
24 June 2019	Responding effectively to the needs of refugees, displaced persons and returnees: the role of the United Nations Security Council and its members	Equatorial Guinea, Côte d'Ivoire, South Africa
22 August 2019	Advancing the safety and security of persons belonging to religious minorities in armed conflict	Brazil, Canada, Jordan, Poland United Kingdom and United States
23 August 2019	Mass atrocity crimes in Myanmar: where do we stand on accountability?	Germany, Kuwait, Peru

Date	Subject	Organiser(s)	
25 October 2019	Trafficking in persons for sexual exploitation in (post-) conflict situations: integrating a comprehensive approach to trafficking in persons into the women, peace and security agenda of the Security Council	Belgium, Niger, Peru, United Kingdom, Vietnam, United Nations Office of Drug and Crime	
12 November 2019	Challenges of radicalisation in prisons	Belgium, Indonesia	
26 November 2019	Reintegration of children associated with armed forces and armed groups: Bridging the Humanitarian-Development-Peace Nexus, including by taking into account children's views in designing and implementing re-integration programmes	Belgium, Peru, Poland and United Kingdom	
9 December 2019	Protection of the environment during armed conflict	Kuwait	

# Other informal meetings

Following the practice started in 2007, the Council met with the Peace and Security Council of the African Union in 2019. In this connection, and in accordance with the note by the President dated 30 August 2017, the members of the Council acknowledged the importance of annual joint consultative meetings and informal dialogues with the members of the Peace and Security Council of the African Union, to exchange views on ways to strengthen cooperation and partnership. In 2019, the Council commenced the holding of monthly, informal discussions at the level of permanent representatives to encourage a frank exchange among ambassadors on developing threats to peace and security. These meetings have become known as "sofa talks".

# **D.** Discussion concerning meetings

During the period under review, questions pertaining to the meetings of the Council and to other forms of informal gatherings of members of the Council were discussed during the open

<sup>&</sup>lt;sup>18</sup> The members of the Security Council and the Peace and Security Council of the African Union held their thirteenth joint consultative meeting in Addis Ababa on 21 October 2019 (<u>S/2019/825</u> and <u>S/2020/192</u>). Previously they had met on 19 July 2018 in New York (see <u>S/2018/736</u>). For information on prior practice concerning the informal joint meetings of the Security Council and the Peace and Security Council of the African Union, see *Repertoire*, *Supplements* 2008–2018, part II, sect. I. C.

<sup>&</sup>lt;sup>19</sup> See <u>S/2017/507</u>, annex, para. 97. In the note, the members of the Security Council also underscored the importance of increased coordination, cooperation and interaction with other relevant bodies including regional organizations, among them the African Union (para. 93); and agreed to consider joint missions of the Security Council and the Peace and Security Council of the African Union to conflict situations in Africa (para. 122). For more information on the cooperation of the Council with regional and subregional organizations pursuant to Chapter VIII of the Charter, see part VIII.

<sup>&</sup>lt;sup>20</sup> See <u>S/PV.8539</u>, p. 11 (United Kingdom).

debate on the working methods of the Council on 6 June 2019, under the item entitled "Implementation of the note by the President of the Security Council (<u>S/2017/507</u>)", as described in case 1.

#### Case 1

# Implementation of the note by the President of the Security Council (S/2017/507)

On 6 June 2019, at its 8539th meeting, the Council held an open debate on the working methods of the Security Council at the initiative of Kuwait as President of the Council for the month. The focus of the open debate was the Council's working methods since the issuance of the note by the President of the Security Council (\$\frac{\sqrt{2017}/507}{\sqrt{907}}\), including the identification of implementation gaps as well as the practical proposals that could contribute to enhancing the efficiency of the Council's working methods.<sup>21</sup> Several speakers referred to and welcomed the practice of holding briefings at the beginning of the month on the provisional programme of work and wrap-up sessions with the wider membership at end of the monthly Presidency of the Council.<sup>22</sup> Speakers also highlighted how these practices enhanced the transparency and accountability of the Council by increasing interactivity among members of the Council and the wider membership of the United Nations.<sup>23</sup> The representative of Switzerland, speaking on behalf of the members of the Accountability, Coherence and Transparency (ACT) group, noted that wrap-up sessions were an important vehicle to enhance transparency and accountability and that the main purpose of such meetings should be the interaction with the wider membership.<sup>24</sup> Given these benefits, the representatives of Singapore, Slovenia, Liechtenstein, and Ukraine added that the monthly Presidency should announce the schedule of such sessions in the provisional programme of work well in advance and that the Council should endeavor to institutionalize these meetings as a standard practice.

Regarding briefings, the representative of New Zealand highlighted that in order to better deliver on the Council's conflict prevention role, the Council should invite briefers who could deliver insights to add value to the Council's deliberations. In that sense, speakers encouraged

<sup>&</sup>lt;sup>21</sup> A concept note was circulated by letter dated 29 May 2019 (S/2019/450).

<sup>&</sup>lt;sup>22</sup> S/PV.8539, Switzerland, Singapore, Slovenia, Liechtenstein, and Ukraine.

<sup>&</sup>lt;sup>23</sup> Ibid., Switzerland, Singapore, Slovenia and Liechtenstein.

<sup>&</sup>lt;sup>24</sup> S/PV.8539.

the practice of inviting members of civil society to brief the Council so it might broaden its understanding of the issues on the agenda through useful first-hand information on the ground. In that regard, the representatives of Canada, Italy, Slovenia, and Costa Rica highlighted the value of inviting civil society briefers to Council meetings and commended the efforts in that regard. The representative of Canada argued that their perspectives needed to be heard. The representative of Slovenia underlined that women could provide useful first-hand information from the ground and the representative of Italy stated that the participation of women civil society briefers allowed Council members to hear different voices and points of view before deliberating.<sup>25</sup> The representative of Costa Rica added that the participation of civil society had to be guaranteed, especially that of women representatives, who could provide insight based on their experiences and understanding of their rights.<sup>26</sup>

Regarding public meetings, the representative of France called on the Council to avoid excessive public meetings to the detriment of the work on Council decisions and warned about the trend of the Council members spending more and more time in the Chamber presenting their respective positions and less and less time in the consultations room deciding on joint action. The representative of France cited the five-year trend of the Security Council, which spent three times more time in public meetings than in consultations, while it negotiated and adopted fewer texts. Highlighting the importance of public meetings, the representative of France pointed out that public meetings tended to polarize positions at the expense of the consensus and therefore the Council had to seek the right balance. While acknowledging the increase in the number of public meetings in recent years, the representative of Cuba said however that the Security Council continued to work primarily in closed formats to take decisions without heeding the concerns of Member States and to force decisions on draft resolutions even when there were significant differences over their content. Furthermore, the representatives of Cuba and Ukraine highlighted that the Council should conduct its work in the open as much as practically possible, and thus stressed that closed consultations should be the exception rather than the rule. In a similar vein, the representative of Guatemala affirmed the importance of public meetings and emphasized that continuing the practice of open debates, promoting greater participation of nonmembers of the Council and the holding of Arria-formula meetings had enabled the Council to

<sup>&</sup>lt;sup>25</sup> Ibid., Canada, Italy, and Slovenia.

<sup>&</sup>lt;sup>26</sup> S/PV.8539.

obtain accurate information to be more effective in fulfilling its responsibility to maintain international peace and security. In that connection, the representative of Egypt stated that the frequency of public meetings, whether of the Security Council or its subsidiary organs and sanctions committees, should be increased, underlining that the meetings and work of the Council must not be kept from the wider membership unless they concerned matters related to the national security of a State and the State made a request to that end. The representative of Bahrain also noted that the convening of more public meetings could lead to improving the working methods of the Council. The representative of Colombia said that increasing the number of open-format Security Council meetings and keeping the number of closed or private meetings to a minimum, in the understanding that the latter should be the exception and not the rule, should be taken into account for the definitive rules of procedure of the Council.

A number of speakers highlighted the informative role and inclusive nature of Arriaformula meetings and/or informal interactive dialogues.<sup>27</sup> The representative of France
highlighted that interactive dialogues and Arria-formula meetings significantly contributed to
informing the Council on important issues and preparing the work on future texts. The
representative of Singapore underlined that the Council's greater use of formats such as Arriaformula meetings allowed it to engage more interactively with the General Assembly. The
representative of Mexico also noted that such meetings and informal interactive dialogues
enabled the Council to listen to all States involved and civil society, especially in cases that
directly concern them.

While supporting the notion of expanding the Security Council's coordination with a wide range of Member States and those that could provide important information for decision making through appropriate mechanisms including interactive dialogues and informal Arria-Formula meetings, the representative of the Russian Federation affirmed that they were not official meetings of the Council. He believed that such formats should only be used to raise Council members' awareness of issues on its agenda and were unacceptable to be used as platforms for "propaganda performances" or for individual delegations' controversial unilateral approaches. He pointed out that the costs of such events including the use of the premises of the

<sup>&</sup>lt;sup>27</sup> Ibid., France, Singapore, and Mexico.

United Nations Headquarters, its conference services and, in some cases, its translators were covered by the Organization's regular budget.

Regarding open debates, speakers highlighted their positive role in making the Security Council decision-making process more transparent, accountable, inclusive, and legitimate and recommended ways in which these functions could be further improved. The representative of Singapore regarded the increased number of open debates and webcast of more meetings as an indication of progress made on transparency and accountability. Noting how open debates enhance the inclusivity and legitimacy of the work of the Council, the representative of Liechtenstein suggested separating the debate from the moment at which a decision was adopted to further ensure that the meetings help make the decision-making process more inclusive and legitimate among Council members. The representative of Colombia added that convening an open debate before the adoption of the respective Council decision would allow the necessary time to reflect upon the points of view presented by the Council members.

Finally, on closed consultations, speakers reflected on the positive functions of such meetings but raised caution on its overuse and recommended ways to enhance transparency. The representative of the United States noted that closed consultations could serve as important forums for the exchange of views and encouraged more interactivity during these consultations. The representative of Singapore noted the value of transparency and requested that some form of summary records or decision points be shared with the wider membership.

# E. Records

During the period under review, verbatim records were issued following each public meeting of the Council, in accordance with rule 49 of the provisional rules of procedure, and communiqués were issued following private meetings, in accordance with rule 55. No questions were raised at Council meetings regarding the application of rules 49 to 57 in connection with the preparation, access to and issuance of verbatim records, communiqués or other documents.

# II. Agenda

# Note

Section II deals with the practice of the Security Council concerning the agenda, in relation to rules 6 to 12 of the provisional rules of procedure of the Security Council.

# Rule 6

The Secretary-General shall immediately bring to the attention of all representatives on the Security Council all communications from States, organs of the United Nations, or the Secretary-General concerning any matter for the consideration of the Security Council in accordance with the provisions of the Charter.

# Rule 7

The provisional agenda for each meeting of the Security Council shall be drawn up by the Secretary-General and approved by the President of the Security Council.

Only items which have been brought to the attention of the representatives on the Security Council in accordance with rule 6, items covered by rule 10, or matters which the Security Council had previously decided to defer, may be included in the provisional agenda.

# Rule 8

The provisional agenda for a meeting shall be communicated by the Secretary-General to the representatives on the Security Council at least three days before the meeting, but in urgent circumstances it may be communicated simultaneously with the notice of the meeting.

#### Rule 9

The first item of the provisional agenda for each meeting of the Security Council shall be the adoption of the agenda.

# Rule 10

Any item on the agenda of a meeting of the Security Council, consideration of which has not been completed at that meeting, shall, unless the Security Council otherwise decides, automatically be included in the agenda of the next meeting.

#### Rule 11

The Secretary-General shall communicate each week to the representatives on the Security Council a summary statement of matters of which the Security Council is seized and of the stage reached in their consideration.

#### Rule 12

The provisional agenda for each periodic meeting shall be circulated to the members of the Security Council at least twenty-one days before the opening of the meeting. Any subsequent change in or addition to the provisional agenda shall be brought to the

notice of the members at least five days before the meeting. The Security Council may, however, in urgent circumstances, make additions to the Agenda at any time during a periodic meeting.

The provisions of rule 7, paragraph 1, and of rule 9, shall apply also to periodic meetings.

During the period under review, the Secretary-General continued the practice of distributing communications from States, organs of the United Nations, or from himself concerning any matter for the consideration of the Council in accordance with the provisions of the Charter and pursuant to rule 6 of the Council's provisional rules of procedure. The Secretary-General also continued to draw up a provisional agenda for each meeting of the Council, and communicate the provisional agenda to the representatives on the Council, in accordance with rules 7 and 8. The practice relating to the circulation of communications or the preparation of the provisional agenda was not discussed or questioned during the period under review. No periodic meetings were held during 2019, and hence rule 12 was not applied. This section therefore focuses on the practice and discussion regarding rules 9 to 11 and is organized under the following three main headings: A. Adoption of the agenda (rule 9); B. Matters of which the Security Council is seized (rules 10 and 11); C. Discussions concerning the agenda.

# A. Adoption of the agenda (rule 9)

In accordance with rule 9 of the provisional rules of procedure, the first item of the agenda for each meeting of the Council is the adoption of the agenda.

Voting on the adoption of the agenda

During the period under review, objections were raised on two occasions to the adoption of the agenda, and in both cases the objections led to a procedural vote. At the 8452nd meeting of the Council, held on 26 January 2019 under the item entitled "The situation in the Bolivarian

Republic of Venezuela", despite the objections raised, the procedural vote resulted in the adoption of the provisional agenda as a newly introduced item. <sup>28</sup> On 20 May 2019, at the 8529th meeting, convened under the item entitled "Letter dated 13 April 2014 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/2014/264)" the provisional agenda for the meeting failed to be adopted due to the lack of the required number of affirmative votes. <sup>29</sup>

# Newly introduced agenda items

During the period under review, the Council included the item entitled "The situation in the Bolivarian Republic of Venezuela" in the list of matters of which it was seized. The item was considered for the first time at the 8452nd meeting of the Council, on 26 January 2019.<sup>30</sup> The Council held four meetings under this item throughout the year.<sup>31</sup>

From 1998 to 2007 the Council added between 8 and 23 new items every year to its agenda, but since 2008 the number of new items introduced each year has decreased significantly. Figure III provides information on the number of newly introduced agenda items since 1998.

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<sup>&</sup>lt;sup>28</sup> S/PV.8452. For further detail on the discussion, see part I, sect. 16.

<sup>&</sup>lt;sup>29</sup> S/PV.8529. For further detail on the discussion, see part I, sect. 21 B.

<sup>&</sup>lt;sup>30</sup> See S/PV.8452. For more information on this item, see part I, sect. 17.

<sup>&</sup>lt;sup>31</sup> S/PV.8452, S/PV.8472, S/PV.8476, and S/PV.8506.

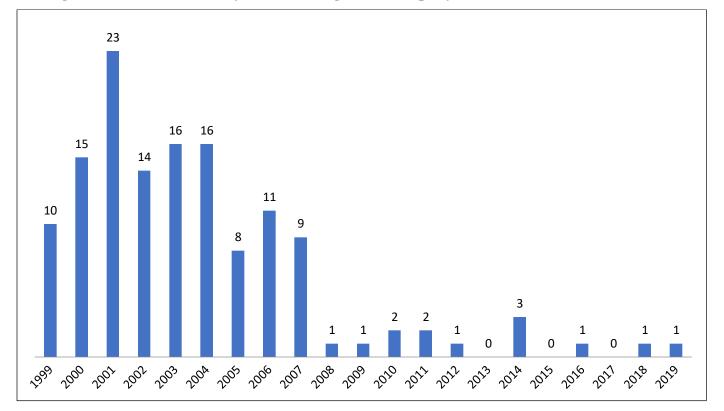


Figure III: Number of newly introduced agenda items per year, 1998-2019

Consideration of country-specific situations under existing items of a regional nature

During the period under review, the Council continued the practice of using existing items of a regional nature for the consideration of evolving country-specific situations. For example, the Council continued to consider the situations in the Syrian Arab Republic and Yemen under the items entitled "The situation in the Middle East", as well as "The situation concerning the Middle East, including the Palestinian question". In 2019, the Council deliberated on region-specific sub-items under thematic items of its agenda. For example, the Council addressed the situations in the Syrian Arab Republic, Yemen, and Israel and Palestine at a meeting held under the "Maintenance of international peace and security" and the sub-item entitled "Challenges to peace and security in the Middle East". In addition, the Council deliberated on the silencing the guns by 2020 initiative under two different items, namely under the item entitled "Cooperation between the United Nations and regional and subregional

<sup>&</sup>lt;sup>32</sup> For more information, see part I sects. 22 and 24.

<sup>&</sup>lt;sup>33</sup> See S/PV. 8600. For more information, see part I, sect. 38.

organizations in maintaining international peace and security" and "Peace and security in Africa" and under two different sub-items respectively: "Silencing the guns in Africa" and "Mobilizing the youth towards silencing the guns by 2020".<sup>34</sup>

Inclusion of new sub-items under existing items

During the period under review, the Council continued its practice of adding new subitems to the existing items, for the consideration of evolving general and cross-border threats to international peace and security. Table 6 lists a selection of new sub-items introduced in 2019 in chronological order of their introduction.<sup>35</sup>

Table 6
New sub-items added to existing items during 2019

Meeting record and date	Item	New sub-item
<u>S/PV.8451</u> 25 January 2019	Maintenance of international peace and security	Addressing the impacts of climate-related disasters on international peace and security
<u>S/PV.8456</u> 4 February 2019	Threats to international peace and security	Mercenary activities as a source of insecurity and destabilization in Africa
<u>S/PV.8457</u> 5 February 2019	Maintenance of international peace and security	Transnational organized crime at sea as a threat to international peace and security
<u>S/PV.8473</u> 27 February 2019	Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security	Silencing the guns in Africa
S/PV.8496 28 March 2019	Threats to international peace and security caused by terrorist acts	Preventing and combating the financing of terrorism
<u>S/PV.8499</u> 1 April 2019	The promotion and strengthening of the rule of law in the maintenance of international peace and security	International humanitarian law
<u>S/PV.8500</u> 2 April 2019	Non-proliferation	Supporting the Non-proliferation Treaty ahead of the 2020 Review Conference
S/PV.8521 7 May 2019	United Nations peacekeeping operations	Investing in peace: Improving safety and performance of United Nations peacekeepers

<sup>&</sup>lt;sup>34</sup> See S/PV.8473 and S/PV.8629. For more information, see part I, sects. 11 and 39.

<sup>&</sup>lt;sup>35</sup> The table excludes cases of routine sub-items relating to briefings by the Security Council missions, briefings by the Chair of the Security Council committees, letters addressed to the President of the Security Council, reports of the Secretary-General, and meetings of the Security Council with the troop- and police-contributing countries pursuant to resolution <u>1353 (2001)</u>, annex II, sections A and B.

<u>S/PV.8543</u> 11 June 2019	Protection of civilians in armed conflict	Missing persons in armed conflict
<u>S/PV.8546</u> 12 June 2019	Maintenance of international peace and security	Conflict prevention and mediation
<u>S/PV.8548</u> 13 June 2019	Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security	Cooperation between the Security Council and the League of Arab States
S/PV.8569 9 July 2019	Threats to international peace and security	Linkages between international terrorism and organized crime
S/PV.8570 10 July 2019	United Nations peacekeeping operations	Strengthening triangular cooperation
S/PV.8577 17 July 2019	Maintenance of international peace and security	Implementation of the youth, peace and security agenda
S/PV.8579 18 July 2019	Peacebuilding and sustaining peace	Strengthening partnerships for successful nationally- owned transitions
S/PV.8590 2 August 2019	Peace and security in Africa	Ebola
S/PV.8600 20 August 2019	Maintenance of international peace and security	Challenges to peace and security in the Middle East
<u>S/PV.8626</u> 25 September 2019	Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security	The contribution of the Collective Security Treaty Organization, the Commonwealth of Independent States and the Shanghai Cooperation Organization in countering terrorist threats
S/PV.8627 26 September 2019	Peace and security in Africa	Partnership to strengthen regional peace and security
S/PV.8629 2 October 2019	Peace and security in Africa	Mobilizing youth towards silencing the guns by 2020
<u>S/PV.8633</u> 7 October 2019	Peace and security in Africa	The centrality of preventive diplomacy, conflict prevention and resolution
<u>S/PV.8649</u> 29 October 2019	Women and peace and security	Towards the successful implementation of the women, peace and security agenda: moving from commitments to accomplishments in preparation for the commemoration of the twentieth anniversary of Security Council resolution 1325 (2000)
<u>S/PV.8668</u> 19 November 2019	Peacebuilding and sustaining peace	The role of reconciliation in maintaining international peace and security
S/PV.8685 16 December 2019	Peace and security in Africa	Intercommunal violence and terrorism in West Africa

# B. Matters of which the Security Council is seized (rules 10 and 11)

During the period under review, pursuant to rule 11 of the provisional rules of procedure and note by the President dated 30 August 2017,<sup>36</sup> the Secretary-General continued to communicate each week to the representatives on the Council a summary statement of matters of which the Council was seized and of the stage reached in their consideration.<sup>37</sup> The practice of including an agenda item in the summary statement upon its adoption at a formal meeting of the Council remained unchanged.

On 26 January 2019, at its 8452nd meeting, the Council considered one new item entitled "The situation in the Bolivarian Republic of Venezuela", which was subsequently included in the summary statement.<sup>38</sup>

According to the note by the President dated 30 August 2017, the preliminary annual summary statement issued in January each year by the Secretary-General of matters of which the Council is seized, identifies the items which have not been considered by the Council during the preceding three calendar years and that are therefore, subject to deletion. An item is deleted unless a Member State notifies the President of the Council, by the end of February, of its request that the item be retained on the list, in which case the item will remain on the list for an additional year. If no Member State requests the item's retention on the list, the first summary statement issued in March of that year reflects its deletion.<sup>39</sup>

During the period under review, in accordance with rule 11 and note by the President dated 30 August 2017, the Council continued the practice of reviewing the summary statement at the beginning of each year in order to determine if the Council had concluded its consideration of any of the listed items.<sup>40</sup> In 2019, of 15 items identified for deletion in January, none was deleted and all items were retained for one additional year at the request of Member States.<sup>41</sup> (see table 7).

<sup>&</sup>lt;sup>36</sup> <u>S/2017/507</u>, paras. 13 and 14.

<sup>&</sup>lt;sup>37</sup> See for example: <u>S/2019/10/add.1</u>, <u>S/2019/10/add.2</u>.

<sup>&</sup>lt;sup>38</sup> S/2019/10/add.4.

<sup>&</sup>lt;sup>39</sup> <u>S/2017/507</u> paras. 15 and 16.

<sup>&</sup>lt;sup>40</sup> S/2019/10.

<sup>&</sup>lt;sup>41</sup> S/2019/10/add.9.

Table 7 **Items proposed for deletion from the summary statement in 2019** 

Item	Date of first and last consideration	Proposed for deletion in 2019	Status in March 2019
The India-Pakistan question	6 January 1948; 5 November 1965	*	Retained
The Hyderabad question	16 September 1948; 24 May 1949	*	Retained
Letter dated 20 February 1958 from the representative of the Sudan addressed to the Secretary-General	21 February 1958; 21 February 1958	*	Retained
Letter dated 11 July 1960 from the Minister for Foreign Affairs of Cuba addressed to the President of the Security Council	18 July 1960; 5 January 1961	*	Retained
Letter dated 31 December 1960 from the Minister for External Affairs of Cuba addressed to the President of the Security Council	4 January 1961; 5 January 1961	*	Retained
The situation in the India/Pakistan subcontinent	4 December 1971; 27 December 1971	*	Retained
Letter dated 3 December 1971 from the Permanent Representatives of Algeria, Iraq, the Libyan Arab Republic and the People's Democratic Republic of Yemen to the United Nations addressed to the President of the Security Council	9 December 1971; 9 December 1971	*	Retained
Complaint by Cuba	17 September 1973; 18 September 1973	*	Retained
The situation between Iran and Iraq	26 September 1980; 31 January 1991	*	Retained
Letter dated 1 October 1985 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council	2 October 1985; 4 October 1985)	*	Retained
Letter dated 19 April 1988 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council	21 April 1988; 25 April 1988	*	Retained
Letter dated 2 February 1990 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council	9 February 1990; 9 February 1990	*	Retained
The situation between Iraq and Kuwait	2 August 1990; 27 June 2013	*	Retained considered in 2019 (S/PV.8463)
The situation in Georgia	8 October 1992; 15 June 2009	*	Retained
The promotion and strengthening of the rule of law in the maintenance of international peace and security	24 September 2003; 21 February 2014	*	Retained

Item	Date of first and last consideration	Proposed for deletion in 2019	Status in March 2019
			considered in 2019 ( <u>S/PV.8499</u> , <u>S/PV.8596</u> , and <u>S/PV.8599</u> )

Items considered at Security Council meetings

While it remained seized of 69 items during the review period, the Council considered 49 items at its meetings in 2019. Of the 49 items considered in 2019 at meetings of the Council, 27 concerned country-specific and regional situations, and 22 thematic and other issues. Table 8 provides an overview of the items on the agenda of the Council and the items considered at formal meetings of the Council during the period under review.

Table 8

Items on the agenda of the Council and items considered at formal meetings of the Council in 2019

Item	Considered at a meeting of the Council in 2019
Country-specific and regional situations	
Africa	
Central African region	Yes
Letter dated 20 February 1958 from the representative of the Sudan addressed to the Secretary-General	No
Letter dated 1 October 1985 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council	No
Letter dated 19 April 1988 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council	No
Peace and security in Africa	Yes
Peace consolidation in West Africa	Yes
Reports of the Secretary-General on the Sudan and South Sudan	Yes
The situation concerning the Democratic Republic of the Congo	Yes
The situation concerning Western Sahara	Yes
The situation in Burundi	Yes
The situation in Côte d'Ivoire	No
The situation in the Great Lakes Region	Yes
The situation in Guinea-Bissau	Yes
The situation in Liberia	No
The situation in Libya	Yes
The situation in Mali	Yes
The situation in Somalia	Yes
The situation in the Central African Republic	Yes
Americas	
Letter dated 11 July 1960 from the Minister for Foreign Affairs of Cuba addressed to the President of the Security Council	No

Item	Considered at a meeting of the Council in 2019
Letter dated 31 December 1960 from the Minister for External Affairs of Cuba addressed to the President of the Security Council	No
Complaint by Cuba	No
Letter dated 2 February 1990 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council	No
Identical letters dated 19 January 2016 from the Permanent Representative of Colombia to the United Nations addressed to the Secretary-General and the President of the Security Council (S/2016/53)	Yes
The situation in the Bolivarian Republic of Venezuela	Yes
The question concerning Haiti	Yes
Asia	
The situation in Afghanistan	Yes
The situation in the Democratic People's Republic of Korea	No
The Hyderabad question	No
The India-Pakistan question	No
The situation in the India/Pakistan subcontinent	No
The situation in Myanmar	Yes
Europe	
The situation in Bosnia and Herzegovina	Yes
The situation in Cyprus	Yes
The situation in Georgia	No
Letter dated 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council ( <u>S/2014/136</u> )	Yes
Letter dated 13 April 2014 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council ( <u>S/2014/264</u> )	Yes
Security Council resolutions <u>1160 (1998)</u> , <u>1199 (1998)</u> , <u>1203 (1998)</u> , <u>1239 (1999)</u> and <u>1244 (1999)</u>	Yes
Letter dated 13 March 2018 from the Chargé d'affaires a.i. of the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council (§/2018/218)	No
Middle East	
Letter dated 3 December 1971 from the Permanent Representatives of Algeria, Iraq, the Libyan Arab Republic and the People 's Democratic Republic of Yemen to the United Nations addressed to the President of the Security Council ( <u>S/10409</u> )	No
The situation between Iran and Iraq	No
The situation concerning Iraq	Yes
The situation between Iraq and Kuwait	Yes
The situation in the Middle East	Yes
The situation in the Middle East, including the Palestinian question	Yes
Items concerning country-specific and regional situations considered at a meeting of the Council in 2019	27 items

Item	Considered at a meeting of the Council in 2019
Thematic and other issues	
Briefing by the Chairperson-in-Office of the Organization for Security and Cooperation in Europe	Yes
Briefings by Chairs of subsidiary bodies of the Security Council	Yes
Briefing by the President of the International Court of Justice	Yes
Briefing by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator	No
Briefing by the United Nations High Commissioner for Refugees	Yes
Children and armed conflict	Yes
Consideration of the draft report of the Security Council to the General Assembly	Yes
Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security	Yes
General issues relating to sanctions	No
Implementation of the note by the President of the Security Council ( <u>S/2017/507</u> )	Yes
International Residual Mechanism for Criminal Tribunals	Yes
Maintenance of international peace and security	Yes
Meeting of the Security Council with the troop- and police-contributing countries pursuant to resolution $\underline{1353\ (2001)}$ , annex II, sections A and B	Yes
Non-proliferation	Yes
Non-proliferation/Democratic People's Republic of Korea	Yes
Non-proliferation of weapons of mass destruction	Yes
Peacebuilding and sustaining peace	Yes
The promotion and strengthening of the rule of law in the maintenance of international peace and security	Yes
Protection of civilians in armed conflict	Yes
Security Council mission	Yes
Small arms	No
Threats to international peace and security	Yes
Threats to international peace and security caused by terrorist acts	Yes
United Nations peacekeeping operations	Yes
Women and peace and security	Yes
Items concerning thematic issues considered at a meeting of the Council in 2018	22 items
Items on the agenda of the Council in 2019	69 items
Items discussed in 2019	49 items

# C. Discussions concerning the agenda

During the period under review, members of the Council discussed the agenda and the matters of which the Security Council was seized during the annual open debate on the working methods of the Council under the item "Implementation of the note by the President of the Security Council (S/2017/507)". <sup>42</sup> In addition, discussions on the agenda of the Council occurred in connection with country- or region-specific items and related to the procedural votes for the adoption of the agenda (see cases 2 and 3) and during an open debate under the item entitled "Maintenance of international peace and security", focusing on the nexus between climate change and security (see case 4). In 2019, the Council also discussed whether the situation in Burundi should remain on its agenda (case 5).

# Case 2

# The situation in the Bolivarian Republic of Venezuela

At the 8452nd meeting held on 26 January 2019, the Council met to discuss the situation in the Bolivarian Republic of Venezuela. <sup>43</sup> Council members expressed differing views about the holding of the meeting and objections to the adoption of the agenda led to a procedural vote in the Council. Prior to the vote on the agenda, the representative of the Russian Federation opposed the adoption of the agenda item and stated that the internal situation in the Bolivarian Republic Venezuela was not an item on the agenda of the Council and that he saw no external threats arising from what was taking place in that Country. He further argued that it would be more appropriate to conduct a discussion under the item "Threats to international peace and security" in the light of the violation of Article 2, paragraph 4, of the Charter of the United Nations and called on others to support his delegation's position. The Secretary of State of the United States referred to the fact that the capacity of regional countries to adequately address the urgent humanitarian needs had been overwhelmed. He also mentioned the letter from the Secretary General of the Organization of American States which specifically described the

<sup>42</sup> S/PV.8539.

<sup>&</sup>lt;sup>43</sup> S/PV.8452.

destabilizing impact of the crisis on the region and argued that the Council could not delay the critical conversation, which had the world's attention.

Immediately thereafter the provisional agenda was put to a vote and adopted with nine votes in favour, four against, and two abstentions. 44 Speaking after the vote, the representative of Peru considered it important that the Council discussed the situation in the Bolivarian Republic of Venezuela in accordance with Article 34 of the Charter of the United Nations, which authorized it to address any situation that was likely to endanger the maintenance of international peace and security as well as the commitment to the preventive diplomacy efforts that the Council must undertake.<sup>45</sup> He further noted that the rupture of the constitutional order in the Bolivarian Republic of Venezuela had given way to a serious political, economic and humanitarian crisis, which represented a threat to regional peace and security. The representative of France stated that the situation in the Bolivarian Republic of Venezuela went beyond the borders of the Country and that it was perfectly legitimate for the Council to address this issue as part of its role in conflict resolution. Similarly, the representative of Kuwait stated that the Council had a fundamental role to play in implementing preventive diplomacy in order to prevent conflicts and address crises at an early stage, should there be any early signs of a situation leading to a threat to international peace and security, according to Chapter VI, Article 34 of the Charter. Additionally, the representative of Germany argued that, given the massive violations of human rights and the threats to international peace and security, it was right that the Council discussed this issue. Moreover, the representative of Belgium stated that it was clear that the Council had a responsibility to address the situation in the Bolivarian Republic of Venezuela, which constituted a threat to international peace and security, as the threat to the stability of the region became evident when three million people fled their country because of its economic and political collapse.

By contrast, the representative of Equatorial Guinea argued that the situation in the Bolivarian Republic of Venezuela was an internal matter and that it did not pose a threat to international peace and security. Also, the representative of China argued against adding the situation in the Bolivarian Republic of Venezuela to the Council's agenda because the situation

<sup>&</sup>lt;sup>44</sup> *In favour*: Belgium, Dominican Republic, France, Germany, Kuwait, Peru, Poland, United Kingdom, United States; *against*: China, Equatorial Guinea, Russian Federation, South Africa; *abstaining*: Côte d'Ivoire, Indonesia. <sup>45</sup> S/PV.8452.

in the Country was a domestic matter and did not constitute a threat to international peace and security. The representative of Indonesia explained his abstention by stating that the briefing should be considered under a different agenda item, namely, "Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security".

#### Case 3

Letter dated 13 April 2014 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (\$\sqrt{2014}/264)\$

At the 8529th meeting held on 20 May 2019, at the request of the Russian Federation, the Council convened to discuss the situation in Ukraine. 46 Objections to the adoption of the agenda led to a procedural vote in the Council. Prior to the vote, the representative of France stated that he opposed the adoption of the provisional agenda because the request to hold an open meeting on the law on the use of Ukrainian as the national language specifically on the day of the inauguration of the new President of Ukraine, democratically elected in a transparent electoral process, was not intended to contribute to resolving the crisis between Russia and Ukraine. The representative of Germany expressed his support for the statement made by the representative of France and also opposed the adoption of the provisional agenda. The representative of the United States also made a statement opposing the adoption of the provisional agenda, stating that the request for the meeting was an attempt to distract from the peaceful, democratic transfer of power happening on that day in Ukraine. On the other hand, the representative of the Russian Federation argued that it was essential for the Council to pre-emptively give its opinion of the law establishing the status of the Ukrainian language as the country's national language before the law came into force in mid-July because the law was a direct violation of the spirit and letter of the package of measures for fulfilling the Minsk agreements, which the Council approved and supported through its adoption of resolution 2202 (2015) and its presidential statement of June 2018.<sup>47</sup> The representative of Poland, however, stated that the request for holding a meeting on Ukraine on that day was surprising as the delegation of Poland believed that Russia's aggression

<sup>47</sup> S/PV.8529. See also S/PRST/2018/12.

<sup>&</sup>lt;sup>46</sup> S/PV.8529.

against Ukraine's sovereignty and territorial integrity was a direct threat to international peace and security, while the fact that Ukraine's legitimate authorities had signed a bill into law was not.<sup>48</sup>

The provisional agenda for the meeting was put to the vote and failed to be adopted due to the lack of the required number of affirmative votes. 49 After the vote, the representative of the Russian Federation expressed regret at the result of the vote and deplored the fact that some Council members displayed double standards with regard to the discussion of the issue of Ukraine. 50 He also stated that he could not accept the arguments that delegations needed more time to study the law as the text of the Ukrainian law existed and had been publicly available since the autumn of 2018. The representative of the United Kingdom asserted that the Council had voted on whether to have a meeting on this subject and affirmed that the representative of the Russian Federation showed disrespect for the Council by giving a substantive intervention on a meeting that was not happening instead of an explanation of vote. The representative of Belgium stated that he had called several times for the meeting to be postponed for a few days without success and voted against the adoption of the provisional agenda because there was a lack of information on the law in question and he did not feel that holding a briefing on the very day the new President of Ukraine took office created an environment conducive to resuming dialogue. By contrast, the representative of China explained that he voted in favour of the provisional agenda because, among several reasons, the Council should play a constructive role by creating an external environment conducive to the proper resolution of the relevant issues, promoting peace, stability and development in Ukraine and achieving harmonious coexistence among Ukraine's various ethnic groups, as well as peaceful coexistence between Ukraine and other countries in the region. Similarly, the representative of South Africa stated that she supported the request for this meeting on the basis of consistency, having acceded to requests from other delegations for briefings on matters that they regarded as urgent and important, and based on the fact that Ukraine was on the agenda of the Council, as well as rule 2 of the provisional rules of procedure, which provided for such a meeting. The representative of Indonesia noted that he abstained in the voting on the provisional agenda of the meeting because,

<sup>&</sup>lt;sup>48</sup> S/PV.8529.

<sup>&</sup>lt;sup>49</sup> *In favour*: China, Dominican Republic, Equatorial Guinea, Russian Federation, South Africa; *against*: Belgium, France, Germany, Poland, United Kingdom, United States; *abstaining*: Côte d'Ivoire, Indonesia, Kuwait, Peru. <sup>50</sup> S/PV.8529.

while the request from the Russian delegation was addressed to the Council in accordance with rule 2 of the provisional rules of procedure, he believed that the discussion in the Council could be efficient and effective only if all Council members had enough time to consider all developments in the field and were united in the decision to proceed with the discussion.

#### Case 4

# Maintenance of international peace and security

At the 8451st meeting held on 25 January 2019, under the item entitled "Maintenance of international peace and security", discussions centred on addressing the impacts of climaterelated disasters on international peace and security, the sub-item for the meeting, and particularly on the role of the Security Council in addressing climate-related risks. The meeting was held at the initiative of the Dominican Republic, which held the Presidency of the Council for the month of January.<sup>51</sup> Council members and Member States exchanged views on the role of the Council in responding to climate-related security threats. The Minister for Foreign Affairs of Belgium said that it was high time for climate-related risks to be reflected in the Security Council's regular work, attaching great importance to the integration of climate risks into country or regional discussions, including with regard to the renewal of peacekeeping mandates. He added that taking climate risks into account was no longer an option but a necessity, if the Council was to assume its full responsibility and strengthen its capacity to prevent conflicts.<sup>52</sup> The Minister for Foreign Affairs of Indonesia called on the Security Council to consolidate efforts to better respond to the security impacts of climate change and build upon past accomplishments. She suggested that one concrete step that the Council could take was to better equip its peacekeepers with the capacity to carry out not only peacekeeping operations but also climate peace missions.

The representative of Norway reiterated the primary responsibility of the Security Council for maintaining international peace and security and affirmed that the climate-security nexus merited a place on the Council's agenda, expressing support for the initiative to appoint a

<sup>&</sup>lt;sup>51</sup> A concept note was circulated by a letter dated 2 January 2019 (<u>S/2019/1</u>). For more information on the meeting and the participation, see part I, sect. 38.

<sup>&</sup>lt;sup>52</sup> S/PV.8451.

United Nations Special Representative for climate and security. The representative of Switzerland called on the Security Council to systematically integrate climate risks into the regional and country situations already on its agenda and take full advantage of the existing information and resources available within the United Nations system. The representative of Ireland believed that a global response was the only way to address the threat of climate risks and therefore, climate and security concerns should be considered all across country-specific situations on the Security Council's agenda. The representative of France called on the Council to fully implement the request put forward by the Council in its presidential statement of July 2011,<sup>53</sup> adopted upon Germany's initiative, that the reports of the Secretary-General on the conflicts on the Council's agenda included contextual information with regard to the impact of climate change on those conflicts. He elaborated that through this approach, the Council could anticipate and implement appropriate responses to the threats to peace and security that already existed in some regions, such as the Sahel or island States, but also, in southern Africa, Central America or South-East Asia, which might be less immediate but could in due course have an equally disastrous impact on security.<sup>54</sup>

The representative of the Russian Federation reiterated his country's position, with regard to the security impact of climate change, that it was excessive or even counterproductive to consider climate change in the Security Council, whose aim under the Charter of the United Nations was to swiftly respond to serious challenges to international peace and security. He also denied climate change as a universal challenge in the context of international security and noted that a generalized linking of the topic of climate change with peace could lead to the false assumption that the problems of the environment were unavoidable and always led to conflict. In that regard, he accepted that climate risks had to be taken into consideration, not in a generic way but in the context of discussing specific and real situations on the Council's agenda — if they existed and if they were real. The representative of Brazil also expressed with concern that the environmental issues did not fall squarely under the authority of the Security Council as the primary organ charged with maintaining international peace and security by the Charter of the United Nations. He opined that no direct cause-and-effect relationship between a natural disaster and the outbreak of conflict was established and therefore, linking security issues to the

<sup>&</sup>lt;sup>53</sup> See <u>S/PRST/2011/15</u>.

<sup>54</sup> S/PV.8451.

environmental agenda risked mistakenly assuming that any environmental stress, or natural disaster, would automatically lead to social unrest, armed conflict and, eventually, to a threat to international peace and security. The representative of India, highlighting the complex and contested nexus between climate change and security, cautioned against securitizing climate change as a securitized approach risked pitting States into a competition and thinking in security terms engendered overly militarized solutions to problems that inherently required non-military responses to resolve them.

The representative of Mexico, emphasizing the importance of improving the mechanisms and methods of managing the risk of extreme climate events, noted with satisfaction that such analyses had begun to be included in the mandates of some peacekeeping operations recognizing the effect of climate change as risk factors. In that connection, the application of such an approach would be welcome in reviewing various conflicts on the Council's agenda.

Nonetheless, he emphasized that the clear division of labour within the United Nations system was the best way forward to address the impact of climate change on international peace and security and that as one of the principal organs of the Organization, the Security Council should reaffirm its role as a contributor to the harmonized efforts of the entire system, not as a body that dealt with the climate-security nexus alone or in isolation. The representative of Algeria pointed out that the Security Council had numerous issues on its agenda, preventing conflicts and resolving existing ones and therefore, it would be natural for the Council to focus on them rather than on opening new, undefined territories for consideration.

#### Case 5

### The situation in Burundi

At the 8465th meeting held on 19 February 2019, the Council met to discuss the situation in Burundi. <sup>55</sup> Speakers held divergent views on whether it should remain on the Council's agenda. While understanding the Government of Burundi's objection to being included on the Council's agenda, the representative of the United States affirmed that his country was deeply concerned by rising regional tensions as well as by Burundi's increasing diplomatic isolation and deep domestic political divides. In that connection, he said that it would be irresponsible for the

<sup>&</sup>lt;sup>55</sup> S/PV.8465.

Council to disengage before 2020 and urged the Council members and the Burundian counterparts to put their collective effort into increasing productive dialogue and reducing the likelihood of violence in Burundi. The representative of the United Kingdom maintained that the run-up to the 2020 elections was a critical time and while welcoming the current stability in Burundi, he cautioned that failure to address alleged human rights violations and the ongoing humanitarian crisis would threaten it. The representative of the United Kingdom believed that it was crucial that the region and the international community remained seized of the situation and for Burundi to remain on the Council's agenda.

In contrast, the representative of the Russian Federation considered that the situation in Burundi did not pose any threats to international peace and security and questioned whether it made sense to keep Burundi as an item on the Council's overburdened agenda. He said that keeping the Council's attention focused on Burundi was becoming counterproductive and served as a convenient excuse for the unreconciled opposition to complicate the country's internal political processes. Noting that the Burundian Government had time and again stated that the situation in Burundi was not a threat to regional peace and security and that the issue should not remain on the Council's agenda, the representative of China called on the Council to heed the sentiments of the representatives of Burundi. The representative of Equatorial Guinea stated that his country was greatly encouraged by the situation in Burundi and that the peace and calm prevailing in the country should lead the Security Council to seriously consider removing Burundi from its agenda. The representative of Burundi reiterated his appeal to the Security Council to remove the issue of Burundi from its agenda as the current political and security situation in the country in no way constituted a threat to international peace and security that could justify being arbitrarily maintained on the Council's agenda. He noted that the series of meetings on Burundi could become yet another factor of destabilization instead of promoting peace and calm.

At the 8550th meeting held on 14 June 2019, the Council convened again to discuss the situation in Burundi. <sup>56</sup> The representative of Equatorial Guinea stated that in Burundi there was a return to normalcy after the attempts at destabilization that followed the 2015 elections. He added that Burundi had democratically elected institutions across the nation that would be

<sup>&</sup>lt;sup>56</sup> S/PV.8550.

renewed in the same way in the 2020 elections. He also noted other positive developments, including the election of Burundi as a member of the African Union Peace and Security Council, reflecting the situation in the country and reiterated the need for the Security Council to remove Burundi from its agenda, since the situation in the country no longer represented any threat to international peace and security. The representative of China said that since elections were the internal affairs of any country, the international community should fully respect Burundi's ownership and leadership in accordance with the needs of the Government. He recalled that the Burundian Government had said many times that the situation did not pose a threat to regional peace and security and that the Burundi issue should not remain on the Council's agenda. The representative of the Russian Federation reaffirmed that the situation in Burundi did not pose a threat to international peace and security and stated that the Security Council's continued attention had long been counterproductive with its discussion doing nothing but making the country's internal political processes more difficult. He said that it was important for the Council to take Burundi off its already overburdened agenda.

By contrast, the representative of Germany emphasized the timeliness of having the issue back on the agenda as it still represented a threat to peace and security. While acknowledging the position of the representative of Burundi, the representative of Germany noted that Burundi's domestic political crisis was unresolved, with volatile security situations and rising tensions in the neighbouring areas. He said that the Council heard very clearly how everyone in the region and from the United Nations was ready to help and noted with encouragement the activities of the East African Community, the African Union, the United Nations, the Peacebuilding Commission and the Peacebuilding Fund in relation to the situation in Burundi. The representative of Burundi emphasized that Burundi was on the Security Council's agenda for political reasons and external interests with no relevance to the welfare of the Burundian people. He maintained that the continued series of meetings on Burundi was a destabilizing factor rather than one promoting peace and tranquillity. He added that such unnecessary meetings indirectly encouraged the 2015 putschists who fled the country and were being pursued by Burundian justice. Reiterating his call for taking Burundi off the Security Council's agenda, the representative of Burundi noted that Burundi's place was with the United Nations agencies and programmes addressing socioeconomic development.

# III. Representation and credentials

#### Note

Section III covers the practice of the Council concerning representation and the credentials of its members, in relation to rules 13 to 17 of the provisional rules of procedure.

#### Rule 13

Each member of the Security Council shall be represented at the meetings of the Security Council by an accredited representative. The credentials of a representative on the Security Council shall be communicated to the Secretary-General not less than twenty-four hours before he takes his seat on the Security Council. The credentials shall be issued either by the Head of the State or of the Government concerned or by its Minister of Foreign Affairs. The Head of Government or Minister of Foreign Affairs of each member of the Security Council shall be entitled to sit on the Security Council without submitting credentials.

### Rule 14

Any Member of the United Nations not a member of the Security Council and any State not a Member of the United Nations, if invited to participate in a meeting or meetings of the Security Council, shall submit credentials for the representative appointed by it for this purpose. The credentials of such a representative shall be communicated to the Secretary-General not less than twenty-four hours before the first meeting which he is invited to attend.

#### Rule 15

The credentials of representatives on the Security Council and of any representative appointed in accordance with rule 14 shall be examined by the Secretary-General who shall submit a report to the Security Council for approval.

#### Rule 16

Pending the approval of the credentials of a representative on the Security Council in accordance with rule 15, such representative shall be seated provisionally with the same rights as other representatives.

### Rule 17

Any representative on the Security Council, to whose credentials objection has been made within the Security Council, shall continue to sit with the same rights as other representatives until the Security Council has decided the matter.

During the period under review, in accordance with rule 13 of the provisional rules of procedure, the credentials of the representatives of the members of the Security Council were communicated to the Secretary-General. The Secretary-General subsequently submitted his report to the Council pursuant to rule 15. Such reports were transmitted to the Council when there were changes in the representation of members of the Council,<sup>57</sup> as well as when representatives of the newly elected members of the Council were designated prior to the

<sup>&</sup>lt;sup>57</sup> See for example, <u>S/2019/12</u>, <u>S/2019/552</u> and <u>S/2019/772</u>.

beginning of each term.<sup>58</sup> No discussions regarding the interpretation and application of rules 13 to 17 arose during the period under review.

<sup>&</sup>lt;sup>58</sup> For the report of the Secretary-General concerning the credentials of the representatives and deputies and alternate representatives of members of the Security Council elected for the period 2019 to 2020, see <u>S/2018/1161</u>.

# IV. Presidency

#### Note

Section IV covers the practice of the Council concerning the monthly rotation of the presidency, the role of the President, and the temporary cession of the chair by the President during the consideration of a particular question with which the Member State he or she represents is directly connected, in relation to rules 18 to 20 of the provisional rules of procedure.

#### Rule 18

The presidency of the Security Council shall be held in turn by the members of the Security Council in the English alphabetical order of their names. Each President shall hold office for one calendar month.

### Rule 19

The President shall preside over the meetings of the Security Council and, under the authority of the Security Council, shall represent it in its capacity as an organ of the United Nations.

### Rule 20

Whenever the President of the Security Council deems that for the proper fulfilment of the responsibilities of the presidency he should not preside over the Council during the consideration of a particular question with which the member he represents is directly connected, he shall indicate his decision to the Council. The presidential chair shall then devolve, for the purpose of the consideration of that

question, on the representative of the member next in English alphabetical order, it being understood that the provisions of this rule shall apply to the representatives on the Security Council called upon successively to preside. This rule shall not affect the representative capacity of the President as stated in rule 19, or his duties under rule 7.

This section comprises two subsections, namely: A. The role of the President of the Security Council (rules 18 and 19); and, B. Discussions concerning the presidency of the Security Council.

During 2019, there were no instances of the application of rule 20.

### A. Role of the President of the Security Council (rules 18 and 19)

In accordance with rule 18 of the provisional rules of procedure, the presidency of the Council was held in turn for one calendar month by the members of the Council in the English alphabetical order. In addition to presiding over meetings of the Council, informal consultations of the whole and informal interactive dialogues, the President of the Council continued to perform several functions under the authority of the Council, in accordance with rule 19. These functions included (a) briefing non-members of the Council and the media on the monthly programme of work of the Council at the beginning of the month; (b) representing the Council and delivering statements on its behalf, including the presentation of the annual report of the Council to the General Assembly;<sup>59</sup> and (c) delivering statements or elements to the press, following informal consultations of the whole or whenever Council members reached an agreement on a text. The President of the Council continued to maintain the practice of holding monthly meetings with the Secretary-General and the President of the General Assembly.<sup>60</sup>

<sup>&</sup>lt;sup>59</sup> At its 8597th meeting, on 20 August 2019 (see <u>S/PV.8597</u>), the Council adopted its report to the General Assembly (<u>A/73/2</u>). The report was introduced to the Assembly at the 105<sup>th</sup> plenary meeting of its seventy-third session on 10 September 2019 by the President of the Council for the month of September (Russian Federation). See also part IV, sect. I. F.

<sup>&</sup>lt;sup>60</sup> See General Assembly resolution <u>72/313</u>, para. 91. See also General Assembly resolution <u>73/341</u>, para.10.

Representatives of Council members continued to submit, in their national capacities, monthly assessments providing information on the main aspects of the work of the Council during the month of their respective presidencies, following their completion.<sup>61</sup>

Following previous practice, and in accordance with the note by the President dated 30 August 2017, the introduction to the annual report of the Council to the General Assembly for 2018 was prepared under the coordination of the President of the Council for the month of August 2018 (United Kingdom), 62 who continued the practice of convening informal meetings with Member States to exchange views on the annual report, a practice initiated in 2008.<sup>63</sup> On 27 December 2019, the Council issued a note by the President further to the measures contained in the note by the President of the Security Council of 30 August 2017.<sup>64</sup> and in particular the relevant measures relating to the annual report of the Council to the General Assembly. 65 In the note, the members of the Security Council recalled that the introduction to the report would be completed no later than 31 January so as to allow the Secretariat enough time for translation. In addition, the note provided that the Secretariat would submit the draft report, including the introduction to the report, to the members of the Security Council no later than 15 March following the period covered by the report, so that it could be discussed and thereafter adopted by the Council no later than 30 May, in time for its consideration by the General Assembly immediately thereafter. In the note, the members of the Security Council further agreed that these provisions would be applicable to the report to be presented to the General Assembly at its seventy-fifth session, in 2021, covering the period from 1 January to 31 December 2020.

In 2019, during their respective presidencies, Council members continued to take the initiative of bringing to the attention of the Council emerging general and cross-border threats to international peace and security, at times adding new sub-items to existing thematic items with a view to informing the deliberations.<sup>66</sup> In several such instances, to frame the discussion, a

<sup>&</sup>lt;sup>61</sup> See for example, <u>S/2019/744</u>, <u>S/2019/910</u>, and <u>S/2019/1015</u>. A list of the monthly assessments is provided in the annual reports of the Council to the General Assembly or available at <a href="http://www.un.org/securitycouncil/content/monthly-assessments">http://www.un.org/securitycouncil/content/monthly-assessments</a>.

<sup>&</sup>lt;sup>62</sup> S/2017/507, annex, para. 127.

<sup>&</sup>lt;sup>63</sup> For details, see S/PV.8597.

<sup>&</sup>lt;sup>64</sup> S/2017/507, annex, paras. 125 to 139.

<sup>65</sup> S/2019/997.

<sup>&</sup>lt;sup>66</sup> For further details on referrals by Member States pursuant to Article 35 of the Charter, part VI, sect. I.A.

concept paper prepared by the monthly presidency was circulated prior to the meeting.<sup>67</sup> A number of Council members continued also the practice of circulating summaries of the meetings they had organized during their presidencies. Table 9 lists all national summaries published in 2019 of open debates by delegations holding the monthly presidency.

Table 9

National summaries of open debates by delegations holding the monthly presidency, 2019

Presidency	Communication	Subject/Theme	Meeting record and date
Dominican Republic	Letter dated 4 February 2019 from the Chargé d'affaires a.i. of the Permanent Mission of the Dominican Republic to the United Nations addressed to the Secretary-General (S/2019/113)	Addressing the impacts of climate-related disasters on international peace and security	<u>S/PV.8451</u> 25 January 2019
Indonesia	Letter dated 10 July 2019 from the Permanent Representative of Indonesia to the United Nations addressed to the President of the Security Council (S/2019/576)	United Nations peacekeeping operation: Investing in peace: improving safety and performance of United Nations peacekeepers	<u>S/PV.8521</u> 7 May 2019
Indonesia	Letter dated 5 July 2019 from the Permanent Representative of Indonesia to the United Nations addressed to the President of the Security Council (\$\frac{S}{2019}/586)	Protection of civilians in armed conflict	<u>S/PV.8534</u> 23 May 2019

<sup>&</sup>lt;sup>67</sup> For example, the letter dated 2 January 2019 from the Permanent Representative of the Dominican Republic addressed to the Secretary-General (<u>S/2019/1</u>) forwarding a concept note on the theme "Addressing the impacts of climate-related disasters on international peace and security" prior to the 8451st meeting of the Council on 25 January 2019 (<u>S/PV.8451</u>); and the letter dated 27 June 2019 from the Permanent Representative of Peru addressed to the Secretary-General (<u>S/2019/537</u>) forwarding a concept note on the theme "Linkages between international terrorism and organized crime" prior to the 8569th meeting of the Council on 9 July 2019 (<u>S/PV.8569</u>).

Peru Letter dated 8 October 2019

from the Chargé d'affaires a.i. of the Permanent Mission of Peru to the United Nations addressed to the President of

the Security Council

(S/2019/803)

United Nations
peacekeeping operations:
strengthening triangular

cooperation

S/PV.8570 10 July 2019

In the note by the President dated 30 August 2017, the incoming presidencies were encouraged to discuss the provisional monthly programme of work with other members of the Council well in advance of their respective presidencies.<sup>68</sup> The note also provided that Council members, during their respective presidencies, should ordinarily plan no more than four days per week of Council business, with Fridays normally being allocated to facilitate the work of the Council's subsidiary bodies.<sup>69</sup>

On 27 December 2019, the Council issued a note by the President establishing that in an effort to enhance the efficiency and transparency of the Council's work, it had been agreed that all activities not listed in the Council's monthly provisional programme of work would be listed in an unofficial addendum document prepared by, and at the discretion of, the President of the Security Council.<sup>70</sup>

The note by the President dated 30 August 2017 encouraged the President of the Security Council to hold informal or formal wrap-up sessions with the wider membership on the work of the Council, as appropriate. On 27 December 2019, a new note by the President was issued regarding wrap-up sessions, encouraging Council members, during their respective presidencies, to utilize the "Toledo-style" format during an informal briefing session with the wider membership and to forgo detailed summaries of the Council's activities in favour of a more analytical discussion with non-Council members and utilize more time to hear their feedback. It provided further that the President of the Security Council could invite the lead or co-leads of a Council visiting mission that was held during that month to actively contribute to the wrap-up session. In the note, the President of the Security Council was also encouraged to announce the date of the wrap-up session with sufficient time to allow for adequate preparation by all

<sup>&</sup>lt;sup>68</sup> S/2017/507, annex, para. 2.

 $<sup>\</sup>frac{69}{\text{S}/2017/507}$ , annex, para. 1.

<sup>&</sup>lt;sup>70</sup> S/2019/992.

<sup>&</sup>lt;sup>71</sup> S/2017/507, annex, para. 7.

participants and to request the inclusion of the wrap-up session in the Council's monthly programme of work and the *Journal of the United Nations*.<sup>72</sup>

During the period under review, the role of the presidency was discussed in communications to the Council. By a letter dated 28 February 2019, from the Permanent Representative of Colombia addressed to the President of the Security Council, Colombia protested "in the strongest terms" against the decision of the President of the Security Council not to allow Colombia to take the floor at the meeting held on 28 February on the item entitled "The situation in the Bolivarian Republic of Venezuela". The representative of Colombia stated that the denial of his delegation's right to respond in a national capacity to the "false and reckless claims" directed specifically against Colombia, which were categorically rejected by the Government of Colombia, had led to the dissemination of biased information to the members of the Security Council and to the public around the world. <sup>73</sup> By a note verbale dated 30 April 2019 from the Permanent Mission of Germany addressed to the President of the Security Council, Germany transmitted a letter from the President of the Human Rights Council concerning his "breakfast with the members of the Security Council" on 10 April 2019. 74 The President of the Human Rights Council said that the event had proven to be a valuable opportunity to establish an "informal channel of dialogue" between the Human Rights Council and the Security Council and to strengthen the Geneva-New York relationship. Recalling the discussion during the breakfast about a proposal to seek opportunities to "organize some form of informal discussion in Geneva between the members of the Human Rights Council and the President of the Security Council for the month", the President of the Human Rights Council noted an existing practice whereby informal conversations between high-level United Nations representatives and members and observers of the Human Rights Council could be convened in an ad hoc manner. He added that should there be an opportunity for the President of the Security Council to travel to Geneva, he would find it very constructive for such an informal conversation to be organized. <sup>75</sup> In a letter dated 30 May 2019 addressed to the President of the Security Council, from the Permanent Representatives of China and the Russian Federation, they submitted that they did not consider the informal breakfast held on 10 April 2019 as the establishment of an "informal channel of

<sup>&</sup>lt;sup>72</sup> S/2019/994.

 $<sup>\</sup>overline{S/2019/197}$ .

<sup>74</sup> S/2019/356

dialogue" between the Security Council and the Human Rights Council. They recalled that China and the Russian Federation had not expressed their support for the proposal of convening an informal discussion of any kind in Geneva and added that they had not been provided with reasonable arguments proving that unofficial interaction between the President of the Security Council and the members of the Human Rights Council would contribute to a more effective fulfilment of the Council's mandate. They noted that the Human Rights Council, as a subsidiary organ of the General Assembly, was not authorized to interact with the Security Council and drew attention to the fact that any contacts between the President of the Security Council and the Human Rights Council should be considered and agreed upon by the members of the Security Council in accordance with the established procedure. They added that "all possible trips of the President of the Security Council to Geneva for an informal dialogue with the members of the Human Rights Council would be considered as "unapproved initiatives" and the President of the Security Council would not be representing the Council in that capacity.

<sup>&</sup>lt;sup>76</sup> S/2019/449.

# B. Discussions concerning the presidency of the Security Council

In 2019, aspects of the presidency of the Security Council were discussed during Council meetings. At the 8502th meeting of the Security Council held on 3 April 2019 under the agenda item entitled "The question concerning Haiti", the representative of Germany highlighted some of the activities undertaken during the "German-French twin presidencies" for the months of March and April, including being co-leads with Côte d'Ivoire on the Security Council mission to the Sahel.<sup>77</sup> The representative of France noted that the aim of the twin presidencies was to improve not just the customs and methods of the Council but also the results on the ground.<sup>78</sup> The representative of Germany also noted two innovations of their presidency, namely opening the curtains of the Security Council Chamber and using an hourglass timer set to five and half minutes. The representatives of Equatorial Guinea and South Africa welcomed the innovations and the latter expressed hope that "drawing open [the] curtains and shedding light on the Security Council [would] lead to greater transparency in its work and perhaps ultimately to the reform of the Council demanded by most Member States, especially the African States". At the 8508th meeting of the Council, held on 11 April 2019, under the item entitled "United Nations peacekeeping operations", the representative of the Netherlands thanked the German presidency for bringing more light and transparency to the gathering by opening the curtains and for its tremendous efforts for better timekeeping. 79 At the 8517th meeting of the Council, held on 29 April 2019, under the item entitled "The situation in the Middle East, including the Palestinian question", the representative of the Maldives congratulated France and Germany for the successful "joint presidency" and said it was an example of how collaborative partnerships could help to strengthen multilateralism. He also expressed appreciation for the positive changes introduced in recent months to improve transparency in the workings of the Council and thereby help to increase the legitimacy of its decisions.<sup>80</sup>

<sup>&</sup>lt;sup>77</sup> See S/PV.8492 and for more information on the discussion, see part I, sect. 33. <sup>78</sup> S/P<u>V.8502</u>.

<sup>&</sup>lt;sup>79</sup> S/PV.8508.

#### Case 6

# Implementation of the note by the President of the Security Council (S/2017/507)

At its 8539th meeting, held on 6 June 2019, under the item entitled "Implementation of the note by the President of the Security Council (S/2010/507)", the Council held under the presidency of Kuwait its annual open debate to discuss the working methods of the Security Council. Council Members and Member States shared views on the practice of monthly wrap-up sessions and the role of presidency of the Council in increasing interactivity and transparency.

The representatives of Singapore, Switzerland, Slovenia, and Liechtenstein encouraged each presidency to plan for an interactive wrap-up session and include it in the programme of work. On behalf of the Accountability, Coherence and Transparency (ACT) group, the representative of Switzerland considered further that wrap-up sessions constituted an important vehicle for transparency and accountability regarding the Security Council's work, and called for holding these sessions at the end of every month, preferably in the Toledo format so as to enhance interaction with the wider membership. The representative of Switzerland also added that they should be announced in the monthly programme of work, or at least with sufficient advance notice to ensure wide participation and substantive discussions.

In a similar vein, the representative of Singapore felt encouraged by the greater use of Toledo-format dialogues and the regularization of introductory and wrap-up meetings with the wider membership by each month's President and hoped that these meetings would continue as a standard practice. He further suggested that the date and time of these meetings be fixed well in advance and communicated to all Members with ample notice to ensure all could come prepared to participate. Aligning her statement to that of Switzerland who spoke on behalf of the ACT group, the representative of Slovenia also stated that wrap-up sessions were very valuable to the wider membership as they gave the Member States not only useful information but also unique perspectives of individual Council members. The representative of Liechtenstein also highlighted the importance of wrap-up sessions by noting the Member States' active and regular participation whenever they were organized at the end of a Council presidency as they were

<sup>81</sup> S/PV.8539.

important opportunities for the wider membership to voice opinions and ask questions and for the Council to hear from its constituency. He looked forward to seeing further improvements in the format of those meetings and hoped that those meetings would be institutionalized to take place at the end of every month. The representative of Mexico commended Security Council delegations that held Toledo-format meetings at the end of their presidencies, which represented a good opportunity to have more fluid exchanges with the wider membership. The representative of Guatemala also noted the importance of continuing to hold wrap-up meetings. The representative of Ukraine expressed his support of the practice of formal monthly wrap-up sessions of the Council as an important element of the proper implementation of "presidential note 507", and therefore, it was necessary to find a way to seek the input of Member States on issues they would like Council members to reflect on during those wrap-up sessions.

The representative of the United States pointed out that while informal Security Council consultations could serve as important forums for the exchange of views, speakers at such consultations too often read from prepared remarks, and in that connection, the United States commended the efforts of several recent Council Presidents who had encouraged greater interactivity during informal consultations. He emphasized the importance of maintaining the informal nature of informal consultations. Also commending the innovation and cooperation between the consecutive presidencies of France and Germany, the representative of the United States noted that closer collaboration among the Presidents for the previous, current and following months enhanced the continuity and leadership of the Council and made it stronger as a whole. The representative of France added that the joint presidency of Germany and France strived to be exemplary by presenting the programmes and outcome documents to all Member States, involving civil society stakeholders, particularly women during the Council meetings, and encouraging speakers and Council members to be more concise, focused and interactive in their statements. In addition, the representative of China supported the enhanced interaction between the Presidents of the Council and the General Assembly and the Economic and Social Council and other bodies to make its work more transparent.

### V. Secretariat

#### Note

Section V covers the practice of the Security Council concerning the functions and powers of the Secretary-General in connection with meetings of the Council, in relation to rules 21 to 26 of its provisional rules of procedure.<sup>82</sup>

### Rule 21

The Secretary-General shall act in that capacity in all meetings of the Security Council. The Secretary-General may authorize a deputy to act in his place at meetings of the Security Council.

### Rule 22

The Secretary-General, or his deputy acting on his behalf, may make either oral or written statements to the Security Council concerning any question under consideration by it.

#### Rule 23

The Secretary-General may be appointed by the Security Council, in accordance with rule 28, as rapporteur for a specified question.

# Rule 24

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<sup>&</sup>lt;sup>82</sup> For specific instances in which the Secretary-General was requested or authorized by the Security Council to carry out other functions in accordance with Article 98, see part IV.

The Secretary-General shall provide the staff required by the Security Council. This staff shall form a part of the Secretariat.

### Rule 25

The Secretary-General shall give to representatives on the Security Council notice of meetings of the Security Council and of its commissions and committees.

### Rule 26

The Secretary-General shall be responsible for the preparation of documents required by the Security Council and shall, except in urgent circumstances, distribute them at least forty-eight hours in advance of the meeting at which they are to be considered.

During the period under review and in accordance with previous practice, the Secretary-General and senior officials of the Secretariat continued to attend Council meetings and to provide briefings to the Council as requested. The Council continued to request briefings by senior officials from the Secretariat.

Some Council members noted possible issues for the Secretariat's action or attention. At a meeting held on 25 January 2019, under the item entitled "Maintenance of international peace and security" and the sub-item "Addressing the impacts of climate-related disasters on international peace and security", the representative of Belgium said that within the Secretariat or through a format involving Member States, there could be an institutional focal point that would respond to the urgent need to provide the Council with adequate risk analysis and management strategies for relevant countries and regions. <sup>83</sup> The representative of Maldives called for the briefings of the Secretariat to the Council to include expert analyses of climate-related risks and

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<sup>83</sup> S/PV.8451.

how such risks were driving conflicts. The representative of New Zealand also encouraged the Secretariat to enable the Council to comprehensively address threats by including relevant analysis and risk assessments on the impact of climate change in all reports submitted to the Security Council. At a meeting held on 5 February 2019, also under the item entitled "Maintenance of international peace and security", the representative of Indonesia suggested that the Council could consider asking the Secretariat to prepare a report identifying options to enhance cooperation and coordination and make recommendations to better prevent and counter transnational organized crimes at sea, within the applicable legal framework, and to regularly report to the Council thereafter.<sup>84</sup> At a meeting held on 6 June 2019 under the item entitled "Implementation of the note by the President of the Security Council (\$\frac{S}{2017}/507})", the representative of Estonia suggested that the Secretariat could play an important role in providing information and highlighting the developments that could lead to instability to strengthen the Council's capacity to prevent conflict as well as to strengthen its situational awareness. 85 The representative of Canada noted that through regular horizon-scan briefings from the Secretariat, the Security Council could do more with regard to conflict prevention. The representative of Norway also highlighted the need for the Security Council to improve its ability to address problems at all stages of a conflict cycle and therefore, more attention should to be given to the prevention of conflict. In that connection, the representative of Norway suggested that the informal situational awareness briefings by the Secretariat should be fully utilized. At a meeting held on 20 September 2019 under the item entitled "The situation in the Middle East, including the Palestinian question", the representative of France thanked the Secretariat for granting the request for regular written reports in relation to resolution 2334 (2016) and noted that those reports were essential tools for documenting the issue of colonization, as well as that of violence, and for guiding the work of the Council.<sup>86</sup> At a meeting held on 19 December 2019 under the item entitled "The situation in the Middle East", the representative of China noted that terrorist forces still occupied a large part of Idlib, threatening the safety of civilians, destroying infrastructure and worsening the humanitarian situation. In that regard, he expressed the hope that the Secretariat would provide detailed information and analyses and said that the Secretariat

<sup>84</sup> S/PV.8457.

<sup>85</sup> S/PV.8539.

<sup>3/</sup>F V.0337

<sup>86</sup> S/PV.8625.

should remain seized and gather information on the issue of foreign terrorist fighters, which he referred to as a common challenge to peace and security in the Middle East and the world over.<sup>87</sup>

In accordance with the note by the President of 30 August 2017, the Council invited the Secretariat to provide all relevant communications of the Council to the newly elected members as of 1 October immediately preceding their term of membership. 88 On 27 December 2019, the Council issued a note by the President inviting the Secretariat to provide all communications of the Council to the newly elected members for a period of five months, as from 1 August immediately preceding their term of membership, instead of the three-month period stated in paragraph 140 of the note by the President of 30 August 2017. 89

In addition, on 27 December 2019, the Council issued a note by the President slightly amending the language of the note by the President of 30 August 2017 concerning the circulation of reports by the Secretary-General. According to the new note, reports of the Secretary-General should be circulated to relevant participants in Council meetings at which those reports would be discussed, at least four working days before the Council is scheduled to consider them, including the distribution of the reports on peacekeeping missions to all participants in meetings of troop- and police-contributing countries, essentially applying the same rule as for Council members. In members of the council members of the cou

<sup>87</sup> S/PV.8694.

<sup>&</sup>lt;sup>88</sup> S/2017/507, annex, para. 140.

<sup>89 \$/2019/993</sup> 

<sup>&</sup>lt;sup>90</sup> S/2017/507, annex, para. 64.

<sup>91</sup> S/2019/995.

## VI. Conduct of business

#### Note

Section VI covers the practice of the Council concerning the conduct of business at its meetings, in relations to rules 27, 29, 30 and 33 of its provisional rules of procedure.

### Rule 27

The President shall call upon representatives in the order in which they signify their desire to speak.

### Rule 29

The President may accord precedence to any rapporteur appointed by the Security Council.

The Chairman of a commission or committee, or the rapporteur appointed by the commission or committee to present its report, may be accorded precedence for the purpose of explaining the report.

### Rule 30

If a representative raises a point of order, the President shall immediately state his ruling. If it is challenged, the President shall submit his ruling to the Security Council for immediate decision and it shall stand unless overruled.

## Rule 33

The following motions shall have precedence in the order named over all principal motions and draft resolutions relative to the subject before the meeting:

- 1. To suspend the meeting;
- 2. To adjourn the meeting;
- 3. To adjourn the meeting to a certain day or hour;
- 4. To refer any matter to a committee, to the Secretary-General or to a rapporteur;
- 5. To postpone discussion of the question to a certain day or indefinitely; or
- 6. To introduce an amendment.

Any motion for the suspension or for the simple adjournment of the meeting shall be decided without debate.

During 2019 no explicit reference was made to rules 27, 29 and 30. During the period under review, the President of the Council routinely requested speakers to limit their statements to four minutes, or to five minutes in accordance with the note by the President of 30 August 2017. Prequently, the President also requested delegations with lengthy statements to circulate their texts in writing and to deliver a condensed version when speaking in the Chamber. At the request of the President, delegations frequently delivered a shortened version of the statement and subsequently circulated the full text in writing, or made it available online. Pollowing previous practice, during the period under review, joint statements were delivered by Council members and non-Council members who had been invited to participate in Council meetings.

93 See for example: S/PV.8496, S/PV.8591, and S/PV.8648.

<sup>&</sup>lt;sup>92</sup> S/2017/507, annex, para. 22.

<sup>&</sup>lt;sup>94</sup> See for example: <u>S/PV.8591</u>, European Union, <u>S/PV.8649 (Resumption2)</u>, El Salvador, Fiji, Panama, Costa Rica, Ethiopia, Tunisia and Sierra Leone.

<sup>&</sup>lt;sup>95</sup> For example, at the 8451st meeting on 25 January 2019, under the item entitled "Maintenance of international peace and security", the representative of Belize delivered a statement on behalf of the Alliance of Small Island States (AOSIS) (<u>S/PV.8451</u>). At the 8517th meeting on 29 April 2019, under the item "The situation in the Middle East, including the Palestinian question", the representative of the United Arab Emirates delivered a statement on

Regarding the speaking order, according to the note by the President dated 30 August 2017, the speaking order for meetings of the Council is established as a general practice by a draw. In addition, the President of the Council delivers his or her national statement last of all Council members. <sup>96</sup> However, in certain cases, the speaking order is established by the use of a sign-up sheet, and the President of the Council may make his or her national statement before the other members take the floor. 97 In certain cases, the President of the Council may adjust the list of speakers and inscribe first the delegation(s) responsible for the drafting process in order to allow it or them to make an introductory or explanatory presentation. 98 When an unscheduled or emergency meeting is convened, the President may adjust the list of speakers so that the delegation having requested the meeting can speak before other Council members in order to present the rationale for convening the meeting. 99 The President of the Council may inscribe first the Chairs of the subsidiary bodies of the Council when they present their work, as it occurred on several occasions during the period under review. 100 According to established practice, the list of speakers was adjusted according to protocol when high-level officials were representing Council members at a meeting. 101 In 2019, non-members of the Council having a direct interest in the

behalf of the member States of the Organization of Islamic Cooperation (OIC) (S/PV.8517). At the 8679th meeting on 6 December 2019, under the item entitled "Central African region", the representative of Equatorial Guinea delivered a statement on behalf of the African members of the Security Council (Côte d'Ivoire, Equatorial Guinea and South Africa) (S/PV.8679). For more information and examples on statements delivered by Member States on behalf of regional or international organizations or groups of States, see sect. VII. A concerning participation in Security Council meetings.

<sup>&</sup>lt;sup>96</sup> S/2017/507, annex, paras. 24 and 25.

<sup>&</sup>lt;sup>97</sup> Ibid. For example, at the 8682nd meeting on 11 December 2019, under the item entitled "Nonproliferation/Democratic People's Republic of Korea", the representative of the United States and President of the Council for the month, took the floor after the Assistant Secretary-General for the Middle East, Asia and the Pacific, Departments of Political and Peacebuilding Affairs and Peace Operations, and delivered her national statement before the other members took the floor (S/PV.8682).

<sup>98</sup> S/2017/507, annex, para. 26. For example, at the 8692nd meeting on 19 December 2019, under the item entitled "The situation concerning the Democratic Republic of the Congo", the representative of France who was the penholder of resolution 2502 (2019) took the floor after the vote to provide explanatory remarks (S/PV.8692). <sup>59</sup> S/2017/507, annex, para. 26. For example, at the 8461st meeting on 12 February 2019, under the item entitled "Letter dated 13 April 2014 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (\$\frac{S}{2014}/264\$)", the Russian Federation, who had requested an urgent meeting of the Security Council, delivered a statement before other Council members (S/PV.8461). <sup>100</sup> S/2017/507, annex, para. 27. For example, at the 8446th meeting on 17 January 2019, under the item entitled "Reports of the Secretary-General on the Sudan and South Sudan", the representative of Poland spoke before other Council members, and briefed the Council in her capacity as Chair of the Committee established pursuant to resolution 1591 (2005) concerning the Sudan (S/PV.8446).

<sup>&</sup>lt;sup>101</sup> See S/2017/507, annex, paras. 29 to 30. For example, at the 8534th meeting on 23 May 2019, under the item entitled "Protection of civilians in armed conflict", Indonesia (President of the Council) who was represented by its Minister for Foreign Affairs, and Germany, who was represented by its Minister of State at the Federal Foreign

matter under consideration, spoke on occasion before Council members, consistent with prior practice and the note by the President dated 30 August 2017. 102

In the note by the President dated 30 August 2017, the Council expressed its commitment to continue to take steps to improve the focus and interactivity of its open debates. <sup>103</sup> In particular, the note reflected the understanding that open debates could benefit from the contributions of both Council members and the wider membership, and the acknowledgement by Council members of the usefulness of concept notes to help focus the discussion. 104 During the period under review, Council members continued the practice of circulating concept notes prior to open debates. The concept notes were frequently annexed to letters addressed to the Secretary-General or the President of the Security Council. 105 On occasion, concept notes were also submitted by more than one Council member. 106

The Council continued to use videoconferencing at its meetings, a practice that has become common in recent years, 107 resulting in an average of more than 61 briefings via

Office of Germany, both took the floor after the briefers but before other Council members (S/PV.8534). At the 8600th meeting on 20 August 2019, under the item entitled "Maintenance of international peace and security", Poland, (President of the Council) who was represented by its Minister for Foreign Affairs, Germany, who was represented by its State Secretary of the Federal Foreign Office of Germany, and the United States of America, who was represented by its Secretary of State, all took the floor after the briefer but before other Council members (S/PV.8600). For more information on high-level meetings, see section I.

<sup>&</sup>lt;sup>102</sup> S/2017/507, annex, para. 33. For example, at the 8449th meeting on 22 January 2019, under the item entitled "The situation in the Middle East, including the Palestinian question", the representative of Israel, who was invited under rule 37 of the provisional rules of procedure, and the Permanent Observer of the Observer State of Palestine. who was invited in accordance with the provisional rules of procedure and previous practice, both took the floor before Council members, as per established practice in connection with this item (S/PV.8449). Similarly, at the 8481st meeting on 11 March 2019, under the item entitled "The situation in Afghanistan", the representative of Afghanistan spoke before Council members, as per established practice in connection with this item (S/PV.8481). For more information concerning participation in Council meetings, see sect. VII.

<sup>&</sup>lt;sup>103</sup> Ibid., para. 43.

<sup>&</sup>lt;sup>104</sup> Ibid., paras. 38 and 40.

<sup>&</sup>lt;sup>105</sup> See for example letter dated 13 February 2019 from the Chargé d'affaires a.i. of the Permanent Mission of Equatorial Guinea to the Secretary-General (S/2019/169), forwarding a concept note on the topic "Silencing the guns in Africa: cooperation between the United Nations and regional organizations", prior to the 8473rd meeting of the Council on 27 February 2019 (S/PV.8473); and letter dated 8 October 2019 from the Permanent Representative of South Africa to the Secretary-General (\$\frac{S}{2019}/801}\), forwarding a concept note on the theme "Towards the successful implementation of the women, peace and security agenda: moving from commitments to accomplishments in preparation for the commemoration of the twentieth anniversary of Security Council resolution 1325 (2000)", prior to the 8649th meeting of the Council on 29 October 2019 (S/PV.8649).

<sup>&</sup>lt;sup>106</sup> See letter dated 13 September 2019 from the Permanent Representatives of Côte d'Ivoire, Equatorial Guinea, the Russian Federation and South Africa to the Secretary-General (S/2019/743).

videoconferencing per year. In 2019, the Council was briefed via videoconferencing 115 times, from different locations, including Bangui, Jerusalem and Kinshasa. <sup>108</sup>

<sup>&</sup>lt;sup>108</sup> For information on participation in Council meetings via videoconferencing, see also section VII.B.

# VII. Participation

#### Note

Section VII covers the practice of the Council concerning the extension of invitations to non-members of the Council to participate in meetings of the Council. Articles 31 and 32 of the Charter of the United Nations and rules 37 and 39 of the provisional rules of procedure describe circumstances in which invitations can be extended to non-members of the Council to participate, without vote, when the Council so decides.

#### Article 31

Any Member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that Member are specially affected.

#### Article 32

Any Member of the United Nations which is not a member of the Security Council or any state which is not a Member of the United Nations, if it is a party to a dispute under consideration by the Security Council, shall be invited to participate, without vote, in the discussion relating to the dispute. The Security Council shall lay down such conditions as it deems just for the participation of a state which is not a Member of the United Nations.

Rule 37

Any Member of the United Nations which is not a member of the Security Council may be invited, as the result of a decision of the Security Council, to participate, without vote, in the discussion of any question brought before the Security Council when the Security Council considers that the interests of that Member are specially affected, or when a Member brings a matter to the attention of the Security Council in accordance with Article 35 (1) of the Charter.

#### Rule 39

The Security Council may invite members of the Secretariat or other persons, whom it considers competent for the purpose, to supply it with information or to give other assistance in examining matters within its competence.

During the period under review, the Council continued to invite non-members to participate in its meetings. The invitations were extended by the President at the beginning or during Council meetings either under the "relevant provisions" of the Charter without an explicit reference to a specific Article or rule, or under rule 37 or rule 39 of the provisional rules of procedure of the Council. Specifically, Member States continued to be invited under rule 37, while representatives of the Secretariat, other United Nations organs, specialized agencies, funds and programmes, regional and other intergovernmental organizations, or other invitees, including representatives of non-governmental organizations, were invited under rule 39. While Member States requested invitations in letters addressed to the President of the Council, in most cases these were not circulated as documents of the Council.

During the period under review, in accordance with the note by the President dated 30 August 2017, the Council invited newly elected members to observe all meetings of the Council from 1 October, for the three months immediately preceding their term of membership. <sup>109</sup> On 27

<sup>&</sup>lt;sup>109</sup> <u>S/2017/507</u>, paras. 140-141.

December 2019, the Council issued a note by the President providing that the President of the Council could invite newly elected members of the Council to observe informal consultations – as appropriate, and strictly without participation and with full respect for the confidentiality of the deliberations – on Council outcome documents for a period of three months, as from 1 October immediately preceding their term of membership, in addition to observing all meetings of the Council and its subsidiary bodies and the informal consultations of the whole, as already stated in paragraph 140 of the note by the President of 30 August 2017. The note also recalled that, notwithstanding the foregoing measure, the Council would not invite the newly elected members to a specific private meeting of the Council or to specific informal negotiations of the whole if a request to that effect was made by a member of the Council where exceptional circumstances existed.

This section is divided into four subsections, namely: A. Invitations extended under rule 37; B. Invitations extended under rule 39; C. Invitations not expressly extended under rule 37 or rule 39; and, D. Discussions relating to participation.

#### A. Invitations extended under rule 37

In accordance with the relevant Articles of the Charter and the provisional rules of procedure, all States, whether Members of the United Nations or not, can be invited to participate in Council meetings when: (a) the interests of a Member State are "specially affected" (Article 31 of the Charter and rule 37); (b) a Member State or a non-Member State is a party to a dispute under consideration by the Council (Article 32 of the Charter); and (c) a Member State of the United Nations brings a matter to the attention of the Council in accordance with Article 35 (1) of the Charter (rule 37).<sup>111</sup>

During the period under review, there were no changes to the procedure for extending invitations to Member States to participate in the proceedings of the Council. Member States invited under rule 37, in accordance with previous practice, continued to speak occasionally in other capacities, for example on behalf of international or regional organizations, or groups of

<sup>&</sup>lt;sup>110</sup> S/2019/993.

<sup>&</sup>lt;sup>111</sup> For more details on the referral of a dispute or situation to the Council by States, see sect. I. A and part VI, sect.

States, by delivering joint statements. <sup>112</sup> There was, further, no instance in 2019 of a request from a Member State to participate in a Council meeting being put to a vote at a public meeting. In a letter dated 28 February 2019 addressed to the President of the Security Council, the representative of Colombia protested "in the strongest terms" against the decision not to allow the representative to take the floor at the meeting held on the same day under the item entitled "The situation in the Bolivarian Republic of Venezuela", in accordance with rule 37 of the provisional rules of procedure. <sup>113</sup> The representative of Colombia noted in the letter that the decision of the President of the Security Council to deny his delegation the right to respond to the false and reckless claims directed against Colombia during the meeting led to the dissemination of biased information to the members of the Security Council and to the public around the world.

#### B. Invitations extended under rule 39

In accordance with rule 39 of the provisional rules of procedure, members of the Secretariat or other persons may be invited to supply the Council with information or give other assistance in examining matters within its competence.

Following previous practice, an invitation under rule 39 was extended to a representative of a Member State, on an exceptional basis, only if his or her participation was in a role other than that of representative of a State, for example, as Chair of the Peacebuilding Commission (PBC).<sup>114</sup> or one of its country-specific configurations.<sup>115</sup>

<sup>&</sup>lt;sup>112</sup> For example, at the 8443th meeting on 11 January 2019, the representative of Zambia (Minister for Foreign Affairs) spoke on behalf of the Southern African Development Community (see S/PV.8443). At the 8449th meeting on 22 January 2019, the representative of Bangladesh spoke on behalf of the Organization of Islamic Cooperation (OIC), the representative of Libya spoke on behalf of the Group of Arab States, and the representative of the Bolivarian Republic of Venezuela spoke on behalf of the Movement of Non-Aligned Countries (NAM) (see S/PV.8449). At the 8591th meeting, on 2 August 2019, the representative of Norway spoke on behalf of the five Nordic countries (Denmark, Finland, Iceland, Sweden, and Norway), the representative of Canada spoke on behalf of the Group of Friends of Children and Armed Conflict, the representative of Estonia spoke on behalf of Latvia, Lithuania, and Estonia, and the representative of Viet Nam spoke on behalf of the Association of Southeast Asian Nations (ASEAN) (see S/PV.8591).

<sup>&</sup>lt;sup>113</sup> S/2019/197. See also S/PV.8476.

<sup>&</sup>lt;sup>114</sup> For example, at the 8579th meeting on 18 July 2019, the representatives of Colombia was invited under rule 39 as current Chair of the Peacebuilding Commission (see <u>S/PV.8579</u>).

<sup>&</sup>lt;sup>115</sup> For example, at the 8465th meeting on 19 February 2019, the representative of Switzerland was invited under rule 39 in his capacity as Chair of the Burundi configuration of the Peacebuilding Commission (see <u>S/PV.8465</u>); at the 8467th meeting on 21 February 2019, the representative of Morocco was invited under rule 39 in his capacity as

In 2019, a total of 387 invitations were extended under rule 39 (see figure IV).



Figure IV: Invitations under rule 39, 2010-2019

Of the 387 invitees under rule 39, 237 were men and 150 were women. As shown in figure V, in recent years prior to 2019, the number of male speakers invited to Council meetings under rule 39 has been two to four times higher than the number of female speakers invited under rule 39. This notwithstanding, the percentage of women invited under rule 39 increased during the period under review, from 29.7 per cent in 2018 to 38.7 per cent in 2019.

Chair of the Central African Republic configuration of the Peacebuilding Commission (see <u>S/PV.8467</u>); at the 8614th meeting on 10 September 2019, the representative of Brazil was invited under rule 39 in his capacity as Chair of the Guinea-Bissau configuration of the Peacebuilding Commission (see <u>S/PV.8614</u>); and at the 8652nd meeting on 30 October 2019, the representative of Switzerland was invited under rule 39 in his capacity as Chair of the Burundi configuration of the Peacebuilding Commission (see <u>S/PV.8652</u>).



Figure V: Invitations under rule 39, 2010-2019

For the purposes of this part of the *Repertoire*, invitations extended under rule 39 are classified according to four main categories, namely:<sup>116</sup> (a) officials of the United Nations system;<sup>117</sup> (b) invitees from international organizations other than the United Nations;<sup>118</sup> (c) officials representing regional intergovernmental organizations;<sup>119</sup> and (d) representatives of other entities such as non-governmental organizations.<sup>120</sup> During the period under review, invitations under rule 39 were most often extended to officials of the United Nations system; representatives of other entities, such as non-governmental organizations, were invited less frequently, as shown in figure VI.

<sup>&</sup>lt;sup>116</sup> Previous Supplements used two different categories for invitees of the Secretariat and Security Council subsidiary bodies, and the United Nations organs, subsidiary bodies or agencies. For simplicity purposes, these two categories have now been subsumed under the category United Nations system. The category "United Nation system" also includes officials of the African Union-United Nations Hybrid Operation in Darfur.

<sup>&</sup>lt;sup>117</sup> For example, at the 8441st meeting, on 9 January 2019, the Special Envoy of the Secretary-General for Yemen was invited under rule 39 (see <u>S/PV.8441</u>).

<sup>&</sup>lt;sup>118</sup> For example, at the 8659th meeting, on 6 November 2019, the Director-General of the Organisation for the Prohibition of Chemical Weapons was invited under rule 39 (see S/PV.8659).

<sup>&</sup>lt;sup>119</sup> For example, at the 8443rd meeting, on 11 January 2019, the Permanent Observer of the African Union to the United Nations was invited under rule 39 (see <u>S/PV.8443</u>).

<sup>&</sup>lt;sup>120</sup> For example, at the 8668th meeting, on 19 November 2019, the Director of Programs and Development of the Elman Peace and Human Rights Centre was invited under rule 39 (see <u>S/PV.8668</u>).

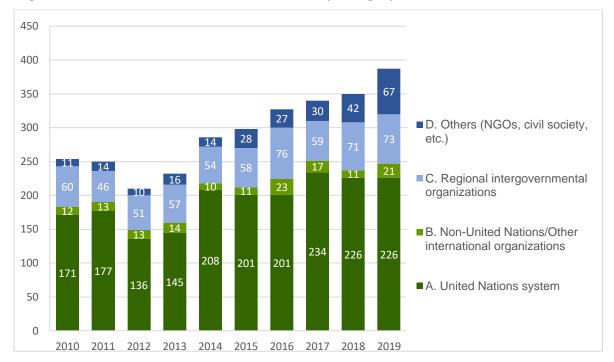


Figure VI: Breakdown of rule 39 invitations by category, 2010-2019

**Videoconferencing** 

The Council continued to use videoconferencing(VTC) for meetings and consultations, a prevalent practice since its introduction in 2009, resulting in an average of more than 61 VTCs per year. <sup>121</sup> In 2019, the Council was briefed via VTC 115 times, from different locations, including Bangui, Jerusalem, and Kinshasa. In the note by the President dated 30 August 2017, Council members reiterated their intention to resort more often to the use of videoconferencing for briefings to the Council, where appropriate, while preserving a balanced approach between videoconferencing and briefings in person, including during open meetings. <sup>122</sup>

# C. Invitations not expressly extended under rule 37 or rule 39

<sup>&</sup>lt;sup>121</sup> For example, at the 8685th meeting on 16 December 2019, the Special Representative of the Secretary-General and Head of the United Nations Office for West Africa and the Sahel and the African Union Commissioner for Peace and Security briefed the Council via videoconference from Dakar and Addis Ababa, respectively (see S/PV.8685, p. 2). For more information on videoconferencing see section VI on conduct of business.

<sup>122</sup> S/2017/507, para. 60.

During the period under review, the Council extended several invitations not expressly under rule 37 or rule 39 (see table 10).

Invitations to representatives of the Holy See and the State of Palestine to participate in meetings of the Council were routinely extended "in accordance with the provisional rules of procedure and the previous practice in this regard", without specification of any rules.

Table 10

Invitations not expressly extended under rule 37 or rule 39 in 2019

Invitee	Meeting record and date	Agenda item
State of Palestine	S/PV.8449, 22 January 2019; S/PV.8489, 26 March 2019; S/PV.8517, 29 April 2019; S/PV.8532, 22 May 2019; S/PV.8583, 23 July 2019; S/PV.8625, 20 September 2019; S/PV.8648, 28 October 2019; S/PV.8669, 20 November 2019; S/PV.8690, 18 December 2019	The situation in the Middle East, including the Palestinian question
	<u>S/PV.8600</u> , 20 August 2019	Maintenance of international peace and security
	<u>S/PV.8534,</u> 23 May 2019	Protection of civilians in armed conflict
	<u>S/PV.8591</u> , 2 August 2019	Children and armed conflict
Holy See	<u>S/PV.8449</u> , 22 January 2019; <u>S/PV.8517</u> , 29 April 2019; <u>S/PV.8583</u> , 23 July 2019; <u>S/PV.8648</u> , 28 October 2019	The situation in the Middle East, including the Palestinian question
	<u>S/PV.8451.</u> 25 January 2019	Maintenance of international peace and security
	<u>S/PV.8496</u> , 28 March 2019	Threats to international peace and security caused by terrorist acts
	<u>S/PV.8508</u> , 11 April 2019	United Nations peacekeeping operations
	<u>S/PV.8514</u> , 23 April 2019; <u>S/PV.8649</u> , 29 October 2019	Women and peace and security
	<u>S/PV.8534</u> , 23 May 2019	Protection of civilians in armed conflict
	<u>S/PV.8591</u> , 2 August 2019	Children and armed conflict
	S/PV.8659, 6 November 2019 [private meeting]	The situation in the Middle East
	<u>S/PV.8668</u> , 19 November 2019	Peacebuilding and sustaining peace

## D. Discussions relating to participation

During the period under review, when non-members of the Council were invited to participate in a meeting, Council members generally spoke before Member States invited under rule 37 of the provisional rules of procedure and before those not expressly invited under any rule, except on some occasions when parties directly involved in the matter under consideration took the floor before Council members. The practice of the Council with regard to invitees under rule 39 was less consistent and dependent on whether or not they participated in the meeting as briefers.

In 2019, issues concerning participation in Council meetings were raised on a number of occasions. At the 8480th meeting, held on 8 March 2019 under the item entitled "Reports of the Secretary-General on the Sudan and South Sudan," the representative of France noted with pleasure that the Council was able to hear the founder of Hope Restoration South Sudan, whose testimony from the field and exceptional personal commitment were extremely valuable and that her briefing was particularly relevant on the occasion of International Women's Day. 124 At the 8511th meeting, held on 12 April 2019 under the agenda item entitled "Identical letters dated 19 January 2016 from the Permanent Representative of Colombia to the United Nations addressed to the Secretary-General and the President of the Security Council (S/2016/53)", the representative of the United Kingdom noted that having the Executive Director, Corporación de Investigación y Acción Social y Económica for a briefing was an important reminder of the role that women's organizations had played in the peace process. 125 At the 8514th meeting, held on 23 April 2019 under the item entitled "Women and peace and security", the representative of Germany thanked the Co-Founder and Director of the Tamazight Women's Movement for her briefing and opined that the impressive statements by all the briefers underlined why the Council was meeting and that it needed to stand with the survivors. 126 The representative of France

<sup>&</sup>lt;sup>123</sup> For example, at the 8555th meeting held on 19 June 2019, under the item entitled "The situation in Afghanistan", following established practice in connection with this item, the representative of Afghanistan spoke after the Special Representative of the Secretary-General and Head of the United Nations Assistance Mission in Afghanistan (UNAMA) and the Chairperson of the Afghan Independent Human Rights Commission., who were invited under rule 39, but before Council members (see <a href="S/PV.8555">S/PV.8555</a>, pp. 6-8). For more information on the order of speaking see sect. VI.

<sup>&</sup>lt;sup>124</sup> S/PV.8480.

<sup>125</sup> S/PV.8511.

<sup>126</sup> S/PV.8514.

expressed full support for the Special Representative on Sexual Violence in Conflict and noted that the Council should invite the Special Representative more often to brief the Council more regularly. At the 8556th meeting, held on 20 June 2019 under the agenda item "Protection of civilians in armed conflict", the representative of the United States, while commending the unanimous adoption of resolution 2475 (2019), which was the Council's first-ever resolution calling upon Member States and parties to armed conflict to protect persons with disabilities, looked forward to more regular briefings by people with disabilities and their representative organizations, as well as humanitarian organizations and other stakeholders. She hoped that such practice became a regular part of the Council's work in the way that it addressed other related issues.<sup>127</sup> At the 8584th meeting on the situation concerning the Democratic Republic of the Congo held on 24 July 2019, the representative of the Russian Federation underlined that, with regard to the work of the Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo, the Council should maintain the practice of considering different aspects of the Congolese sanctions regime in the meetings and inviting the representatives of Kinshasa to participate in the discussion. Welcoming the visit of the Chair of the Committee to the region in late April and early May 2019, the representative of the Russian Federation supported the continuation of such contacts with regional actors in the future. 128

At the 8593th meeting, held on 7 August 2019 under the agenda item entitled "The situation in the Middle East," the representative of France stated that the testimonies by the representatives of civil society organizations, like Syria Bright Future and Families for Freedom, illustrated the Syrian regime's use of torture, arbitrary arrest and detention and enforced disappearances. In that connection, the representative of France emphasized that it was important that the Security Council remain seized of the issue and that the Council had to continue to hear regular briefings on the issue. 129 At the 8674th meeting, held on 22 November 2019 under the agenda item entitled "The situation in the Middle East", the representative of the Dominican Republic thanked the presidency for inviting a speaker from the Board Member of the Syrian Women's League from whom the Council could learn about the views and aspirations of civil society, and of women in particular, as they sought to build a new future for Syria. 130 In a similar

127 S/PV.8556.

<sup>128</sup> S/PV.8584.

<sup>129</sup> S/PV.8593.

vein, the representative of the United Kingdom welcomed hearing the views of the representative of the Board Member of the Syrian Women's League about women in Syria for her reminder that the political process went a long way beyond the Constitution. Recognizing the speaker's tireless efforts and those of other women to overcome the barriers to being heard, the representative of the United Kingdom emphasized the importance of genuinely including their voices and the voices of civil society in the political process. Participation in Security Council meetings was discussed in more detail during the open debate held at the 8539th meeting held on 6 June 2019 under the item entitled "Implementation of the note by the President of the Security Council (\$\frac{8/2010/507}{0})" as described in case 7.

#### Case 7

### Implementation of the note by the President of the Security Council (S/2017/507)

At its 8539th meeting, held on 6 June 2019, under the item entitled "Implementation of the note by the President of the Security Council (S/2010/507)", the Council held an annual open debate under the presidency of Kuwait to discuss the working methods of the Security Council. 131 Emphasizing the conflict prevention role of the Council, the representative of New Zealand called on the Council to invite briefers who could deliver insights to add value to the Council's deliberations and demanded appropriate briefings, including maps and graphics, from Secretariat briefers to better support discussions. 132 The representative of Canada commended efforts of the Security Council to increase the number of women civil society briefers speaking to the Council on both geographic and thematic agenda items, noting that their perspectives needed to be heard in the Chamber. In that connection, the representative of Canada also commended efforts led by Kuwait to increase the use of gender-neutral pronouns and other such language in United Nations documentation as well as the creation of a Security Council informal experts group on women and peace and security. The representatives of Italy and Slovenia echoed the perspectives of Canada, supporting the invitation of briefers from civil society, particularly women, to Council meetings. The representative of Italy noted that the participation of women, and greater gender inclusivity and equality, allowed Council members to hear

<sup>&</sup>lt;sup>131</sup> A concept note was circulated by Kuwait by a letter dated 29 May 2019 (S/2019/450).

<sup>&</sup>lt;sup>132</sup> S/PV.8539</sup>.

different voices and points of view before deliberating. The representative of Slovenia highlighted the importance of interaction with civil society, especially women's groups and therefore, urged for including more of such briefers as they could provide useful first-hand information from the ground while receiving guidance from Council members. The representative of Norway, who spoke on behalf of Denmark, Finland, Iceland, Sweden and Norway, called on the Council to open to voices from outside the Chamber and maintain the practice of inviting civil society briefers in order for the Council to broaden its understanding of the issues on the agenda.

# VIII. Decision-making and voting

#### Note

Section VIII covers the practice of the Council with regard to decision-making, including voting. Article 27 of the Charter and rule 40 of the provisional rules of procedure govern the voting in the Council. They provide that decisions on procedural matters require an affirmative vote of 9 of the 15 Council members, whilst decisions on substantive matters are made by an affirmative vote of nine Council members, including all of the permanent members.

This section also covers rules 31, 32, 34 to 36 and 38 of the provisional rules of procedure, which govern the conduct of business with regard to voting on draft resolutions, amendments and substantive motions.

#### Article 27

- 1. Each member of the Security Council shall have one vote.
- 2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of nine members.
- 3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.

### Rule 31

Proposed resolutions, amendments and substantive motions shall normally be placed before the representatives in writing.

#### Rule 32

Principal motions and draft resolutions shall have precedence in the order of their submission.

Parts of a motion or of a draft resolution shall be voted on separately at the request of any representative, unless the original mover objects.

#### Rule 34

It shall not be necessary for any motion or draft resolution proposed by a representative on the Security Council to be seconded before being put to a vote.

#### Rule 35

A motion or draft resolution can at any time be withdrawn so long as no vote has been taken with respect to it.

If the motion or draft resolution has been seconded, the representative on the Security Council who has seconded it may require that it be put to the vote as his motion or draft resolution with the same right of precedence as if the original mover had not withdrawn it.

# Rule 36

If two or more amendments to a motion or draft resolution are proposed, the President shall rule on the order in which they are to be voted upon. Ordinarily, the Security Council shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed until all amendments have been put to the vote, but when an amendment adds to or deletes from the text of a motion or draft resolution, that amendment shall be voted on first.

#### Rule 38

Any Member of the United Nations invited in accordance with the preceding rule, or in application of Article 32 of the Charter, to participate in the discussions of the Security Council may submit proposals and draft resolutions. These proposals and draft resolutions may be put to a vote only at the request of a representative on the Security Council.

#### Rule 40

Voting in the Security Council shall be in accordance with the relevant Articles of the Charter and of the Statute of the International Court of Justice.

This section comprises five sub-sections, namely: A. Decisions of the Council; B. Penholdership and sponsorship in accordance with rule 38; C. Decision-making by voting; D. Decision-making without a vote; and, E. Discussions concerning the decision-making process.

During 2019, rule 31 of the provisional rules of procedure was routinely applied in Security Council meetings. In 2019, there were no instances of motions or amendments requiring voting, withdrawal of draft resolutions, or requests for separate voting on parts of a draft resolution and consequently no instances of explicit invocation of rules 32, or 35 to 36.

Nonetheless, at one meeting of the Council, an oral amendment to a draft resolution was

proposed and adopted without a vote. <sup>133</sup> In addition, in 2019, there were various instances of submission of competing draft resolutions, which were voted upon in their order of submission pursuant to rule 32, as described in sub-section A. This notwithstanding, in 2019 there were no instances of explicit invocation of rules 32 or 34.

#### A. Decisions of the Council

During the period under review, the Council continued to adopt resolutions and statements by the President, at its meetings, in addition to making procedural decisions. Decisions of the Council also took the form of notes or letters from the President, which were seldom adopted at meetings, and in most cases, were issued as official documents of the Council.

In 2019, the Council adopted a total of 52 resolutions and issued 15 presidential statements. The Council also issued 19 notes by the President, and 32 letters from the President. Figure VII shows the total number of resolutions, presidential statements, notes and letters from the President adopted during the past decade (2010-2019).

<sup>&</sup>lt;sup>133</sup> For more information on this matter, see also part II, sect. VIII, sub-section D.

Resolutions Presidential statements Notes by the President ——Letters by the President

Figure VII: Resolutions adopted and presidential statements, notes and letters by the President issued, 2010-2019

# Multiple decisions in one meeting

During 2019, the Council continued the standard practice of adopting a single decision in a meeting. There were, however, three instances where more than one draft resolution was voted upon at a single meeting. At the 8476th meeting, held on 28 February 2019 under the item entitled "The situation in the Bolivarian Republic of Venezuela", the Council failed to adopt a draft resolution submitted by the United States (\$\frac{S}{2019}/186\$), owing to the negative vote of two permanent members of the Council, and did not adopt a draft resolution submitted by the Russian Federation (\$\frac{S}{2019}/190\$) due to the failure to obtain the required number of votes. \$^{134}\$ At the 8623rd meeting, held on 19 September 2019 under the item entitled "The situation in the Middle East" in connection with the conflict in the Syrian Arab Republic, the Council failed to adopt the draft resolution submitted by Belgium, Germany and Kuwait (\$\frac{S}{2019}/756\$) owing to the negative vote of two permanent members of the Council, and did not adopt draft resolution submitted by China and the Russian Federation (\$\frac{S}{2019}/757) due to the failure to obtain the required number

<sup>&</sup>lt;sup>134</sup> S/PV.8476.

of votes.<sup>135</sup> At the 8697th meeting, held on 20 December 2019 under the same agenda item and in connection with the same issue, the Council failed to adopt a draft resolution submitted by Belgium, Germany and Kuwait (S/2019/961) owing to the negative vote of two permanent members of the Council, and did not adopt draft resolution submitted by the Russian Federation (S/2019/962) due to the failure to obtain the required number of votes.<sup>136</sup>

### B. Penholdership and sponsorship in accordance with rule 38

A draft resolution may be submitted by any member of the Council. The note by the President dated 30 August 2017 stipulates that the members of the Security Council support, where appropriate, the informal arrangement whereby one or more Council members (as "penholder(s)") initiate and chair the informal drafting process. <sup>137</sup> According to the note, any member of the Security Council may be a penholder, and more than one Council member may act as co-penholders, when it is deemed to add value, taking into account as appropriate the expertise and/or contributions of Council members on the subjects. 138 The note reaffirms that all members of the Security Council should be allowed to participate fully in the preparation of, inter alia, the resolutions, presidential statements and press statements of the Council and that the drafting of all documents such as resolutions and presidential statements as well as press statements should be carried out in an inclusive manner that will allow participation of all members of the Council. 139 The members of the Security Council also encourage the penholder or co-penholders, depending on the subject as well as the urgency of the situation on the ground, to provide a reasonably sufficient time for consideration by all Council members when draft resolutions, presidential statements and press statements of the Council are placed under a silence procedure. 140

According to rule 38 of the provisional rules of procedure, any Member of the United Nations, invited in accordance with rule 37 or in application of Article 32 of the Charter to

<sup>135</sup> S/PV.8623.

<sup>&</sup>lt;sup>136</sup> S/PV.8697.

<sup>&</sup>lt;sup>137</sup> S/2017/507, annex, para. 78.

<sup>&</sup>lt;sup>138</sup> Ibid., para. 79.

<sup>&</sup>lt;sup>139</sup> Ibid., para. 80.

<sup>&</sup>lt;sup>140</sup> Ibid., para. 82.

participate in the discussions of the Council, may also submit a proposal, but a proposal may be put to a vote only at the request of a Council member. Those Member States that submit a draft resolution become sponsors of the draft resolution. A draft resolution is described as a presidential text if all the Council members agree to be co-sponsors. In 2019, no presidential text was tabled, compared to one in 2018. <sup>141</sup>

During the period under review, the Council considered a total of 58 draft resolutions, seven of which were sponsored by non-Council members as shown in table 11.

Table 11 **Draft resolutions sponsored by non-members of the Council in 2019** 

Draft resolution	Agenda item	Meeting record and date	Resolution	Council member sponsors	Non-Council member co- sponsors
<u>S/2019/179</u>	Cooperation between the United Nations and regional and subregional organizations	<u>S/PV.8473.</u> 27 February 2019	Resolution 2457 (2019)	11 Council members: Belgium, Côte d'Ivoire, Dominican Republic, Equatorial Guinea, France, Germany, Indonesia, Kuwait, Peru, Poland, South Africa	66 Member States <sup>a</sup>
<u>S/2019/268</u>	Threats to international peace and security caused by terrorist acts	S/PV.8496, 28 March 2019	Resolution 2642 (2019)	Ten Council members: Belgium, Côte d'Ivoire, Dominican Republic, Equatorial Guinea, Germany, Indonesia, Peru, Poland, United Kingdom and United States	57 Member States <sup>b</sup>
<u>S/2019/475</u>	Protection of civilians in armed conflict	<u>S/PV.8543</u> , 11 June 2019	Resolution 2474 (2019)	12 Council members: Belgium, China, Côte d'Ivoire, Dominican Republic, Equatorial Guinea, France, Germany, Indonesia, Peru, Poland, South Africa, and United States	56 Member States <sup>c</sup>

<sup>&</sup>lt;sup>141</sup> For more information on the past practice concerning presidential texts, see also *Repertoire*, *Supplements 2016–2018*, part II, sect. VIII. B.

Draft resolution	Agenda item	Meeting record and date	Resolution	Council member sponsors	Non-Council member co- sponsors
<u>S/2019/503</u>	Protection of civilians in armed conflict	<u>S/PV.8556</u> , 20 June 2019	Resolution 2475 (2019)	12 Council members: Belgium, Côte d'Ivoire, Dominican Republic, Equatorial Guinea, France, Germany, Indonesia, Peru, Poland, South Africa, United Kingdom, and United States	56 Member States <sup>d</sup>
<u>S/2019/580</u>	Threats to international peace and security	<u>S/PV.8582</u> , 19 July 2019	Resolution 2482 (2019)	Nine Council members: Côte d'Ivoire, Equatorial Guinea, France, Germany, Indonesia, Peru, Poland, United Kingdom, and United States	38 Member States <sup>e</sup>
<u>S/2019/788</u>	Maintenance of international peace and security	<u>S/PV.8631</u> , 3 October 2019	Resolution 2491 (2019)	Five Council members: Belgium, France, Germany, Poland, andUnited Kingdom	23 Member States <sup>f</sup>
<u>S/2019/841</u>	Women and peace and security	<u>S/PV.8649</u> , 29 October 2019	Resolution <u>2493 (2019)</u>	Two Council members: Indonesia, and South Africa	20 Member States <sup>g</sup>

<sup>&</sup>lt;sup>a</sup> Algeria, Angola, Austria, Bolivia (Plurinational State of), Bulgaria, Burkina Faso, Canada, Colombia, Congo, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Finland, Gabon, Gambia, Greece, Guinea, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Kenya, Latvia, Lebanon, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Malta, Mauritius, Monaco, Morocco, Mozambique, Namibia, Nigeria, Norway, Papua New Guinea, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Senegal, Serbia, Sierra Leone, Spain, Sudan, Sweden, Switzerland, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania.

<sup>&</sup>lt;sup>b</sup> Albania, Andorra, Armenia, Australia, Austria, Bosnia and Herzegovina, Bulgaria, Canada, Central African Republic, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Djibouti, Egypt, Estonia, Finland, Gabon, Georgia, Greece, Hungary, Iceland, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Latvia, Lebanon, Libya, Lithuania, Monaco, Montenegro, Morocco, Netherlands, New Zealand, North Macedonia, Norway, Philippines, Portugal, Romania, San Marino, Serbia, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Togo, Tunisia, Turkey, Ukraine, United Arab Emirates.

<sup>&</sup>lt;sup>c</sup> Albania, Algeria, Armenia, Austria, Azerbaijan, Bahrain, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, Czechia, Democratic Republic of the Congo, Djibouti, Egypt, Estonia, Finland, Georgia, Greece, Hungary, Iceland, Iraq, Israel, Italy, Jordan, Kazakhstan, Kuwait, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malta, Montenegro, Morocco, North Macedonia, Norway, Oman, Palau, Portugal, Qatar, Romania, San Marino, Saudi Arabia, Serbia, Slovakia, Slovenia, Somalia, Spain, Sudan, Sweden, Switzerland, Tajikistan, Ukraine, United Arab Emirates, and Uruguay.

d Albania, Angola, Argentina, Australia, Austria, Bulgaria Canada, Central African Republic, Costa Rica, Croatia, Cyprus, Czechia, Djibouti, Ecuador, Egypt, Estonia, Finland, Georgia, Greece, Guatemala, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Montenegro, Morocco, Netherlands, New Zealand, North Macedonia, Norway, Portugal, Qatar, Republic of Korea, Republic of Moldova, San Marino, Serbia, Sierra Leone, Slovakia, Slovenia, Somalia, South Africa, Spain, Sweden, Switzerland, Turkey, and Ukraine.

<sup>&</sup>lt;sup>e</sup> Angola, Australia, Australia, Bulgaria, Burkina Faso, Canada, Colombia, Costa Rica, Cyprus, Czechia, Denmark, Ecuador, Guinea, Iceland, Ireland, Italy, Japan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Montenegro, Morocco, Netherlands, North Macedonia, Norway, Palau, Peru, Portugal, Qatar, Serbia, Slovenia, Spain, Sweden, Switzerland, Turkey, United Arab Emirates.

f Austria, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, Greece, Hungary, Ireland, Italy, Lithuania, Luxembourg, Malta, Netherlands, Norway, Portugal, Romania, Slovakia, Slovenia, Spain, and Sweden.
g Armenia, Australia, Canada, Denmark, Georgia, Ireland, Jordan, Liberia, Morocco, North Macedonia, Norway, Philippines, Portugal, Republic of Korea, San Marino, Switzerland, Tunisia, Turkey, United Arab Emirates, and Uruguay.

### C. Decision-making by voting

According to Article 27 (2) and (3) of the Charter, decisions of the Council on procedural matters shall be made by an affirmative vote of nine Council members. On all other matters, that is, substantive or non-procedural matters, an affirmative vote of nine Council members is required, including the concurring votes of the permanent members. The result of a vote in the Council often does not in itself indicate whether the Council considers the matter voted upon to be procedural or substantive. For example, whether a vote is procedural or not, cannot be determined when a proposal is: (a) adopted by a unanimous vote; (b) adopted by an affirmative vote of all permanent members; or (c) not adopted, having failed to obtain the nine affirmative votes required. When a proposal is adopted, having obtained nine or more affirmative votes, with one or more permanent members casting a negative vote, that indicates that the vote is considered procedural. Conversely, if the proposal is not adopted, the matter voted upon is considered to be substantive. On certain occasions, in its early years, the Council found it necessary to decide, by vote, the question whether the matter under consideration was procedural within the meaning of Article 27 (2). This procedure is known as the "preliminary question", after the language used in the San Francisco Statement on Voting Procedure. In recent years, including during the period under review, however, there have been no instances of the Council deciding to examine the preliminary question. Furthermore, procedural motions, such as the adoption of the agenda, the extension of invitations, and the suspension or adjournment of a meeting, have generally been decided upon by the Council without a vote. When such motions were voted upon, the vote was considered procedural. During 2019, the Council voted on procedural matters on two occasions (see table 12).

Table 12

Cases in which the vote indicated the procedural character of the matter, 2019

Item	Meeting record and date	Subject of proposal	Vote (for- against- abstaining)	Permanent members casting negative vote
The situation in the Bolivarian	S/PV.8452	Adoption of	9-4-2	China, Russian
Republic of Venezuela	26 January 2019	the agenda <sup>a</sup>		Federation
Letter dated 13 April 2014	<u>S/PV.8529</u>	Adoption of	5-6-4	France, United
from the Permanent	20 May 2019	the agenda		Kingdom, United
Representative of the Russian				States
Federation to the United				
Nations addressed to the				
President of the Security				
Council ( <u>S/2014/264</u> )				

<sup>&</sup>lt;sup>a</sup> For more information on the adoption of the agenda, see section II.A.

# Adoption of resolutions

During the period under review, the majority of resolutions adopted by the Council (44 out of 52) were adopted unanimously. Eight resolutions were adopted without a unanimous vote (see table 13).

<sup>&</sup>lt;sup>b</sup> For more information on participation, see section VII.

Table 13 **Resolutions adopted without a unanimous vote, 2019** 

Resolution	Item	Meeting record and date	Votes in favour	Votes against	Abstention
2459 (2019)	Reports of the Secretary-General on the Sudan and South Sudan <sup>a</sup>	<u>S/PV.8484</u> , 15 March 2019	14 (Belgium, China, Côte d'Ivoire, Dominican Republic, Equatorial Guinea, France, Germany, Indonesia, Kuwait, Peru, Poland, South Africa, United Kingdom, United States)	None	1 (Russian Federation)
2466 (2019)	The question concerning Haitib	<u>S/PV.8510,</u> 12 April 2019	13 (Belgium, China, Côte d'Ivoire, Equatorial Guinea, France, Germany, Indonesia, Kuwait, Peru, Poland, South Africa, United Kingdom, United States)	None	2 (Dominican Republic, Russian Federation)
2467 (2019)	Women and peace and security <sup>c</sup>	<u>S/PV.8514</u> , 23 April 2019	13 (Belgium, Côte d'Ivoire, Dominican Republic, Equatorial Guinea, France, Germany, Indonesia, Kuwait, Peru, Poland, South Africa, United Kingdom, United States)	None	2 (China, Russian Federation)
2468 (2019)	The situation concerning Western Sahara <sup>d</sup>	<u>S/PV.8518,</u> 30 April 2019	13 (Belgium, China, Côte d'Ivoire, Dominican Republic, Equatorial Guinea, France, Germany, Indonesia, Kuwait, Peru, Poland, United Kingdom, United States)	None	2 (Russian Federation, South Africa)
2471 (2019)	Reports of the Secretary-General on the Sudan and South Sudan <sup>a</sup>	<u>S/PV.8536</u> , 30 May 2019	10 (Belgium, Dominican Republic, France, Germany, Indonesia, Kuwait, Peru, Poland, United Kingdom, United States)	None	5 (China, Côte d'Ivoire, Equatorial Guinea, Russian Federation, South Africa)
2476 (2019)	The question concerning Haitib	<u>S/PV.8559</u> , 25 June 2019	13 (Belgium, Côte d'Ivoire, Equatorial Guinea, France, Germany, Indonesia, Kuwait, Peru, Poland, Russian Federation, South Africa, United Kingdom, United States)	None	2 (China, Dominican Republic)
2494 (2019)	The situation concerning Western Sahara <sup>d</sup>	S/PV.8651, 30 October 2019	13 (Belgium, China, Côte d'Ivoire, Dominican Republic, Equatorial Guinea, France, Germany, Indonesia, Kuwait, Peru, Poland, United Kingdom, United States)	None	2 (Russian Federation, South Africa)
2498 (2019)	The situation in Somalia <sup>e</sup>	<u>S/PV.8665</u> , 15 November 2019	12 (Belgium, Côte d'Ivoire, Dominican Republic, France, Germany, Indonesia, Kuwait, Peru, Poland, South Africa, United Kingdom, United States)	None	3 (China, Equatorial Guinea, Russian Federation)

<sup>&</sup>lt;sup>a</sup> For more information on the discussion, see part I, sect. 9.

<sup>&</sup>lt;sup>b</sup> For more information on the discussion, see part I, sect. 14.

<sup>&</sup>lt;sup>c</sup> For more information on the discussion, see part I, sect. 30.

## Draft resolutions not adopted

According to Article 27 (3) of the Charter, a draft resolution on non-procedural matters is not adopted when it fails to obtain the nine affirmative votes required, or when a negative vote is cast by a permanent member. During the period under review, there were three instances in which a draft resolution was not adopted because it failed to obtain the nine affirmative votes required, and three occasions when a draft resolution was not adopted owing to a negative vote cast by a permanent member (see table 14).

Table 14

Draft resolutions not adopted owing to the negative vote of a permanent member or for lack of the requisite number of votes, 2019

Draft resolution	Meeting record and date	Item	Votes in favour	Votes against	Abstention
<u>S/2019/186</u>	S/PV.8476, 28 February 2019	The situation in the Bolivarian Republic of Venezuela <sup>a</sup>	9 (Belgium, Dominican Republic, France, Germany, Kuwait, Peru, Poland, United Kingdom, United States)	3 (China, Russian Federation, South Africa)	3 (Côte d'Ivoire, Equatorial Guinea, Indonesia)
<u>S/2019/190</u>	<u>S/PV.8476</u> , 28 February 2019	The situation in the Bolivarian Republic of Venezuela <sup>a</sup>	4 (China, Equatorial Guinea, Russian Federation, South Africa)	7 (Belgium, France, Germany, Peru, Poland, United Kingdom, United States)	4 (Côte d'Ivoire, Dominican Republic, Indonesia, Kuwait)
<u>S/2019/756</u>	<u>S/PV.8623</u> , 19 September 2019	The situation in the Middle East <sup>b</sup>	12 (Belgium, Côte d'Ivoire, Dominican Republic, France, Germany, Indonesia, Kuwait, Peru, Poland, South Africa, United Kingdom, United States)	2 (China and Russian Federation)	1 (Equatorial Guinea)
<u>S/2019/757</u>	<u>S/PV.8623</u> , 19 September 2019	The situation in the Middle East <sup>b</sup>	2 (China and Russian Federation)	9 (Belgium, Dominican Republic, France, Germany, Kuwait, Peru, Poland, United Kingdom, United States)	4 (Côte d'Ivoire, Equatorial Guinea, Indonesia, South Africa)

<sup>&</sup>lt;sup>d</sup> For more information on the discussion, see part I, sect. 1.

<sup>&</sup>lt;sup>e</sup> For more information on the discussion, see part I, sect. 2.

<u>S/2019/961</u>	S/PV.8697, 20 December 2019	The situation in the Middle East <sup>b</sup>	13 (Belgium, Côte d'Ivoire, Dominican Republic, Equatorial Guinea, France, Germany, Indonesia, Kuwait, Peru, Poland, South Africa, United Kingdom, United States)	2 (China and Russian Federation)	
<u>S/2019/962</u>	<u>S/PV.8697</u> , 20 December 2019	The situation in the Middle East <sup>b</sup>	5 (China, Côte d'Ivoire, Equatorial Guinea, Russian Federation and South Africa)	6 (Dominican Republic, France, Peru, Poland, United Kingdom and United States)	4 (Belgium, Germany, Indonesia and Kuwait)

<sup>&</sup>lt;sup>a</sup> For more information on the discussion, see part I, sect. 16.

## D. Decision-making without a vote

A procedural motion or a substantive motion may be adopted in the Council without a vote or by consensus. During 2019, there was no instance of a resolution being adopted without a vote. All 52 resolutions were adopted by a show of hands. However, at a meeting of the Council under the item entitled "The situation in Afghanistan" the representative of Germany, as copenholder, orally proposed an amendment to the draft resolution proposed 143 and clarified that the proposed revision was made at the request of Afghanistan. According to the President of the Council, if delegations consented to the inclusion of the oral revision to the draft resolution and there were no objections, then Council members would vote on the resolution as revised. With no objections to the revision, the President of the Council requested the Secretariat to inscribe the oral revision to the text and proceeded to the vote on the draft resolution which was adopted unanimously as resolution 2489 (2019).

Statements by the President on behalf of the Council continued to be adopted by consensus. A total of 15 statements by the President were adopted during the period under review. 144

Following past practice, during the period under review, notes and letters by the President of the Council were adopted by consensus and issued as official documents of the Council. In

<sup>&</sup>lt;sup>b</sup> For more information on the discussion, see part I, sect. 22.

<sup>&</sup>lt;sup>142</sup> See S/PV.8620.

<sup>&</sup>lt;sup>143</sup> S/2019/749.

<sup>&</sup>lt;sup>144</sup> For a complete list of presidential statements adopted during the review period, part I sect. II of the report of the Security Council to the seventy-third session of the General Assembly (A/74/2).

2019, the Council issued 19 notes and 32 letters by the President. Notes and letters by the President are rarely adopted during Council meetings. During the period under review, one note by the President, namely, the note concerning the adoption of the draft annual report of the Council to the General Assembly for the period from 1 January 2018 to 31 December 2018, was adopted during a meeting of the Council, in line with past practice. 146

### E. Discussions concerning the decision-making process

During the period under review, Council members as well as the wider membership addressed issues pertaining to the exercise of the veto, penholdership and the negotiation process leading to the adoption of outcome documents, as reflected in case 8, in the context of the annual debate on the working methods of the Council.<sup>147</sup>

#### Case 8

### Implementation of the note by the President of the Security Council (S/2017/507)

On 6 June 2019, the Council held its annual open debate on the working methods of the Council at the initiative of Kuwait, which held the presidency for the month. During the meeting, a number of speakers expressed views on penholdership and other aspects pertaining to the negotiation and drafting of Security Council outcome documents. The representative of France underlined the importance of preserving the principle of freedom for any member of the Council to present a text at any time on any subject to ensure responsiveness and consensus at the Council. He added that any ex ante or automatic allocation of penholders would be

<sup>&</sup>lt;sup>145</sup> For the complete list of notes by the President of the Security Council issued in 2019, see part I, section XIII of the report of the Security Council to the seventy-third session of the General Assembly (A/74/2) or available at www.un.org/securitycouncil/content/notes-president-2019. For the complete list of letters from the President of the Council issued in 2019, see part I, section III of the same report or available at www.un.org/securitycouncil/content/letters-exchanged-between-secretary-general-and-president-security-council-2019.

 $<sup>\</sup>frac{146}{\text{See S/PV.8539}}$ . For more information on this matter, see part IV, sect. I.F.

<sup>&</sup>lt;sup>148</sup> A concept note was circulated by letter dated 29 May 2019 (<u>S/2019/450</u>).

detrimental to the effectiveness of the Council. <sup>149</sup> The representative of South Africa, speaking on behalf of the 10 elected members of the Council, suggested for the Council to consider promoting the role of the Chairs of subsidiary bodies as penholders as well as making their role as co-penholders on related dossiers automatic, should the Chairs choose to accept that role. The representative of Liechtenstein welcomed the suggestion that the delegation chairing the sanctions committee on a specific country situation should also have a joint leadership function with the traditional penholder in drafting resolutions. The representative of Brazil also said that the Chairs of the subsidiary bodies were uniquely placed to be considered co-penholders on issues pertaining to their activities. He added that a fair and adequate distribution of penholderships should be seen not as an exception but as a common practice essential to fostering appropriate levels of transparency and accountability in the Council. In this connection, Brazil believed that elected members should be offered real opportunities to be penholders.

The representative of the United Kingdom highlighted the importance of keeping the practice of penholding informal while maintaining the principle that every Council member had an equal right to take up the pen on any issue. The representative of China agreed that penholderships should be allocated according to the principle of equity so that every Council member could have an opportunities to contribute to resolving hotspot issues. The representative of the Russian Federation said that the Council had to expand the circle of penholders, particularly in favour of non-permanent members, and said that individual Council members should not consider certain countries and even regions as their "fiefdoms" or act as mentors on certain issues. The representative of Switzerland, speaking on behalf of the Accountability, Coherence and Transparency (ACT) group, said that enhancing the Council members' responsibilities for drafting Council products would facilitate greater participation by all members in decision-making process in the Council by providing more opportunities for any member of the Council to be a penholder and by having more than one member to act as penholder on a single dossier. The representative of Ireland recalled that there was nothing in the Charter stating that only permanent members could draft resolutions and added that it made little sense not to share the burden of the increased work of the Council without utilizing the skills and experience of elected members. The representative of Singapore said that he was heartened to

<sup>&</sup>lt;sup>149</sup> S/PV.8539.

see more elected Council members taking on penholders role in the Council, adding that a Council where members felt sidelined would not only be non-inclusive but also ineffective in representing the interests of the wider membership.

The representatives of New Zealand, Portugal, Norway, and Italy also called for a more balanced and equitable distribution of roles in the Security Council that included penholdership and Chairmanship of subsidiary bodies. <sup>150</sup> The representative of Italy also added that such fair and equal distribution of duties was consistent with a more transparent, representative, accountable, democratic and efficient Security Council.

In connection with the decision-making process within the Council, several speakers highlighted the importance of inclusivity in the negotiation and decision-making processes. The representatives of France and the United Kingdom highlighted their commitment to consulting all relevant stakeholders during negotiation processes, including troop- and police-contributing countries, Chairs of Sanctions Committees, countries of the region and Chairs of the Peacebuilding Commission's country-specific configurations. The representatives of Turkey, Norway, and Ukraine also suggested that the decision-making process should involve the states concerned. The representative of Turkey added that the penholders should engage in timely consultations with all relevant actors with openness and flexibility. In addition, the representative of Ukraine also said that involving the countries concerned and the wider United Nations membership would contribute to maximizing the comprehensive implementation of their provisions by the Member States. The representative of Colombia urged the Council to facilitate timely access on an equal footing by non-Council members to draft outcome documents as well as to other documents issued by the Council. The representative of Canada underscored the importance of full involvement of elected members in the decision-making process, adding that the elected members give legitimacy, diversity of ideas and perspectives to the Security Council. In this connection, Canada emphasized that incoming elected members need access to information and the ability to act on such information. The representative of Egypt suggested that Security Council's draft outcome documents should be shared with the wider membership to allow them to share their views and proposals.

<sup>&</sup>lt;sup>150</sup> During the 8539th meeting (<u>S/PV.8539</u>), Norway delivered a statement on behalf of Denmark, Finland, Iceland, Sweden, and Norway.

On the drafting of outcome documents, the representative of the United Kingdom said that the Council's products should be concise and use clear and straightforward language, in order for it to have impact on the ground. The representative of the Russian Federation concurred with the representative of the United Kingdom that the Security Council's final products should be short, clear, easy to understand and above all action-oriented. Notwithstanding, he pointed out that many draft texts were received unreasonably late, which did not allow for gathering of multiple expert assessments or comprehensive consultations. In addition, the wording of Security Council draft resolutions sometimes changed at the last minute, leaving the Council with documents that did not take the concerns of its members into account. The representative of France said that his delegation had always tried to allow enough negotiating time and to find the necessary compromises to ensure the Council's adoption of texts. The representative of China said that the Council should strive for as broad a consensus as possible by holding in-depth consultations and fully accommodate the concerns of all parties by increasing communications and cooperation. He added that any attempts to railroad draft texts through in the face of stark differences of opinion must be discouraged with a view to enhancing the authority and effectiveness of the Council.

On the use of veto, several speakers voiced support for the code of conduct of the Accountability, Coherence and Transparency (ACT) group, which asked Council members to refrain from voting against credible Council action aimed at stopping mass atrocities and crimes against humanity. Speakers also expressed support for the declaration by France and Mexico for the voluntary and collective suspension of the use of the veto of permanent members in cases involving mass atrocities. The representative of Kuwait said that refraining from the use of the veto on humanitarian issues would allow for assistance to reach civilians in urgent need, medical evacuations, and humanitarian truce. The representative of Turkey said that better outcomes could be achieved and more humanitarian tragedies prevented if the Council's tools were utilized much earlier, without resorting to the veto as a tool to advance national interests. He added that the use or the threat of the use of the veto had proven to hamper the most needed role that the Council had to play on behalf of the entire United Nations membership.

<sup>&</sup>lt;sup>151</sup> Ibid., United Kingdom, Kuwait, Estonia, Switzerland, Singapore, Canada, Slovenia, Norway, Liechtenstein, and Costa Rica.

<sup>&</sup>lt;sup>152</sup> Ibid., France, Kuwait, Singapore, Canada, Mexico, Norway, and Costa Rica.

The representative of Singapore said that the veto privilege needed to be wielded with increased responsibilities to allow the Council to discharge its duties in the maintenance of international peace and security. The representative of Brazil encouraged efforts to review the use of the veto in the Security Council, in view of the ample call of the wider membership for its abolition or restriction and its direct impact on the functioning of the Security Council. The representative of Liechtenstein said that his country viewed subscribing to the ACT code of conduct as a minimum standard for Council membership and a precondition for support in Council elections. The representative of Ukraine saw a clear lack of implementation of Article 27, paragraph 3, of the Charter, both in the spirit and the letter. Acknowledging that a veto-free Council was still a distant and uncertain reality, he believed that a Council member should refrain from using its veto power and abstain from voting when it was a party to a conflict under consideration in the Council, otherwise compromising the exercise of its responsibilities and privileges in an impartial manner.

# IX. Languages

#### Note

Section IX covers rules 41 to 47 of the provisional rules of procedure of the Security Council, which relate to the official and working languages of the Council, interpretation and the languages of meeting records and published resolutions and decisions.

## Rule 41

Arabic, Chinese, English, French, Russian and Spanish shall be both the official and the working languages of the Security Council.

#### Rule 42

Speeches made in any of the six languages of the Security Council shall be interpreted into the other five languages.

Rule 43

[Deleted]

Rule 44

Any representative may make a speech in a language other than the languages of the Security Council. In this case, he shall himself provide for interpretation into one of those languages. Interpretation into the other languages of the Security Council by the interpreters of the Secretariat may be based on the interpretation given in the first such language.

Rule 45

Verbatim records of meetings of the Security Council shall be drawn up in the languages of the Council.

Rule 46

All resolutions and other documents shall be published in the languages of the Security Council.

#### Rule 47

Documents of the Security Council shall, if the Security Council so decides, be published in any language other than the languages of the Council.

By the note by the President dated 30 August 2017, Council members encouraged the Secretariat to maintain the translation of all United Nations sanctions lists into all official languages of the United Nations, and to continue to ensure that the information on the websites of the subsidiary bodies of the Council, including the reports of sanctions monitoring teams, groups and panels, is accurate and updated in all official languages.<sup>153</sup>

During the period under review, rules 41 to 47 were applied consistently. There were three meetings where speakers delivered their statements in a language other than the six official languages of the United Nations, as provided in rule 44. 154 Furthermore, the matter of working languages was addressed in different contexts throughout the year during the regular work of the Council. For example, at the 8539th meeting of the Council, held on 6 June 2019, on the working methods of the Security Council, the representative of Egypt stressed the importance of ensuring that documents and reports of the Security Council were made available to the wider membership and in all six official languages of the United Nations unless they included information related to the national security of States that did not wish to make the information available to the public. 155 At the 8570th meeting, held on 10 July 2019, under the item entitled "United Nations peacekeeping operations", the representative of Belgium considered it essential that the interaction between the Council and the troop- and police-contributing countries proceed in the direction of improved mutual understanding. In that connection, he welcomed the fact that interpretation was provided at the majority of the meetings between the troop- and policecontributing countries and the Security Council and the meetings of the Working Group on Peacekeeping Operations, thereby addressing multilingualism and accessibility concerns. <sup>156</sup> In a

<sup>&</sup>lt;sup>153</sup> S/2017/507, annex, para. 110.

At the 8459th meeting on 7 February 2019, the 8541st meeting on 10 June 2019, and the 8655th meeting on 31 October 2019, the representative of Serbia (First Deputy Prime Minister and Minister for Foreign Affairs) spoke in Serbian; the interpretation was provided by the delegation (see <a href="S/PV.8459">S/PV.8541</a>, and <a href="S/PV.8655">S/PV.8539</a>.

<sup>156</sup> S/PV.8570.

letter dated 14 February 2019 to the President of the Security Council, the representative of Finland transmitted the report of the sixteenth annual workshop for the newly elected members of the Security Council, which was held on 29 and 30 November 2018. In the context of discussing the experiences of chairing a sanctions committee, a participant, according to the report, stressed the need for enhanced interpretation services into all six official languages. <sup>157</sup>

# X. Provisional status of the rules of procedure

#### Note

Section X covers the deliberations of the Council concerning the provisional status of the rules of procedure of the Council, last amended in 1982. Article 30 of the Charter of the United Nations provides that the Council shall adopt its own rules of procedure. Since their adoption by the Council at its first meeting held on 17 January 1946, the rules of procedure have remained provisional. On 27 December 2019, the Council issued a note by the President providing that in line with the efforts of the United Nations and its Member States to promote the advancement of women and greater gender inclusivity and equality in their policies and practices, the members of the Council confirmed, as a matter of existing Council practice, that any reference to a male person in the Council's provisional rules of procedure was deemed not to be limited to male persons. Thus, any such reference also constituted a reference to a female person, unless the context clearly indicated otherwise.

#### Article 30

<sup>&</sup>lt;sup>157</sup> See S/2019/144.

<sup>&</sup>lt;sup>158</sup> The provisional rules of procedure of the Council were amended 11 times between 1946 and 1982: five times during the Council's first year at its 31st, 41st, 42nd, 44th and 48th meetings on 9 April, 16 and 17 May, and 6 and 24 June 1946; twice in its second year, at the 138th and 222nd meetings, on 4 June and 9 December 1947; and at its 468th meeting on 28 February 1950; 1463rd meeting, on 24 January 1969; 1761st meeting, on 17 January 1974; and 2410th meeting, on 21 December 1982. Previous versions of the provisional rules were issued under the symbols \$\frac{8}{96}\$ and \$\frac{\text{Rev.1-6}}{159}\$, the latest version under the symbol \$\frac{8}{96/\text{Rev.7}}\$.

The Security Council shall adopt its own rules of procedure, including the method of selecting its President.

During the period under review, the question of the status of the provisional rules of procedure, including in connection with Article 30 of the Charter, was raised at the 8539th meeting, held on 6 June 2019, under the item entitled "Implementation of the note by the President of the Security Council (S/2017/507)". <sup>160</sup> During the debate, some speakers stressed that the Security Council rules of procedure should cease to be provisional. The representative of Cuba noted that its adoption was essential in terms of transparency and accountability, and the representative of Singapore added that its adoption would enhance the Council's legitimacy and credibility. The representative of Ireland expressed concern that the rules of procedure were used to block action, not to facilitate it, while the representative of Colombia suggested elements for consideration in the definitive text of the rules of procedure.

<sup>&</sup>lt;sup>160</sup> S/PV.8539.