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## **Part VIII**

### **Regional arrangements**

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### **Introductory note**

#### *Article 52*

*1. Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.*

*2. The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.*

*3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.*

*4. This Article in no way impairs the application of Articles 34 and 35.*

#### *Article 53*

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

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

#### *Article 54*

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

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

During the period under review, the Council reaffirmed the importance of enhancing cooperation between the United Nations and regional arrangements, pursuant to Chapter VIII of the Charter, on conflict prevention and resolution, peacekeeping and peacebuilding. The Council specifically acknowledged the progress made in the cooperation between the United Nations and the African Union and underlined the importance of developing an effective partnership underpinned by mutual consultations between the Security Council and the African Union Peace and Security Council, in their respective decision-making processes. During 2016 and 2017, the Council met with the Peace and Security Council of the African Union twice, on 23 May 2016 in New York and on 8 September 2017 in Addis Ababa. In addition, during the Council's deliberations, speakers focused on the modalities for planning and mandating operations, the need for adherence to international human rights, international humanitarian law and conduct and discipline compliance frameworks, as well as ensuring predictable and sustainable funding for African Union-led peacekeeping operations.

In connection with the pacific settlement of disputes, the Council continued to highlight the crucial importance of the role played by regional and subregional arrangements in mediation and good offices to end conflicts and ensure successful

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<sup>1</sup> Chapter VIII of the Charter refers to "regional arrangements or agencies". For the purposes of the *Repertoire*, the term regional arrangements is understood to encompass regional and subregional organizations as well as other international organizations.

peace negotiations. The Council highlighted the mediation and good offices work of regional and subregional arrangements in support of efforts to achieve the cessation of hostilities in South Sudan, the resolution of political crises in the Democratic Republic of the Congo, the Gambia and Guinea-Bissau and sustainable peace in Afghanistan and the Central African Republic.

Concerning peacekeeping operations led by regional organizations, the Council renewed the authorization of two existing missions, namely the African Union Mission in Somalia (AMISOM) and the European Union Force-Althea in Bosnia and Herzegovina (EUFOR-Althea), while the North Atlantic Treaty Organization (NATO) Force in Kosovo (NATO KFOR) continued to operate without any decisions taken with respect to its mandate. The Council also welcomed the deployment of the Joint Force of the Group of Five (“G5”) Sahel States to restore security in the region. As in previous periods, the Council authorized enforcement action by regional and subregional organizations beyond the framework of peacekeeping operations in relation to Libya, Somalia and South Sudan, and it continued to request reporting by regional organizations, particularly on mandate implementation of relevant regional peacekeeping operations and cooperation with the United Nations.

The practice of the Council under Chapter VIII of the Charter in 2016 and 2017, is illustrated below in five sections. Each section covers both the decisions adopted by the Council and the discussions held during Council meetings. Section I examines the practice of the Council regarding cooperation with regional and subregional arrangements in the maintenance of international peace and security concerning items of a thematic nature. Section II deals with the recognition by the Council of the efforts of regional arrangements in the peaceful settlement of disputes, within the framework of Article 52 of the Charter. Section III covers the practice of the Council in connection with cooperation with regional organizations in the area of peacekeeping. Section IV describes the practice of the Council in authorizing enforcement actions by regional organizations outside the context of regional peacekeeping operations. Section V refers to the reporting on the activities of regional arrangements in the maintenance of international peace and security.

## **Section I - Consideration of the provisions of Chapter VIII of the Charter of the United Nations under thematic items**

### **Note**

Section I examines the practice of the Security Council in 2016 and 2017 in cooperating with regional organizations in the maintenance of international peace and security, within the framework of Chapter VIII of the Charter, in connection with items of a thematic nature. The section is organized under two headings: (a) decisions on thematic items relating to Chapter VIII of the Charter, and (b) discussions under thematic items concerning the interpretation and application of Chapter VIII of the Charter.

#### **A. Decisions on thematic issues relating to Chapter VIII of the Charter**

During the period under review, the Council explicitly referred to Chapter VIII of the Charter in several decisions on thematic items.<sup>2</sup> In its decisions, the Council reaffirmed its commitment to cooperation between the United Nations and regional and subregional organizations and arrangements in matters relating to the maintenance of international peace and security, recognizing that such cooperation could improve collective security and, in line with Chapter VIII of the Charter, was critical to contributing to the prevention of the outbreak, escalation, continuation and recurrence of conflict.<sup>3</sup> The Council reiterated the importance of this cooperation in contributing to and supporting peacekeeping and peacebuilding activities.<sup>4</sup> In this connection, the Council reaffirmed its determination to take effective steps to further enhance the relationship between the United Nations and regional organizations, in particular the African Union, in accordance with Chapter VIII.<sup>5</sup>

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<sup>2</sup> Resolutions [2282 \(2016\)](#), twenty-first preambular paragraph; [2320 \(2016\)](#), second, third, twelfth and fifteenth preambular paragraphs, and paras. 1, 3, 6 and 7; [2378 \(2017\)](#), tenth, fifteenth and seventeenth preambular paragraphs, and paras. 15, 17 and 18; and [2382 \(2017\)](#), para. 16(f); [S/PRST/2016/8](#), second and fourth paragraphs; [S/PRST/2016/9](#), eighth paragraph; [S/PRST/2016/12](#), fourth paragraph; and [S/PRST/2017/27](#); twenty-second paragraph.

<sup>3</sup> Resolutions [2320 \(2016\)](#), third preambular paragraph; [2282 \(2016\)](#), twenty-first preambular paragraph, and [2378 \(2017\)](#), tenth preambular paragraph; [S/PRST/2016/8](#), second paragraph; and [S/PRST/2016/9](#), eighth paragraph.

<sup>4</sup> [S/PRST/2016/12](#), fourth paragraph and [S/PRST/2017/27](#), twenty-second paragraph.

<sup>5</sup> Resolutions [2320 \(2016\)](#), para. 1 and [2378 \(2017\)](#), para. 15.

The Council commended the increased contribution of the African Union to the maintenance of peace and security, including peacekeeping, the prevention, mediation and settlement of conflicts, and recognized its critical role in peacebuilding and sustaining peace in Africa.<sup>6</sup> The Council acknowledged the progress made in cooperation between the United Nations and the African Union and underlined the importance of developing an effective partnership underpinned by mutual consultations between the Security Council and the African Union Peace and Security Council in their respective decision-making processes.<sup>7</sup> The Council stressed the importance of common strategies for a holistic response to conflict based on comparative advantage,<sup>8</sup> burden sharing, consultative decision-making, joint analysis and planning missions and assessment visits, monitoring and evaluation, and transparency and accountability, to address common security challenges in Africa.<sup>9</sup> The Council further noted the need to improve cooperation and coordination in peacebuilding, to increase synergies and ensure coherence and complementarity of such efforts.<sup>10</sup> The Council encouraged the Secretary-General, both through the United Nations Office to the African Union and, consistent with its resolution [2282 \(2016\)](#), the Peacebuilding Support Office, to commence holding regular exchanges, joint initiatives, and information sharing with the African Union Commission.<sup>11</sup>

On peace operations, the Council acknowledged the need for more support to enhance African Union-led peace support operations and encouraged further dialogue between the United Nations and the African Union.<sup>12</sup> While stressing the need to enhance the predictability, sustainability and flexibility of financing for African Union-led peace support operations,<sup>13</sup> the Council expressed its readiness to consider the proposals of the African Union for future authorization and support by the Security Council under Chapter VIII of the Charter.<sup>14</sup> The Council requested the

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<sup>6</sup> [S/PRST/2016/8](#), third paragraph and [S/PRST/2016/12](#), fourth paragraph.

<sup>7</sup> [S/PRST/2016/8](#), fourth paragraph. The Council met with the Peace and Security Council of the African Union on 23 May 2016 in New York and on 8 September 2017 in Addis Ababa. See [S/2017/248](#) and [S/2017/1002](#).

<sup>8</sup> [S/PRST/2016/8](#), fourth paragraph.

<sup>9</sup> Resolution [2320 \(2016\)](#), fifteenth preambular paragraph.

<sup>10</sup> [S/PRST/2016/8](#), eighth paragraph.

<sup>11</sup> [S/PRST/2016/12](#), fourth paragraph.

<sup>12</sup> Resolution [2320 \(2016\)](#), para. 2.

<sup>13</sup> *Ibid.*, para. 3.

<sup>14</sup> *Ibid.*, para. 7.

Secretary-General to continue working closely with the African Union to refine options for further cooperation on the relevant African Union proposals, including joint planning and the process for mandating African Union peace support operations.<sup>15</sup> The Council also expressed its intention to give further consideration to practical steps that could be taken, and the conditions necessary to establish the mechanism through which African Union led peace support operations authorized by the Council could be partly financed through United Nations assessed contributions, “on a case by case basis”.<sup>16</sup>

The Council encouraged the African Union to finalize its human rights and Conduct and Discipline compliance frameworks for African Union peace support operations, in order to achieve greater accountability, transparency, and compliance with international human rights law and international humanitarian law, as well as with United Nations conduct and discipline standards.<sup>17</sup> The Council underscored the importance of these commitments, as well as the requirement for its oversight for operations authorized by the Council and under the authority of the Council, consistent with Chapter VIII.<sup>18</sup>

More broadly, the Council requested the Secretary-General to provide a report by the end of 2018, including on, inter alia, strengthening partnerships between the United Nations and international, regional and subregional organizations in accordance with Chapter VIII of the Charter, concerning policing.<sup>19</sup> The Council also requested a greater inclusion of the women and peace and security agenda into cooperation efforts.<sup>20</sup>

In addition to explicit references to Chapter VIII of the Charter, the Council implicitly recognized and referred to the role of regional and subregional arrangements in its decisions adopted under thematic items. In this regard, the Council addressed the contribution of regional organizations to the protection of children affected by armed conflict.<sup>21</sup> Furthermore, the Council encouraged cooperation

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<sup>15</sup> Ibid., para. 8.

<sup>16</sup> Resolution [2378 \(2017\)](#), para. 18.

<sup>17</sup> Resolutions [2320 \(2016\)](#), para. 6 and [2378 \(2017\)](#), seventeenth preambular paragraph.

<sup>18</sup> Ibid.

<sup>19</sup> Resolution [2382 \(2017\)](#), para. 16(f).

<sup>20</sup> [S/PRST/2016/9](#), eighth paragraph.

<sup>21</sup> [S/PRST/2017/21](#), fortieth paragraph.



between the European Union, the African Union and the United Nations to protect the lives of migrants and refugees along migration routes and particularly inside Libya.<sup>22</sup> The Council called upon Member States, acting nationally or through regional organizations, including the European Union, to cooperate with the Government of National Accord in Libya and with each other, including by sharing information to assist Libya in building capacity to secure its borders and to prevent, investigate and prosecute acts of smuggling of migrants and human trafficking.<sup>23</sup>

In connection with threats to international peace and security caused by terrorist acts, the Council repeatedly stressed that terrorism could only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States and international, regional and subregional organizations.<sup>24</sup> In this context, the Council encouraged the efforts of the Economic Community of Central African States (ECCAS) and the Economic Community of West African States (ECOWAS), in coordination with the African Union, to accelerate the adoption of a common strategy to combat the threat posed by Boko Haram.<sup>25</sup> Furthermore, while noting the work of relevant international, regional and subregional organizations on enhancing protection, and security and resilience of critical infrastructure, the Council encouraged Member States and relevant regional and international organizations that had developed respective strategies to deal with protection of critical infrastructure, to work with all States and relevant international, regional and subregional organizations to identify and share good practices and measures to manage the risk of terrorist attacks on critical infrastructure.<sup>26</sup>

Finally, on mine action and explosive remnants of war, the Council welcomed the continued partnership and cooperation between regional and subregional organizations, especially the African Union, to mitigate the threat to civilians from landmines, explosive remnants of war and improvised explosive devices.<sup>27</sup>

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<sup>22</sup> [S/PRST/2017/24](#), thirteenth paragraph.

<sup>23</sup> Resolution [2380 \(2017\)](#), para. 2.

<sup>24</sup> Resolutions [2322 \(2016\)](#), twelfth preambular paragraph; [2368 \(2017\)](#), fifteenth preambular paragraph; and [2396 \(2017\)](#), eighth preambular paragraph; [S/PRST/2016/6](#), fifth paragraph; [S/PRST/2016/7](#); tenth paragraph.

<sup>25</sup> [S/PRST/2016/7](#), seventh paragraph.

<sup>26</sup> Resolution [2341 \(2017\)](#), twenty-first preambular paragraph and para. 7.

<sup>27</sup> Resolution [2365 \(2017\)](#), para. 13.

## **B. Discussion under thematic issues concerning the interpretation and application of Chapter VIII of the Charter**

At a number of Council meetings held in 2016 and 2017, speakers discussed the role of regional and subregional organizations in connection with, inter alia, cooperation between United Nations and regional and subregional organizations in maintaining international peace and security,<sup>28</sup> post-conflict peacebuilding,<sup>29</sup> peacebuilding and sustaining peace,<sup>30</sup> the protection of civilians in armed conflict,<sup>31</sup> United Nations peacekeeping operations,<sup>32</sup> as well as in the context of briefings by the Chairperson-in-Office of the Organization for Security and Cooperation in Europe.<sup>33</sup> Cases 1 and 2 featured below highlight key elements of discussions held during the reporting period in connection with the items entitled “Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security” and “Maintenance of international peace and security”.

### **Case 1**

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

At its 7816th meeting, on 18 November 2016, the Council held a debate on the cooperation between the United Nations and regional and subregional organizations, which focused in particular on strengthening the partnership between the United Nations and the African Union on issues of peace and security in Africa. The Council heard interventions by the Assistant Secretary-General for Peacekeeping Operations, the Permanent Observer of the African Union to the United Nations, the Special Representative of the Secretary-General to the African Union, and the African Union

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<sup>28</sup> [S/PV.7694](#), [S/PV.7705](#), [S/PV.7796](#), [S/PV.7816](#) and [S/PV.7935](#).

<sup>29</sup> [S/PV.7629](#).

<sup>30</sup> [S/PV.7750](#).

<sup>31</sup> [S/PV.7606](#).

<sup>32</sup> [S/PV.8086](#) and [S/PV.8150](#).

<sup>33</sup> [S/PV.7635](#) and [S/PV.7887](#).

High Representative for the Peace Fund.<sup>34</sup> At the meeting, the Council unanimously adopted resolution [2320 \(2016\)](#) and several speakers explicitly referred to Chapter VIII of the Charter in the ensuing discussion.<sup>35</sup>

The representative of the Republic of Angola stated that the contemporary and evolving challenges posed by violent conflict, humanitarian crises, extremism, terrorism, war crimes and crimes against humanity called for a more coordinated response and complementary action on the part of all stakeholders at the international and regional levels. In that regard, he noted that the cooperation between the African Union and the United Nations, based on a shared vision, goals and comparative advantages, played a critical role in tackling the numerous conflicts on the African continent.<sup>36</sup> The representative of New Zealand noted that, over the past two decades, Member States of the African Union had demonstrated their willingness and intention to lead the way in preventing and resolving conflict and securing peace in the region, and that effective cooperation between the United Nations and the African Union was essential to ensure support for those efforts and to maximize their chances of success. He concluded that it was therefore critical for the United Nations and the African Union to take a structured, complementary and integrated approach to tackling peace and security challenges on the continent.<sup>37</sup>

Similarly, the representative of the United States emphasized that a stronger United Nations-African Union partnership would leverage the comparative advantages of each for the benefit of all in the pursuit of peace and security across the continent. She noted that, in order to realize the full potential of that partnership, more work needed to be done to build mutual trust and enhance complementarity. She added that, in cases where the Council was considering authorizing support for an African Union-led operation under Chapter VIII of the Charter, the Security Council and the African Union Peace and Security Council must work closely together from the outset. To this end, consultations between the two organs, the deployment of joint assessment teams to evaluate the political, security, humanitarian and human rights

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<sup>34</sup> [S/PV.7816](#), pp. 2-10.

<sup>35</sup> *Ibid.*, p. 17 (United States), p. 18 (China), p. 19 (France), p. 23 (Russian Federation), p. 25 (Egypt) p. 27 (Uruguay) and p. 31 (Egypt).

<sup>36</sup> *Ibid.*, p. 12.

<sup>37</sup> *Ibid.*, p. 15.

situations on the ground and joint planning would be essential.<sup>38</sup> The representative of France opined that African organizations, acting within the African Peace and Security Architecture, were increasingly assuming their responsibilities in crisis management on the African continent, and that, as a natural consequence, the partnership between the United Nations and the African Union became a necessity in the context of Chapter VIII of the Charter.<sup>39</sup> The representative of the Russian Federation underlined that his delegation had consistently called for further development of the partnership between the United Nations and African organizations, including between the Security Council and the African Union Peace and Security Council, pursuant to Chapter VIII.<sup>40</sup>

The representative of China joined other speakers in reiterating that strengthening the cooperation between the African Union and the United Nations was conducive to maintaining peace and stability in Africa. Furthermore, he stressed that the United Nations should continue to support the African Union in its efforts to settle disputes through such peaceful means as dialogue, consultation, good offices and mediation, while respecting States' sovereignty, independence and territorial integrity.<sup>41</sup>

The representative of Egypt underscored that the cooperation between the United Nations and regional organizations had recently increased in importance as there was a growing awareness that no party could single-handedly confront the emerging patterns of transboundary threats to international peace. He emphasised that cooperation, coordination and joint work were an indispensable option, facilitated through the division of labour among the relevant parties and building on their comparative advantages, towards achieving the desired goals and outcomes. In this connection he stated that, in order to confront such challenges, new approaches towards forging partnerships at the regional, continental and international levels had emerged.<sup>42</sup>

While acknowledging the leading role played by the Security Council in matters related to international peace and security, the representative of Uruguay

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<sup>38</sup> Ibid., p. 17.

<sup>39</sup> Ibid., p. 19.

<sup>40</sup> Ibid., p. 23.

<sup>41</sup> Ibid., p. 18.

<sup>42</sup> Ibid., p. 25.

underscored the complementary functions that the African Union and the United Nations could carry out, harnessing their capacities, influence and experience to ensure a consistent, coherent response in various contexts. He stated that the strategic partnership between the United Nations and the African Union had made further headway in the development of cooperation mechanisms, including, inter alia, for consultative decision-making, joint analysis, planning and assessment, an integrated response to the conflict cycle, and joint efforts to prevent conflict and promote accountability and transparency. He concluded that such advances, which must continue to be fine-tuned and adapted to new realities, could serve as a model and a reference for the establishment and strengthening of partnerships between the United Nations and other regional organizations, thus bolstering synergies and promoting complementarity, taking into account at all times the unique features of each and respecting the mandates of each organization.<sup>43</sup>

## Case 2

### Maintenance of international peace and security

At its 7621<sup>st</sup>, on 15 February 2016, the Council held an open debate which focused on the respect for the principles and purposes of the Charter of the United Nations as a key element for the maintenance of international peace and security, during which the Council heard a briefing by the Secretary-General.<sup>44</sup> Several speakers explicitly referred to Chapter VIII of the Charter.<sup>45</sup> For example, the representative of the Republic of Senegal emphasized that it was important to promote the maintenance of peace through partnership, to place the action of regional organizations at the heart of peace efforts. Given the strong regional dimension of most conflicts, and in view of the vital role to be played by neighbouring States in any peace process, he noted that the positive engagement of regional actors was

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<sup>43</sup> Ibid., p. 27

<sup>44</sup> [S/PV.7621](#), pp. 2-3.

<sup>45</sup> Ibid., p. 14 (Malaysia), p. 15 (Senegal), p. 27 (United States), p. 36 (Chile), pp. 42-43 (African Union), p. 46 (League of Arab States), p. 53 (Italy), p. 56 (Kuwait, on behalf of the member States of the Organization of Islamic Cooperation), p. 63 (South Africa), p. 70 (United Arab Emirates), p. 75 (Nigeria), p. 77 (Tunisia) and p. 79 (Peru).

increasingly encouraged by the United Nations, in accordance with paragraph 1, Article 52, of Chapter VIII of the Charter.<sup>46</sup>

The representative of Chile opined that several factors could contribute to a dangerous disaffection for the purposes and principles of the Charter, and to avoid that result, it was essential to act early. He stressed that, from this perspective, the work of the Security Council was crucial, since remaining indifferent to those signals meant putting international peace and security at risk. He added that, similarly, the concerted work of the different organs of the system as well as the interaction with regional organizations in the framework of Chapter VIII of the Charter could be key in preventing destabilization and conflict cycles.<sup>47</sup> Speaking on behalf of the Member States of the Organisation of Islamic Cooperation, the representative of Kuwait referred to Chapter VIII and underlined that regional organizations had a significant role to play in the prevention, management and resolution of crises and in the maintenance of international peace and security. In this sense, he stated that it was imperative to work more closely and collectively in order to contribute to the promotion of the purposes and principles of the Charter of the United Nations.<sup>48</sup>

Similarly, the representative of the United Arab Emirates stated that the Council must coordinate with regional organizations and affected States earlier and engage in transparent consultations, especially when the Council was considering taking action. Furthermore, he underlined that, not only did Chapter VIII require the Council to encourage efforts undertaken by regional organizations towards the peaceful settlement of disputes, but that it was also in the strategic interests of the Council to do so. He stressed that regional States had the closest history and political background to the conflicts themselves, as well as the greatest interest in resolving them. In that regard, he affirmed that in the face of intransigence and disunity in the Council, regional actors would be left no choice but to respond assertively to protect legitimate authority and continue to guarantee regional stability for their peoples.<sup>49</sup> The Permanent Observer of the African Union emphasized the need to work to reaffirm the principle of complementarity, as stipulated in Chapter VIII of the Charter.

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<sup>46</sup> Ibid., p. 15.

<sup>47</sup> Ibid., pp. 35-36.

<sup>48</sup> Ibid., pp. 55-56.

<sup>49</sup> Ibid., p. 70.

In this connection, he noted that the provisions in that Chapter highlighted the importance of judiciously combining the universal character of the United Nations with the advantages that regional approaches offer.<sup>50</sup>

While acknowledging the primary role of the Security Council in maintaining international peace and security, the representative of Peru noted it was essential for the Council to utilize all the available tools provided for under Chapter VIII.<sup>51</sup> The representative of Nigeria affirmed that regional organizations had played and continued to play an important role in addressing threats to peace, especially at the regional level.<sup>52</sup>

Finally, the representative of the League of Arab States stated that the implementation of the purposes and principles of the Charter of the United Nations and the maintenance of international peace and security required solidarity on the part of all international bodies that worked in combating terrorist organizations, with a view to confronting their extreme ideologies, containing them and stopping them. In this sense, he referred to the need to implement paragraph 1 of Article 53, for which the Council “shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority”.<sup>53</sup>

## **Section II - Recognition of efforts by regional arrangements in the pacific settlement of disputes**

### **Note**

Section II deals with recognition by the Security Council of efforts by regional and subregional organizations in the pacific settlement of local disputes, within the framework of Article 52 of the Charter. The section is divided into two subsections: (a) decisions concerning efforts by regional arrangements in the pacific settlement of disputes; and (b) discussions concerning the pacific settlement of disputes by regional arrangements.

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<sup>50</sup> Ibid., pp. 42-43.

<sup>51</sup> Ibid., p. 79.

<sup>52</sup> Ibid., p. 75.

<sup>53</sup> Ibid., p. 46.

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

During the period under review, in several of its decisions, the Council welcomed, commended and encouraged the engagement of regional and subregional arrangements in the pacific settlement of disputes as described in further detail below. The Council did not explicitly refer to Article 52 in any of its decisions.

Regarding the situation in Afghanistan, the Council stressed the crucial importance of advancing regional cooperation to promote security, stability and development in the country.<sup>54</sup> To that end, the Council called on Afghanistan and its regional partners to keep up the momentum and continue their efforts to enhance regional dialogue and confidence through the Heart of Asia-Istanbul Process on Regional Security and Cooperation for a Secure and Stable Afghanistan, while noting that it was intended to complement and cooperate with, and not to substitute, existing efforts of regional organizations.<sup>55</sup> The Council further welcomed regional efforts to foster trust and cooperation by the Organisation of Islamic Cooperation, the Shanghai Cooperation Organisation, the Collective Security Organization (CSO), the South Asian Association for Regional Cooperation (SAARC), the Regional Economic Cooperation Conference on Afghanistan (RECCA) and the Conference on Interaction and Confidence Building Measures in Asia (CICA).<sup>56</sup>

Concerning the situation in Burundi, the Council urged the Government of Burundi and all stakeholders to take part actively, constructively and urgently in the political dialogue facilitated by the Mediator and the East African Community Facilitator in order to hold a genuine and inclusive inter-Burundian dialogue.<sup>57</sup> The Council requested the Government, in coordination with the African Union Commission, to ensure the continued and full deployment of African Union human rights observers and military experts and requested the Secretary-General to establish a United Nations police officers component in Burundi to monitor the security

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<sup>54</sup> Resolution [2274 \(2016\)](#), eleventh preambular paragraph.

<sup>55</sup> *Ibid.*, para. 20.

<sup>56</sup> Resolutions [2274 \(2016\)](#), para. 21 and [2344 \(2017\)](#), para. 33.

<sup>57</sup> Resolution [2303 \(2016\)](#), para. 6. See also, resolution [2279 \(2016\)](#), para. 5; and [S/PRST/2017/13](#), fourth paragraph.



situation and to work in coordination with those experts.<sup>58</sup> The Council also noted its deep concern over the lack of progress in the political dialogue and stressed the urgent need for active engagement of the Member States of the East African Community for the regional mediation to continue and to succeed.<sup>59</sup> Finally, the Council stressed the importance of coordinating efforts between the African Union, the East African Community, the International Conference of the Great Lakes Region (ICGLR) and the United Nations to continue to seek solutions to the Burundian crisis.<sup>60</sup>

On the situation in the Central African Republic, the Council emphasized that the continued role and contribution of the region, including ECCAS, ICGLR and the African Union, remained critical for the promotion of lasting peace and stability in the country.<sup>61</sup> The Council also welcomed the deployment of African Union advisors to support the victims of sexual violence.<sup>62</sup> The Council welcomed the African Initiative for Peace and Reconciliation in the Central African Republic and called on the African Union and neighbouring States, to urgently agree upon and support the implementation of the joint road map, with a view to reaching a sustainable cessation of hostilities.<sup>63</sup> The Council also noted the engagement of the European Union and other international organizations such as the Organisation Internationale de la Francophonie and the Organisation of Islamic Cooperation.<sup>64</sup>

Concerning the peace process in Colombia, the Council expressed its gratitude to the observer-contributing countries to the United Nations Mission in Colombia, particularly those from the Community of Latin American and Caribbean States (CELAC) to the United Nations Mission in Colombia.<sup>65</sup>

Regarding Côte d'Ivoire, the Council commended the African Union, ECOWAS and the Mano River Union for their efforts to consolidate peace and stability in the country and the subregion and encouraged them to continue to support the Ivorian authorities in addressing key challenges, especially the underlying causes

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<sup>58</sup> Resolution [2303 \(2016\)](#), para. 13.

<sup>59</sup> [S/PRST/2017/13](#), fourth paragraph.

<sup>60</sup> *Ibid.*, eighteenth paragraph.

<sup>61</sup> Resolutions [2301 \(2016\)](#), thirty-first preambular paragraph and [2387 \(2017\)](#), thirty-first preambular paragraph.

<sup>62</sup> Resolution [2301 \(2016\)](#), thirty-first preambular paragraph.

<sup>63</sup> [S/PRST/2017/9](#), ninth and eleventh paragraphs.

<sup>64</sup> Resolutions [2301 \(2016\)](#), thirty-second preambular paragraph and [2387 \(2017\)](#), thirty-second preambular paragraph.

<sup>65</sup> [S/PRST/2017/18](#), fifth preambular paragraph.

of recent conflict and insecurity in the border area and promoting justice and national reconciliation.<sup>66</sup>

In relation to the Democratic Republic of the Congo, following the signing of the Comprehensive and Inclusive Political Agreement, on 31 December 2016, under the facilitation of the African Union, the Council reiterated its commitment to support its implementation in close cooperation with the African Union.<sup>67</sup> The Council further called upon, inter alia, the Member countries of the ICGLR and the Southern African Development Community (SADC) to provide all the necessary support to the full implementation of the Agreement and the expediting of efforts for the countries of the region to fully implement their national and regional commitments under the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region.<sup>68</sup>

With respect to the political crisis in the Gambia, under the item entitled “Peace consolidation in West Africa”, the Council commended the initiatives of ECOWAS, including the visit of an ECOWAS/United Nations high-level delegation to the country, aimed at ensuring a peaceful and orderly transition process in the Gambia.<sup>69</sup> The Council also requested the Secretary-General, including through his Special Representative, in collaboration with the relevant regional and subregional organizations, to facilitate, as appropriate, political dialogue between the Gambian stakeholders in order to ensure a peaceful transition of power in the Gambia and in full respect of the outcome of the presidential election as recognized by ECOWAS and the African Union, as well as to provide technical assistance to the ECOWAS mediation.<sup>70</sup> The Council further endorsed the decisions of ECOWAS and the African Union to recognize Mr. Adama Barrow as President of the country and expressed its full support to the ECOWAS in its commitment to ensure, by political means first, the respect of the will of the people as expressed in the results of the elections.<sup>71</sup>

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<sup>66</sup> Resolution [2284 \(2016\)](#), eighteenth preambular paragraph.

<sup>67</sup> [S/PRST/2017/1](#), sixth paragraph.

<sup>68</sup> [S/PRST/2017/12](#), eleventh paragraph.

<sup>69</sup> [S/PRST/2016/19](#), fourth paragraph.

<sup>70</sup> *Ibid.*, eighth paragraph.

<sup>71</sup> Resolution [2337 \(2017\)](#), paras. 2 and 6.

Concerning Guinea-Bissau, the Council commended the efforts of ECOWAS in helping to sustain peace, security and development,<sup>72</sup> and encouraged it to continue extending political support to the authorities and political leaders through the use of its good offices and mediation.<sup>73</sup> The Council further endorsed the Conakry Agreement of 14 October 2016, based on the six-point road map entitled “Agreement on the Resolution of the Political Crisis in Guinea-Bissau” brokered by ECOWAS, as the primary framework for a peaceful resolution of the political crisis in the country.<sup>74</sup> The Council also welcomed the joint efforts by international partners, in particular, the United Nations, African Union, ECOWAS, European Union and the Community of Portuguese-Speaking Countries (CPLP), to enhance cooperation in support of the Government in Guinea-Bissau and encouraged them to continue to work together towards the country’s stabilization.<sup>75</sup>

Regarding the situation in Libya, the Council took note of the efforts of the League of Arab States, the African Union and the United Nations to discuss the means to further cooperation between the three organizations in order to advance the political process and assist Libya in its democratic transition.<sup>76</sup>

In connection with the situation in Myanmar, the Council commended the Association of Southeast Asian Nations (ASEAN), the Organisation of Islamic Cooperation, and the European Union in providing humanitarian assistance and supporting dialogue between all the relevant stakeholders in the conflict.<sup>77</sup>

With respect to the situation in Somalia, the Council expressed its full support to the Special Representative of the Chairperson of the African Union Commission for Somalia.<sup>78</sup> In the context of the situation of Somalia, the Council further underscored the importance of an effective partnership between the United Nations and the African Union.<sup>79</sup> Following the withdrawal of the Qatari forces, the Council recalled the deployment of a fact-finding mission by the African Union to the

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<sup>72</sup> Resolution [2267 \(2016\)](#), twelfth preambular paragraph and [2343 \(2017\)](#), fourteenth preambular paragraph.

<sup>73</sup> Resolutions [2267 \(2016\)](#), para. 8 and [2343 \(2017\)](#), para. 11.

<sup>74</sup> Resolution [2343 \(2017\)](#), para. 4.

<sup>75</sup> Resolution [2267 \(2016\)](#), para. 11.

<sup>76</sup> Resolution [2323 \(2016\)](#), fifteenth preambular paragraph.

<sup>77</sup> [S/PRST/2017/22](#), fourteenth paragraph.

<sup>78</sup> Resolution [2358 \(2017\)](#), sixth preambular paragraph.

<sup>79</sup> Resolution [2372 \(2017\)](#), seventh preambular paragraph.

Djibouti-Eritrea border and welcomed the call by the Assembly of the African Union to encourage the Chairperson of the Commission to pursue efforts towards the normalization of relations between Djibouti and Eritrea.<sup>80</sup>

In connection with the situation in the Abyei Area, under the item entitled “Reports of the Secretary-General on the Sudan and South Sudan”, the Council expressed its full support for the African Union in its efforts to ease tensions between the Sudan and South Sudan and facilitate the resumption of negotiations on post-secession relations.<sup>81</sup> The Council further encouraged the renewed engagement by the African Union in support of the implementation of the decisions of the Abyei Joint Oversight Committee and called on the Governments of Sudan and South Sudan to take concrete confidence-building measures towards achieving a final settlement of the Abyei question with renewed support from the African Union High-level Implementation Panel (AUHIP).<sup>82</sup>

In connection with the situation in Darfur, the Council encouraged all parties to the conflict to engage constructively with the AUHIP to implement the Roadmap Agreement and urged the Sudan Liberation Army/Abdul Wahid in particular to join the peace process without preconditions, in order to achieve a cessation of hostilities as a first step towards a comprehensive and sustainable peace agreement.<sup>83</sup> The Council further welcomed the efforts of the African Union-United Nations Joint Special Representative and Head of the United Nations – African Union Hybrid Operation in Darfur (UNAMID) to strengthen coordination with the AUHIP and the Special Envoy of the Secretary-General for Sudan and South Sudan in synchronising their mediation efforts and in generating progress on direct negotiations between the Government of Sudan and the Darfur armed movements.<sup>84</sup>

With respect to the conflict in South Sudan, the Council called on the parties to the Agreement on the Resolution of the Conflict in the Republic of South Sudan of 2015 to abide by and take no action inconsistent with the decisions of the

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<sup>80</sup> Resolution [2385 \(2017\)](#), eighteenth preambular paragraph.

<sup>81</sup> Resolutions [2287 \(2016\)](#), seventh preambular paragraph; [2318 \(2016\)](#), seventh preambular paragraph, [2352 \(2017\)](#), seventh preambular paragraph; and [2386 \(2017\)](#), seventh preambular paragraph.

<sup>82</sup> Resolutions [2352 \(2017\)](#), para. 5 and [2386 \(2017\)](#), paras. 6 and 7.

<sup>83</sup> Resolution [2363 \(2017\)](#), para. 23.

<sup>84</sup> *Ibid.*, para. 20.

Intergovernmental Authority on Development (IGAD) on the issue of the Presidential Decree on the creation of twenty-eight new states.<sup>85</sup> The Council also called on the parties to provide unconditional support for the endeavours of the United Nations, African Union, and IGAD towards ensuring the implementation of the Agreement and the inclusivity of the National Dialogue.<sup>86</sup> In the absence of progress in the political process, by the end of 2017, the Council expressed its strong support for the proposed IGAD High-Level Revitalization Forum for the Agreement and added that the initiative would need strong, coordinated and cohesive regional support.<sup>87</sup> During the biennium, the Council also expressed appreciation for the role of the African Union Peace and Security Council in support of the establishment of the Hybrid Court of South Sudan.<sup>88</sup>

Table 1 features provisions of decisions referring to regional and subregional organizations in relation to the pacific settlement of disputes. The list of items below is organized in alphabetical order.

Table 1

**Decisions concerning the pacific settlement of disputes by regional arrangements**

<i>Item</i>	<i>Decision and date</i>	<i>Paragraphs</i>	<i>Regional organizations mentioned</i>
The situation in Afghanistan	Resolution <a href="#">2274 (2016)</a> 15 March 2016	Eleventh preambular paragraph and paras. 20 and 21	Heart of Asia-Istanbul Process on Regional Security and Cooperation for a Secure and Stable Afghanistan, Regional Economic Cooperation Conference on Afghanistan (RECCA), Organization of Islamic Cooperation, Shanghai Cooperation Organization, Collective Security Treaty Organization (CSTO), South Asian Association for Regional Cooperation (SAARC)

<sup>85</sup> [S/PRST/2016/1](#), sixth paragraph.

<sup>86</sup> [S/PRST/2017/4](#), sixth paragraph.

<sup>87</sup> [S/PRST/2017/25](#), third paragraph.

<sup>88</sup> [S/PRST/2016/1](#), eighth paragraph.

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<i>Item</i>	<i>Decision and date</i>	<i>Paragraphs</i>	<i>Regional organizations mentioned</i>
	Resolution <a href="#">2344 (2017)</a> 17 March 2017	Para. 33	Heart of Asia-Istanbul Process on Regional Security and Cooperation for a Secure and Stable Afghanistan, RECCA, Organization of Islamic Cooperation, Shanghai Cooperation Organization, CSTO, SAARC, Conference on Interaction and Confidence Building Measures in Asia (CICA)
The situation in Burundi	Resolution <a href="#">2279 (2016)</a> 1 April 2016	Seventeenth and eighteenth preambular paragraphs and paras. 5 and 7	African Union, East African Community
	Resolution <a href="#">2303 (2016)</a> 29 July 2016	Fourteenth and fifteenth preambular paragraphs and paras. 6, 7, 10 and 13	African Union, East African Community, European Union
	<a href="#">S/PRST/2017/13</a> 2 August 2017	Fourth, seventh, eighth, eleventh and eighteenth paragraphs	African Union, East African Community
The situation in the Central African Republic	Resolution <a href="#">2301 (2016)</a> 26 July 2016	Thirty-first and thirty-second preambular paragraphs and para. 14	European Union, Organisation Internationale de la Francophonie, Organization of Islamic Cooperation, Economic Community of Central African States (ECCAS)
	Resolution <a href="#">2387 (2017)</a> 15 November 2017	Thirty-first and thirty-second preambular paragraphs and para. 3	European Union, Organisation Internationale de la Francophonie, Organisation of Islamic Cooperation, ECCAS
	<a href="#">S/PRST/2017/9</a> 13 July 2017	Ninth and eleventh paragraphs	African Union
The situation in Côte d'Ivoire	Resolution <a href="#">2284 (2016)</a> 28 April 2016	Eighteenth preambular paragraph	African Union, ECOWAS, Mano River Union
The situation in the Democratic Republic of the Congo	<a href="#">S/PRST/2017/1</a> 4 January 2017	Sixth paragraph	African Union
	<a href="#">S/PRST/2017/12</a> 26 July 2017	Eleventh paragraph	African Union, ICGLR, Southern African Development Community (SADC)
The situation in the Great Lakes Region	Resolution <a href="#">2389 (2017)</a> 8 December 2017	Para. 3	African Union, ICGLR, SADC

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<i>Item</i>	<i>Decision and date</i>	<i>Paragraphs</i>	<i>Regional organizations mentioned</i>
The situation in Guinea-Bissau	Resolution <a href="#">2267 (2016)</a> 26 February 2016	Fifth and twenty-second preambular paragraphs and paras. 8, 9 and 11	African Union, Community of Portuguese-Speaking Countries (CPLP), ECOWAS, European Union
	Resolution <a href="#">2343 (2017)</a> 23 February 2017	Fifth, sixth, seventh, twenty-fourth and twenty-fifth preambular paragraphs and paras. 4, 11 and 14	African Union, CPLP, ECOWAS, European Union
The situation in Libya	Resolution <a href="#">2323 (2016)</a> 13 December 2016	Fourteenth and fifteenth preambular paragraphs	African Union, European Union, League of Arab States
The situation in Myanmar	<a href="#">S/PRST/2017/22</a> 6 November 2017	Fourteenth paragraph	Association of Southeast Asian Nations (ASEAN), European Union, Organization of Islamic Cooperation
Peace consolidation in West Africa	<a href="#">S/PRST/2016/19</a> 21 December 2016	Second, fourth, eighth and tenth paragraphs	African Union, ECOWAS
	Resolution <a href="#">2337 (2017)</a> 19 January 2017	Twelfth, thirteen and fifteenth preambular paragraphs and paras. 2 and 6	African Union, ECOWAS
The situation in Somalia	Resolution <a href="#">2358 (2017)</a> 14 June 2017	Sixth preambular paragraph	African Union
	Resolution <a href="#">2372 (2017)</a> 30 August 2017	Seventh preambular paragraph	African Union
	Resolution <a href="#">2385 (2017)</a> 14 November 2017	Eighteenth preambular paragraph	African Union
Reports of the Secretary-General on the Sudan and South Sudan	Resolution <a href="#">2287 (2016)</a> 12 May 2016	Seventh preambular paragraph	African Union
	Resolution <a href="#">2290 (2016)</a> 31 May 2016	Twenty-second preambular paragraph	African Union

<i>Item</i>	<i>Decision and date</i>	<i>Paragraphs</i>	<i>Regional organizations mentioned</i>
	Resolution <a href="#">2318 (2016)</a> 15 November 2016	Seventh preambular paragraph	African Union
	Resolution <a href="#">2352 (2017)</a> 15 May 2017	Seventh preambular paragraph and para. 5	African Union
	Resolution <a href="#">2363 (2017)</a> 29 June 2017	Paras. 20 and 23	African Union
	Resolution <a href="#">2386 (2017)</a> 15 November 2017	Seventh preambular paragraph and paras. 6 and 7	African Union
	<a href="#">S/PRST/2016/1</a> 17 March 2016	Sixth and eighth paragraphs	African Union, Intergovernmental Authority on Development (IGAD)
	<a href="#">S/PRST/2017/4</a> 23 March 2017	Sixth paragraph	African Union, IGAD
	<a href="#">S/PRST/2017/25</a> 14 December 2017	Third paragraph	IGAD

## **B. Discussions concerning the pacific settlement of disputes by regional arrangements**

During the period under review, various Council members referred to the role of regional and subregional organizations in the pacific settlement of disputes. As described below in cases 3 and 4, Council discussions focused respectively, on the complementary relationship between the United Nations and the African Union in the context of the political crisis in Burundi, and the United Nations and the African Union support for the mediation role of IGAD in mediating the conflict in South Sudan.

### **Case 4**



## **The situation in Burundi**

At the 7752<sup>nd</sup> meeting held on 29 July 2016, the Council adopted resolution [2303 \(2016\)](#) with four Council members abstaining.<sup>89</sup> The resolution requested the Secretary-General to establish a United Nations police contingent in Burundi to monitor the security situation and human rights violations in coordination with African Union human rights observers and military experts.<sup>90</sup> Explaining his decision to abstain in the vote, the representative of Egypt stated that the resolution selectively addressed the Secretary-General's recommendations regarding the mandate of the police contingent which could result in Burundi's refusal to cooperate and could have a negative effect on the mediation efforts of the African Union and the East African Community.<sup>91</sup> He added that the resolution language did not reflect the views of all members of the Council.<sup>92</sup> The representative of Angola stated that the resolution should have made a "tangible contribution" to the political dialogue in Burundi, which should take place by enhancing cooperation among the Government of Burundi, the Mediator, the Facilitator and the Special Adviser of the Secretary-General on the Responsibility to Protect and the Special Adviser on the Prevention of Genocide.<sup>93</sup> The representatives of China and Venezuela, as well as the representative of Spain, expressed support for the mediation efforts of the African Union and the East African Community.<sup>94</sup> The representative of the Russian Federation stated that resolution [2303 \(2016\)](#) must be implemented in cooperation, coordination and consultation with the legitimate Government of Burundi, within frameworks agreed with it, and fostering a mutually beneficial dialogue.<sup>95</sup>

The representative of Senegal opined that the African Union and the United Nations must cooperate in monitoring the situation to assist the Burundian authorities

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<sup>89</sup> Angola, China, Egypt and Venezuela (Bolivarian Republic of).

<sup>90</sup> Resolution [2303 \(2016\)](#), para. 13. For a detailed overview of the decisions of the Council with respect to the role of regional organizations in the peaceful settlement of disputes in Burundi, see subsection A above.

<sup>91</sup> [S/PV.7752](#), p. 3.

<sup>92</sup> *Ibid.*, p. 3.

<sup>93</sup> *Ibid.*, p. 4.

<sup>94</sup> *Ibid.*, p. 4 (China), p. 5 (Spain) and p. 6 (Venezuela).

<sup>95</sup> *Ibid.*, p. 9.

and opposition in holding a peaceful dialogue.<sup>96</sup> The representative of France urged the Government of Burundi to “finally allow the deployment” of 200 African Union observers.<sup>97</sup> Similarly, the representative of the United States expressed disappointment over the delays by the Government of Burundi in the implementation of the Memorandum of Understanding allowing for the operation of the African Union monitors.<sup>98</sup> She further expressed regret that “the two abstainers from Africa” failed to acknowledge the fate of Africa’s own monitors and that the resolution was an occasion in which the Council could have sent “a clear, unified message” to the Government of Burundi that the Council would not allow similar tactics to delay the police deployment authorized and that the continued obstruction of the African Union mission should stop.<sup>99</sup>

## Case 5

### Reports of the Secretary-General on the Sudan and South Sudan

At the 7850<sup>th</sup> meeting on 23 December 2016, the Council failed to adopt a draft resolution submitted by the United States due to an insufficient number of affirmative votes. The draft resolution would have imposed an arms embargo against the warring parties in South Sudan.<sup>100</sup> In explaining the decision to abstain, the representative of China emphasized that the leading role of IGAD in mediating the South Sudan conflict should be supported so that peace, stability and development could be realized as soon as possible. While noting that the IGAD communiqué did not support the imposition of an embargo or sanctions, he added that the legitimate aspiration of IGAD and the African countries must be fully respected and that Council actions should be conducive to the political solution of the conflict.<sup>101</sup> The representative of Egypt added that the presidents of the countries members of IGAD had also refused the sanctions on the basis of the fact that sanctions would not

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<sup>96</sup> Ibid., p. 7.

<sup>97</sup> Ibid., p. 2.

<sup>98</sup> Ibid., p. 7.

<sup>99</sup> Ibid.

<sup>100</sup> The draft resolution ([S/2016/1085](#)) obtained seven votes in favour and registered eight abstentions.

<sup>101</sup> [S/PV.7850](#), pp. 5-6.

contribute to a solution.<sup>102</sup> The representative of Venezuela stated that the Council should promote an “African solution to African problems” and endorse the unanimous position of the region on this matter. He further added that the imposition of an arms embargo or sanctions would not offer a solution and that dialogue, reconciliation and the full implementation of the peace agreement was needed instead.<sup>103</sup> The representative of Angola, also abstaining in the vote, added that the Council should reinforce and encourage the position of IGAD which was also adopted by the African Union.<sup>104</sup>

In contrast, the representative of the United Kingdom expressed regret that a chance to take a small step towards changing reality was missed, and stated that the Council, the African Union, IGAD and all parties to the conflict had a responsibility to redouble their efforts for peace.<sup>105</sup>

On 23 March 2017, at the 7906<sup>th</sup> meeting, the Council adopted a presidential statement calling on the parties to fully adhere to their commitments under the Agreement on the Resolution of the Conflict in the Republic of South Sudan of 2015 and underscored its support for regional and international efforts to advance its implementation.<sup>106</sup> In his remarks to the Council, the Secretary-General urged the members of the Council and IGAD leaders to unanimously declare their support for the immediate cessation of hostilities, restoring an inclusive peace process and ensuring unrestricted humanitarian access and freedom of movement for the United Nations Mission in South Sudan (UNMISS) and a future regional protection force.<sup>107</sup> The representative of Sweden underlined that the United Nations, African Union and IGAD must work closely together in finding a political solution to the conflict and described the joint consultative meeting between the three organizations in the margin of the African Union Summit as an example of the kind of coordination that was necessary to put real pressure on the parties to the conflict.<sup>108</sup>

On 28 November 2017, at the Council’s 8115<sup>th</sup> meeting, the Assistant

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<sup>102</sup> Ibid., p. 8.

<sup>103</sup> Ibid., p. 9.

<sup>104</sup> Ibid. p. 10.

<sup>105</sup> Ibid., p. 5.

<sup>106</sup> [S/PV.7906](#), pp. 1-3. See also [S/PRST/2017/4](#), fourth and sixth paragraphs.

<sup>107</sup> Ibid., p. 5.

<sup>108</sup> Ibid., p. 10.

Secretary-General for Peacekeeping Operations informed Member States about the final preparations for the holding of the IGAD high-level meeting to revitalize the Agreement.<sup>109</sup> In so doing, she underlined the importance of having unified and unconditional support for this process to ensure that the Government of South Sudan and all political parties engaged constructively with a view to ceasing all hostilities.<sup>110</sup> As the Chair of IGAD, the representative of Ethiopia described a positive trend of support for the revitalization forum from the United Nations and the African Union and encouraged all three organizations to redouble their efforts, including through more frequent consultations in preparation for the final phase of the process.<sup>111</sup> The representative of Bolivia described the IGAD forum as the “only existing concrete initiative”.<sup>112</sup> Also expressing support for the IGAD initiative, Sweden added that, building on the communiqué of the African Union Peace and Security Council of 20 September, the Council must stand unified and speak with one voice to provide the forum with the best possible prospects for taking a genuine step forward.<sup>113</sup> The representative of Senegal welcomed the decision of IGAD to update as soon as possible on the progress made with regard to the initiative on the forum, in order to enable the Council to take appropriate measures in support of its decisions.<sup>114</sup>

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<sup>109</sup> [S/PV.8115](#), p. 3.

<sup>110</sup> *Ibid.*, p. 4.

<sup>111</sup> *Ibid.*, p. 6.

<sup>112</sup> *Ibid.*, p. 8.

<sup>113</sup> *Ibid.*, p. 10.

<sup>114</sup> *Ibid.*, p. 13.

### **Section III - Peacekeeping operations led by regional arrangements**

#### **Note**

This section describes the practice of the Security Council in connection with the cooperation between the United Nations and regional organizations pursuant to Chapter VIII of the Charter of the United Nations in the area of peacekeeping. The section is divided into two subsections: (a) decisions concerning peacekeeping operations led by regional arrangements; and (b) discussions concerning peacekeeping operations led by regional arrangements.

#### **A. Decisions concerning peacekeeping operations led by regional arrangements**

During the period under review, the Council renewed the authorization of two peacekeeping operations led by regional arrangements, namely the European Union Force (EUFOR)-ALTHEA in Bosnia and Herzegovina,<sup>115</sup> and the African Union Mission in Somalia (AMISOM).<sup>116</sup> The North Atlantic Treaty Organization (NATO) Force in Kosovo (NATO KFOR), established by resolution [1244 \(1999\)](#), continued to operate without any decisions taken with respect to its mandate during the biennium.

The Council also welcomed the deployment of the Joint Force of the G5 Sahel States, requested the Secretary-General to provide the Joint Force with operational and logistical support and called on international partners to contribute the necessary resources for its functioning.<sup>117</sup> In addition, the Council's decisions during the review period also took note of the work and called for relevant United Nations peace operations to cooperate with several other regionally-led military and police training missions, namely the NATO Resolute Support Mission in Afghanistan,<sup>118</sup> the European Union Training Mission in the Central African Republic (EUTM-RCA),<sup>119</sup>

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<sup>115</sup> Resolution [2315 \(2016\)](#), para. 3 and [2384 \(2017\)](#), para. 3.

<sup>116</sup> Resolutions [2297 \(2016\)](#), para. 4; [2289 \(2016\)](#), para. 1; [2355 \(2017\)](#), para. 1; and [2372 \(2017\)](#), para. 5.

<sup>117</sup> See for example, resolutions [2295 \(2016\)](#), para. 24; [2359 \(2017\)](#), paras. 5 and 6; [2391 \(2017\)](#), seventh preambular paragraph and para. 16.

<sup>118</sup> See for example, resolutions [2274 \(2016\)](#), para. 7(f); and [2344 \(2017\)](#), para. 5(f).

<sup>119</sup> See for example, resolutions [2301 \(2016\)](#), para. 34(b); and [2387 \(2017\)](#), para. 43(b).

the European Union Training Mission in Mali (EUTM Mali),<sup>120</sup> and the ECOWAS Mission in Guinea-Bissau (ECOMIB).<sup>121</sup>

Table 2 below lists the decisions of the Council authorizing peacekeeping missions led by regional organizations during the reporting period.

Table 2

**Decisions authorizing peacekeeping operations led by regional organizations**

<i>Item</i>	<i>Decision and date</i>	<i>Paragraphs</i>	<i>Peacekeeping operations</i>
The situation in Bosnia and Herzegovina	Resolution <a href="#">2315 (2016)</a> 8 November 2016	paras. 3, 4, 5 and 6	European Union Force (EUFOR)-ALTHEA
	Resolution <a href="#">2384 (2017)</a> 7 November 2017	paras. 3, 4, 5 and 6	EUFOR-ALTHEA
The situation in Somalia	Resolution <a href="#">2289 (2016)</a> 27 May 2016	para. 1	African Union Mission in Somalia (AMISOM)
	Resolution <a href="#">2297 (2016)</a> 7 July 2016	para. 4, 5, 6 and 7	AMISOM
	Resolution <a href="#">2355 (2017)</a> 26 May 2017	para. 1	AMISOM
	Resolution <a href="#">2372 (2017)</a> 30 August 2017	paras. 5, 6, 7 and 8	AMISOM

**European Union Force (EUFOR)-ALTHEA**

During the review period, the Council renewed twice the authorization of the EUFOR-ALTHEA in Bosnia and Herzegovina for periods of 12 months.<sup>122</sup> The Council reiterated its authorization for Member States to take “all necessary measures to effect the implementation of and ensure compliance” with Annex 1-A (Agreement on Military Aspects of the Peace Settlement) and 2 (Agreement on Inter-Entity Boundary Line and Related Issues) of the General Framework Agreement for Peace in Bosnia and Herzegovina, stressing that the parties would be held responsible and subject to such enforcement action by EUFOR ALTHEA and the NATO presence as

<sup>120</sup> See for example, resolution [2364 \(2017\)](#), para. 45.

<sup>121</sup> See for example, resolutions [2267 \(2016\)](#), para. 2(b); and [2343 \(2017\)](#), para. 2(c).

<sup>122</sup> Resolutions [2315 \(2016\)](#), paras. 3 and 4, and [2384 \(2017\)](#), paras. 3 and 4. For further information on the establishment of EUFOR-ALTHEA, see Chapter XII of the 15<sup>th</sup> Supplement (2004-2007).

may be necessary.<sup>123</sup> Member States were also re-authorized to take “all necessary measures”, at the request of either EUFOR ALTHEA or the NATO Headquarters, in defence of the EUFOR ALTHEA or NATO presence respectively, and to assist both organizations in carrying out their missions, and recognized the right of both to take all necessary measures to defend themselves from attack or threat of attack.<sup>124</sup>

### **African Union Mission in Somalia (AMISOM)**

During the period under review, the Council adopted resolutions [2289 \(2016\)](#) of 27 May 2016, [2297 \(2016\)](#) of 7 July 2016, [2355 \(2017\)](#) of 26 May 2017, [2358 \(2017\)](#) of 14 June 2017, [2372 \(2017\)](#) of 30 August 2017 and [2385 \(2017\)](#) of 14 November 2017 and issued a presidential statement on 10 February 2017,<sup>125</sup> in connection with AMISOM. The Council renewed four times the authorization of the Member States of the African Union to maintain the deployment of AMISOM, initially authorized in 2007.<sup>126</sup>

By resolution [2297 \(2016\)](#), the Council categorized the existing mandate of AMISOM into several levels of priority and made several modifications. The Mission’s “strategic objectives” were defined as: (a) reducing the threat posed by Al-Shabaab and other armed opposition groups; (b) providing security in order to enable the political process as well as stabilisation efforts, reconciliation and peacebuilding in Somalia; and (c) enabling the gradual handing over of security responsibilities to the Somali security forces.<sup>127</sup>

As “priority tasks”, the Council requested AMISOM to conduct offensive operations against Al-Shabaab and other armed opposition groups, to maintain a presence in the sectors as set out in the Mission’s new concept of operations in order to establish conditions for effective and legitimate governance, to assist with the free movement, safe passage and protection of peace and reconciliation actors and the security of the upcoming electoral process, and to secure key supply routes essential

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<sup>123</sup> Resolutions [2315 \(2016\)](#), para. 5 and [2384 \(2017\)](#), para. 5.

<sup>124</sup> Resolutions [2315 \(2016\)](#), para. 6 and [2384 \(2017\)](#), para. 6.

<sup>125</sup> [S/PRST/2017/3](#). For further information on the establishment of AMISOM, see Chapter XII of the 15<sup>th</sup> Supplement (2004-2007).

<sup>126</sup> Resolutions [2297 \(2016\)](#), para. 4; [2289 \(2016\)](#), para. 1; [2355 \(2017\)](#), para. 1.; and [2372 \(2017\)](#), para. 5.

<sup>127</sup> Resolution [2297 \(2016\)](#), para. 5(a)-(c).

to improving the humanitarian situation and those critical for logistical support.<sup>128</sup> The Council also included several “essential tasks” related to the conduct of joint operations with the Somali security forces, the creation of conditions for the delivery of humanitarian assistance, the protection of Somali authorities, AMISOM and United Nations personnel, engaging with communities in recovered areas and receiving defectors on a transitory basis in coordination with the United Nations.<sup>129</sup>

The resolution further highlighted the requirement for AMISOM to carry out its mandate in full compliance with obligations under international humanitarian law, international human rights law and cooperating with the United Nations Assistance Mission in Somalia (UNSOM) and the United Nations Support Office in Somalia (UNSOS) in implementing the Human Rights Due Diligence Policy on United Nations support to Non-United Nations Security Forces (HRDDP). The Council also requested the Secretary-General to ensure that any support provided to non-United Nations security forces was provided in strict compliance with the HRDDP.<sup>130</sup> The Council called upon the African Union to investigate and report allegations of violations and abuses of human rights and international humanitarian law to ensure the highest standards of transparency, conduct and discipline.<sup>131</sup>

In 2017, by resolution [2372 \(2017\)](#), the Council took note of the joint African Union-United Nations review of AMISOM conducted pursuant to resolution [2297 \(2016\)](#) to ensure that the Mission was properly configured to support the next phase of State-building in Somalia after the 2016 electoral process.<sup>132</sup> The Council recognized that AMISOM remained critical to securing the transition to allow Somali security forces to assume full responsibility for Somalia’s security as the long term objective for the country and welcomed the recommendation of the review for a gradual and phased reduction of the Mission’s uniformed personnel in order to provide a greater support role to the Somali security forces.<sup>133</sup>

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<sup>128</sup> Ibid., para. 6 (a)-(d).

<sup>129</sup> Ibid., para. 7(a)-(f).

<sup>130</sup> Ibid., paras. 14 and 15. For more information on the mandate of UNSOM, see part X, sect. II “Political and peacebuilding missions”.

<sup>131</sup> Resolution [2297 \(2016\)](#), para. 14.

<sup>132</sup> Resolutions [2372 \(2017\)](#), fourteenth preambular paragraph. See also resolution [2297 \(2016\)](#), para. 24 and letter dated 25 July 2017 from the Secretary-General addressed to the President of the Security Council ([S/2017/653](#)).

<sup>133</sup> Resolution [2372 \(2017\)](#), paras. 1 and 4.



While reiterating the strategic objectives of AMISOM, as defined by resolution [2297 \(2016\)](#), the Council listed the gradual handing over of security responsibilities to the Somali security forces as the primary objective.<sup>134</sup> The resolution further defined as “priority tasks to achieve these strategic objectives” the mandated tasks of AMISOM related to maintaining a presence in the sectors set out in its Concept of Operations, assisting Somali security forces to protect the Somali authorities, protecting its own personnel and facilities, and securing key supply routes and receiving defectors.<sup>135</sup> The Mission’s priority tasks also included the conduct of “targeted” offensive operations against Al-Shabaab, mentoring and assisting Somali security forces, both military and police, in close collaboration with UNSOM, and reconfiguring AMISOM, as security conditions allow, in favour of police personnel within the authorized personnel ceiling.<sup>136</sup>

The Council also requested the Secretary-General to conduct a comprehensive assessment of AMISOM by 15 April 2018, working closely with the African Union and the Federal Government of Somalia, to take stock of the transition, and expressed its intention to consider further reduction of uniformed personnel and security conditions and Somali capabilities allow.<sup>137</sup>

Having reiterated the request to the Secretary-General to provide a logistical support package for AMISOM,<sup>138</sup> the Council also stressed the need to enhance the predictability, sustainability and flexibility of financing of African Union-led peace support operations authorized by the Council under Chapter VIII of the Charter and urged the Secretary-General, the African Union and partners to explore in earnest funding arrangements for AMISOM, bearing in mind the full range of options available to the United Nations, the African Union, the European Union, and to other partners.<sup>139</sup>

During the period under review, the Council reiterated the mandate of AMISOM to support the implementation of the charcoal ban, document military equipment captured as part of its offensive operations, and also requested it to share

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<sup>134</sup> Ibid., para. 7(a)-(c).

<sup>135</sup> Ibid., para. 8(a)-(d) and (h).

<sup>136</sup> Ibid., para. 8(e)-(g).

<sup>137</sup> Ibid., paras. 23 and 24.

<sup>138</sup> Resolutions [2297 \(2016\)](#), para. 32 and [2372 \(2017\)](#), para. 44.

<sup>139</sup> Resolution [2327 \(2017\)](#), para. 32.

information with the Somalia and Eritrea Monitoring Group regarding Al-Shabaab activities.<sup>140</sup> Finally, also in connection with the situation in Somalia, the Council welcomed the capacity-building efforts of the European Union Mission on Regional Maritime Capacity (EUCAP Nestor) and subsequent European Union Capacity Building Mission in Somalia (EUCAP Somalia), which assisted Somalia in strengthening its criminal justice system and its maritime security capacity in order to enable it to enforce maritime law more effectively.<sup>141</sup>

### **G5 Sahel Joint Force**

By resolution [2359 \(2017\)](#), the Council welcomed the deployment of up to 5,000 military and police personnel as part of the Joint Force throughout the territories of the G5 Sahel States, namely Burkina Faso, Chad, Mali, Mauritania and Niger, with a view to restoring peace and security in the region.<sup>142</sup> The Council further welcomed the strategic concept of operations of the Force, including its provisions related to humanitarian liaison, protection of civilians, gender and conduct and discipline.<sup>143</sup> The Council urged the Joint Force, the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) and the French forces deployed in Mali to ensure adequate coordination and exchange of information within their respective mandates and reiterated its request to the Secretary-General to enhance cooperation between MINUSMA and the G5 Sahel States through the provision of relevant intelligence and liaison officers.<sup>144</sup>

By resolution [2391 \(2017\)](#), the Council welcomed the steady and rapid progress in the operationalization of the Joint Force and encouraged the G5 Sahel States to continue to take appropriate measures in order for it to reach full operational capacity by the announced timeframe of March 2018.<sup>145</sup> The Council stressed that the

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<sup>140</sup> Resolutions [2317 \(2016\)](#), paras. 12, 23 and 37 and [2385 \(2017\)](#), paras. 13, 27 and 45. For more information on the sanctions measures concerning Somalia and Eritrea, see part VII, sect. III.

<sup>141</sup> Resolutions [2316 \(2016\)](#), fifteenth preambular paragraph and [2383 \(2017\)](#), sixteenth preambular paragraph.

<sup>142</sup> Resolution [2359 \(2017\)](#), and para. 1. The deployment of the Force was authorized by way of a communiqué of the Peace and Security Council of the African Union of 13 April 2017.

<sup>143</sup> *Ibid.*, para. 2.

<sup>144</sup> *Ibid.*, para. 5.

<sup>145</sup> Resolution [2391 \(2017\)](#), paras. 1 and 2.

efforts of the Joint Force to counter activities of terrorist groups and other organized criminal groups would contribute to create a more secure environment in the Sahel region and thus facilitate the fulfilment by MINUSMA of its mandate to stabilize Mali. Furthermore, it stressed that the operational and logistical support from MINUSMA had the potential to allow the Joint Force to enhance its ability to deliver on its own mandate.<sup>146</sup> The Council requested the Secretary-General to conclude a technical agreement between the United Nations, the European Union and the G5 Sahel States, with a view to providing support.<sup>147</sup>

Moreover, the Council underlined the need for the operations of the Joint Force to be conducted in full compliance with international law, including international humanitarian law, international human rights and international refugee law, and for active steps to be taken to minimize the risk of harm to civilians and to ensure accountability.<sup>148</sup> The G5 Sahel States and the Joint Force were further requested to take into account a gender perspective, the protection of children, to prevent and combat impunity for sexual exploitation and abuse, as well as to ensure the highest standards of transparency, conduct and discipline for their contingents.<sup>149</sup> Noting that the Secretary-General would ensure that any support provided to non-United Nations security forces would be done in strict compliance with the HRDDP, the Council called upon the Joint Force to cooperate with the United Nations in its implementation.<sup>150</sup>

On the issue of resources, the resolution welcomed the coordination mechanisms established by the G5 Sahel, with support of the United Nations, the African Union and the European Union, in securing voluntary contributions and bilateral assistance.<sup>151</sup> It also encouraged all international and regional partners to provide bilateral assistance, including for the efforts of the G5 Sahel States to establish and implement a compliance framework for violations of international human rights law and international humanitarian law.<sup>152</sup>

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<sup>146</sup> *Ibid.*, para. 12.

<sup>147</sup> *Ibid.*, para. 13 (a)-(d).

<sup>148</sup> *Ibid.*, para. 17.

<sup>149</sup> *Ibid.*, paras. 18-21.

<sup>150</sup> *Ibid.*, para. 23.

<sup>151</sup> *Ibid.*, paras. 7, 9 and 11.

<sup>152</sup> *Ibid.*, para. 11 and 22.

## **NATO Resolute Support Mission in Afghanistan**

In connection with the situation in Afghanistan, the Council noted the establishment of the non-combat, train, advise and assist NATO Resolute Support Mission, based on the bilateral agreements between NATO and Afghanistan and highlighted the mission's training and advisory support of the Afghan National Army and Afghan National Police.<sup>153</sup> The Council also reiterated the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA) to closely coordinate and cooperate with the Resolute Support Mission.<sup>154</sup>

### **B. Discussions concerning peacekeeping operations led by regional arrangements**

During the period under review, the Council discussed the role of regional peacekeeping operations such as EUFOR ALTHEA in Bosnia and Herzegovina,<sup>155</sup> AMISOM in Somalia,<sup>156</sup> G5 Sahel Joint Force<sup>157</sup> and NATO Resolute Support Mission in Afghanistan.<sup>158</sup> As illustrated in the case studies below on the situation in Somalia (case 5) and peace and security in Africa (case 6), in the discussions, Council members and other speakers focused their remarks on, inter alia, the need for international and United Nations support for the effective conduct of regional operations, close cooperation and coordination with the United Nations and its own peace operations, respect for the principle of national ownership and the need for conditions-based transition processes.

#### **Case 5**

#### **The situation in Somalia**

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<sup>153</sup> Resolution [2274 \(2016\)](#), twentieth preambular paragraph and paras. 28, 29 and 30.

<sup>154</sup> Resolutions [2274 \(2016\)](#), para. 7(f) and [2344 \(2017\)](#), para. 5(f).

<sup>155</sup> [S/PV.7803](#) and [S/PV.8089](#).

<sup>156</sup> [S/PV.7626](#), [S/PV.7674](#), [S/PV.7816](#), [S/PV.7873](#), [S/PV.7905](#), [S/PV.7925](#), [S/PV.7942](#), [S/PV.8035](#) and [S/PV.8046](#).

<sup>157</sup> [S/PV.7979](#), [S/PV.8006](#), [S/PV.8024](#), [S/PV.8080](#) and [S/PV.8129](#).

<sup>158</sup> [S/PV.7645](#), [S/PV.7722](#), [S/PV.7771](#), [S/PV.7844](#), [S/PV.7896](#), [S/PV.7980](#), [S/PV.8055](#) and [S/PV.8147](#).

During the 7674<sup>th</sup> meeting of the Council, on 19 April 2016, in connection with the situation in Somalia, the Permanent Observer of the African Union noted that there was a clear justification for the renewal of the mandate of AMISOM in light of the progress made in the creation of the conducive environment in the political process, but also the continued security challenges in the country.<sup>159</sup> He stressed the need to adapt the strategy of AMISOM to the evolving challenges through targeted offensive operations supported by the mobilization of necessary resources and the deployment of operational enablers and force multipliers.<sup>160</sup> Several speakers highlighted the achievements of AMISOM, as well as the Somali National Army, against Al-Shabaab, as well as the outstanding security challenges.<sup>161</sup> The Russian Federation described the security situation as worrisome and underlined the need for African Union peacekeepers and Somali security forces to step up their combat efforts against Al-Shabaab and for the United Nations to expand its logistical and technical support in this regard.<sup>162</sup> Several Council members welcomed and took note of the troop contributing country summit convened by the African Union in Djibouti, on 28 February 2016, to address coordination and command and control challenges in the Mission.<sup>163</sup> In addition to a more unified command and control structure, the representative of Spain added that AMISOM should have a strengthened and centralized intelligence capacity, and called for the swift deployment of the necessary enabling elements.<sup>164</sup>

The representative of Spain further underlined the need for the Somali National Army to assume greater responsibility in areas recovered from Al-Shabaab with a view to implementing an exit strategy for AMISOM.<sup>165</sup> The representative of the United States described the partnership between AMISOM, the Somali National Army, UNSOM and UNSOS as a unique one, which required close cooperation and coordination, including ensuring that AMISOM had the right equipment and that the

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<sup>159</sup> [S/PV.7674](#), p. 6.

<sup>160</sup> *Ibid.*, pp. 6-7.

<sup>161</sup> *Ibid.*, p. 12 (Egypt), p. 14 (United States) and p. 23 (France).

<sup>162</sup> *Ibid.*, p. 15.

<sup>163</sup> *Ibid.*, p. 12 (United Kingdom), p. 17 (Spain), p. 19 (Japan), p. 21 (New Zealand), p. 23 (Malaysia), pp. 23-24 (France) and p. 27 (China).

<sup>164</sup> *Ibid.*, p. 17.

<sup>165</sup> *Ibid.*

Mission was operationally sound.<sup>166</sup> The representative of Angola stressed the need for the international community to ensure that AMISOM had predictable financial support, while the representative of New Zealand added that the current funding challenges should not be allowed to undermine the Mission's operations.<sup>167</sup> The representative of France stated that the fight against Al-Shabaab also required exemplary conduct on the part of AMISOM troops in terms of respect for human rights law and international humanitarian law.<sup>168</sup>

At the 7905<sup>th</sup> meeting of the Council, on 23 March 2017, the President of Somalia, the Special Representative of the Secretary-General for Somalia and Head of UNSOM, as well as the Special Representative of the Chairperson of the African Union Commission for Somalia and Head of AMISOM made statements on the situation in the country in the aftermath of the presidential elections.<sup>169</sup> The representative of the United Kingdom called for further progress on the development of a security architecture for the Somali security forces.<sup>170</sup> Once the architecture had been agreed on, he argued, the international community should outline its security sector reform support. He also underlined the need for a conditions-based transition away from AMISOM to the Somali security forces.<sup>171</sup> The representative of the United States observed that the severity of security challenges rendered a transition to a United Nations peacekeeping operation inappropriate at this time and called for AMISOM to continue with its principal mission of reducing the threat of Al-Shabaab while setting the conditions for a successful security transition.<sup>172</sup> On the issue of funding, the representative of France expressed disappointment that financial support for the Mission was not geographically diverse, with the European Union providing 80 per cent of the requirement in that regard.<sup>173</sup>

At the 8035<sup>th</sup> meeting on 30 August 2017, the Council, acting under Chapter VII of the Charter, unanimously adopted resolution [2372 \(2017\)](#) authorizing Member

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<sup>166</sup> Ibid., p. 14.

<sup>167</sup> Ibid., p. 21 (New Zealand) and p. 25 (Angola).

<sup>168</sup> Ibid., p. 24.

<sup>169</sup> [S/PV.7905](#), pp. 2-4 (Special Representative of the Secretary-General for Somalia and Head of UNSOM), pp. 4-6 (Special Representative of the Chairperson of the African Union Commission for Somalia and Head of AMISOM) and pp. 6-8 (Somalia).

<sup>170</sup> Ibid., p. 8.

<sup>171</sup> Ibid.

<sup>172</sup> Ibid., p. 19.

<sup>173</sup> Ibid., p. 23.

States of the African Union to maintain the deployment of AMISOM until 31 May 2018 and providing for a reduction in the level of uniformed personnel.<sup>174</sup> In the explanation of its vote, the United Kingdom stated that the continued presence of AMISOM in Somalia was critical to enable progress to continue, to allow reforms to take root and the time necessary for the country to build its security capacity.<sup>175</sup> At the same time, he noted the milestone reduction of the Mission's troops in the resolution and the need for a new approach to security focusing not only on tackling the threat from Al-Shabaab, but also on the gradual hand-over of security responsibility to the Somali security forces.<sup>176</sup>

The representative of Ethiopia reiterated the need to secure predictable and sustainable funding for the Mission, possibly including United Nations assessed contributions to address the resourcing gap in the Mission and looked forward to the report of the Secretary-General on the matter by November 2017.<sup>177</sup> In terms of future planning, he added that decisions on the course of the transition in Somalia required taking a closer look at the situation on the ground and, therefore, commended that the resolution recognized the need for a continuous and comprehensive assessment of AMISOM.<sup>178</sup>

## Case 6

### Peace and security in Africa

On 30 October 2017, the Council held its 8080<sup>th</sup> meeting to consider the report of the Secretary-General on the Joint Force of the G5 for the Sahel, which was submitted to the Council further to resolution [2359 \(2017\)](#).<sup>179</sup> Opening the high-level meeting, the Secretary-General briefed the Council on the challenging security and humanitarian situation in the Sahel, highlighting in particular the spread of extremism and terrorism, the trafficking in humans, drugs and arms, as well as other criminal

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<sup>174</sup> Resolution [2372 \(2017\)](#), para. 5.

<sup>175</sup> [S/PV.8035](#), p. 2.

<sup>176</sup> *Ibid.*

<sup>177</sup> *Ibid.*, p. 3.

<sup>178</sup> *Ibid.*

<sup>179</sup> [S/2017/869](#).

activities.<sup>180</sup> Given the urgency of the situation, the Secretary-General maintained that innovative actions were needed in support of the G5 Sahel's efforts not only in the security field, but also in the areas of development and governance.<sup>181</sup> With the rapid evolution of the situation, the Secretary-General invited the Council to be ambitious in providing strong political, material and operational support for the G5 Sahel States in line with the four options presented in his report for the operationalization of the Joint Force.<sup>182</sup>

In their remarks, the Chairperson of the African Union Commission and Ministers of Foreign Affairs of Burkina Faso, Chad, Mali, Mauritania and Niger updated on the status of the Joint Force and underlined the importance of sustained support from the United Nations to achieve its objectives.<sup>183</sup>

Council members expressed concern regarding the situation in the Sahel and noted the importance of the task of the Joint Force to combat terrorism and organized crime in the region.<sup>184</sup> Several speakers described the utility of the Council's recent mission to the region to assess the difficult security and humanitarian situation in the Sahel region and the status of deployment of the Force.<sup>185</sup> The Minister for Europe and Foreign Affairs of France argued that the Council must support the Force "by playing its full role in the mobilization of the international community to support the initiative, but also by thinking about forms of multilateral support as proposed by the Secretary-General".<sup>186</sup> The representative of Egypt echoed this sentiment and referenced the Council's legal and moral responsibility in that regard.<sup>187</sup>

The representative of Egypt further maintained that the Joint Force was the best possible way of addressing regional security challenges, constituting in the long term, the most sustainable and least costly option.<sup>188</sup> The representative of Ukraine

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<sup>180</sup> [S/PV.8080](#), p. 2.

<sup>181</sup> *Ibid.*

<sup>182</sup> *Ibid.*, pp. 2-3. See also [S/2017/869](#).

<sup>183</sup> [S/PV.8080](#), pp. 4-5 (Mali), pp. 6-7 (African Union Commission), p. 28 (Burkina Faso), p. 29 (Chad), p. 30 (Mauritania) and p. 32 (Niger).

<sup>184</sup> *Ibid.*, p. 9 (France), p. 12 (United States), p. 14 (Ukraine), p. 17 (Italy), p. 18 (Russian Federation), pp. 20-21 (Egypt), p. 21 (Kazakhstan), p. 22 (China), p. 24 (Uruguay) and p. 26 (Bolivia (Plurinational State of)).

<sup>185</sup> *Ibid.*, p. 10 (France), p. 14 (Ukraine), p. 15 (United Kingdom) and pp. 16-17 (Ethiopia); p. 17 (Italy).

<sup>186</sup> *Ibid.*, p. 10.

<sup>187</sup> *Ibid.*, p. 20.

<sup>188</sup> *Ibid.*, p. 21.



opined that MINUSMA, with an appropriate mandate adjustment, could provide valuable targeted assistance to the Joint Force.<sup>189</sup> Similarly, the representative of the Russian Federation called for the gradual expansion of cooperation of MINUSMA with the Joint Force under the Mission's current mandate.<sup>190</sup> The representative of Kazakhstan requested full complementarity between the Joint Force with MINUSMA, Operation Barkhane, the Multinational Joint Task Force for the Lake Chad basin and regional frameworks, particularly the African Union-led Nouakchott process.<sup>191</sup> Furthermore, a number of speakers emphasized the importance of the Joint Force abiding by international human rights and international humanitarian law.<sup>192</sup>

In contrast, the representative of the United States expressed its expectation for countries of the region to “take on full regional ownership of the Force” within a period of three to six years, with continued United States engagement and noted “serious and well-known reservations” about using United Nations resources to support non-United Nations activities.<sup>193</sup> She added that the ability of MINUSMA to focus on its core objective could be further compromised by a mandate to support a force with a broad concept of operations and recurring needs.<sup>194</sup>

Many speakers agreed that lasting peace in the Sahel could not be achieved solely through security measures and required cooperation between the United Nations, African Union, G5 Sahel States and other international partners in supporting sustainable development, good governance and the promotion of the rule of law. They also described the renewed implementation of the United Nations Integrated Strategy for the Sahel and the 2015 Agreement on Peace and Reconciliation in Mali as the appropriate political frameworks in that regard.<sup>195</sup> The representative of Sweden encouraged “strong engagement” by the African Union in ensuring coordination with other regional initiatives and frameworks and in ensuring further integration with the “African Union Peace and Security Architecture”.<sup>196</sup>

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<sup>189</sup> Ibid., p. 14.

<sup>190</sup> Ibid., p. 19.

<sup>191</sup> Ibid., p. 22.

<sup>192</sup> Ibid., p. 12 (Sweden), p. 15 (United Kingdom), p. 17 (Italy) and p. 25 (Uruguay).

<sup>193</sup> Ibid., p. 13.

<sup>194</sup> Ibid.

<sup>195</sup> Ibid., p. 11 (France), p. 13 (United States), pp. 14-15 (Ukraine), p. 17 (Ethiopia), p. 18 (Italy), p. 19 (Russian Federation), p. 21 (Egypt), p. 22 (Kazakhstan), p. 23 (China), p. 24 (Japan) and p. 26 (Bolivia (Plurinational State of)).

<sup>196</sup> Ibid., pp. 11-12.

On 8 December 2017, at the 8129<sup>th</sup> meeting, the Council unanimously adopted resolution [2391 \(2017\)](#), by which it provided operational and logistical support to the Joint Force.<sup>197</sup> In its statement after the vote, France described the resolution as a success for the Council which had shown its ability to provide a substantive response to one of the main threats to international peace and security in the world and that there was consensus on the need to support African countries that were combatting terrorism.<sup>198</sup> The representative of the United States informed that resolution [2391 \(2017\)](#) provided the basis for immediate logistical support on a reimbursable basis to the Joint Force and that the Council's encouragement of a technical agreement was the full extent of any support role that the United Nations should play outside its continued coordination and technical assistance on a voluntary basis.<sup>199</sup> She added that the Council must, in turn, not lose sight of ensuring that MINUSMA had the necessary troops and capabilities to complete its own mission.<sup>200</sup> The representative of Sweden highlighted the call in the resolution for the implementation of a robust human rights and international humanitarian law compliance framework.<sup>201</sup>

The representative of Egypt expressed disappointment with the Council's failure to address expectations relating to the manner, scope and means of providing that support so as to meet the genuine needs of the Force with clear deadlines.<sup>202</sup> He added that, given the moral, political and legal responsibility of the Council by virtue of the Charter to maintain international peace and security, it should periodically review the progress of the Joint Force and the support required.<sup>203</sup> While noting its overall support for the resolution, the representative of Ethiopia expressed hope that upon appropriate evaluation of the performance of the Joint Force, the Council would be able to provide "enhanced support" in due course.<sup>204</sup> The representative of China called on the Council to fully respect and enable African ownership in seeking African solutions to African problems, to support the efforts of the Sahel countries in maintaining peace and security and to encourage the United Nations and the

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<sup>197</sup> Resolution [2391 \(2017\)](#), paras. 12 and 13.

<sup>198</sup> [S/PV.8129](#), p. 3.

<sup>199</sup> *Ibid.*, p. 4.

<sup>200</sup> *Ibid.*

<sup>201</sup> *Ibid.*, p. 7.

<sup>202</sup> *Ibid.*, p. 5.

<sup>203</sup> *Ibid.*

<sup>204</sup> *Ibid.*, p. 8.

international community to provide the Joint Force with the necessary support,  
including financial resources.<sup>205</sup>

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<sup>205</sup> Ibid.

## **Section IV – Authorization of enforcement action by regional arrangements**

### **Note**

Section IV concerns the practice of the Security Council in utilizing regional and subregional arrangements for enforcement action under its authority, as provided in Article 53 of the Charter. Given that the authorizations by the Council to regional peacekeeping operations to use force in the implementation of their mandates was covered in section III above, this section focuses on the authorization of enforcement actions by regional and other organizations outside the context of regional peacekeeping operations. In addition, cooperation with regional arrangements in the implementation of measures adopted by the Council under Chapter VII not involving the use of force is also covered in this section. The section is divided into two subsections: (a) decisions concerning the authorization of enforcement action by regional arrangements; and (b) discussions concerning the authorization of enforcement action and implementation of other Chapter VII measures by regional arrangements.

### **A. Decisions relating to the authorization of enforcement action by regional arrangements and requests for cooperation in the implementation of Chapter VII measures**

During the reporting period, the Council did not explicitly refer to Article 53 of the Charter in its decisions. The Council did, notwithstanding, authorize the use of force by regional arrangements beyond the context of regional peacekeeping operations.

With respect to the situation in Libya and acting under Chapter VII, in 2016, the Council authorized Member States “acting nationally or through regional organizations” to inspect vessels on high seas off the Libyan coast suspected of carrying prohibited arms and material in violation of previous Council resolutions, and further authorized them to use “all measures commensurate to the specific

circumstances” to conduct the inspections.<sup>206</sup> In addition, acting under Chapter VII, the Council also renewed the authorization to Member States “acting nationally or through regional organizations” set out in resolution [2240 \(2015\)](#) to use “all measures commensurate to the specific circumstances” when inspecting vessels believed to be used for migrant smuggling and human trafficking.<sup>207</sup>

In relation to the situation in Somalia, also acting under Chapter VII, the Council renewed its call upon States and regional organizations to take part in the fight against piracy and armed robbery at sea off the coast of Somalia, by deploying naval vessels, arms, and military aircraft, by providing basing and logistical support for counter-piracy forces, and by seizing and disposing of boats, vessels, arms, and other related equipment used in the commission of piracy and armed robbery at sea, or for which there were “reasonable grounds” for suspecting such use.<sup>208</sup> The Council also renewed for a period of 12 months the authorization initially granted in resolution [1846 \(2008\)](#), including the use of “all necessary means”, to States and regional organizations cooperating with Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia.<sup>209</sup>

Concerning the situation in South Sudan and acting under Chapter VII, the Council established the Regional Protection Force as part of UNMISS with the authorization to take “all necessary means” to accomplish its mandate and, in that regard, called upon IGAD to insist that the South Sudanese fulfil their commitments to support the Force in fulfilling its mission.<sup>210</sup>

In so far as it concerns sanctions measures, the Council adopted a number of decisions either recognizing or requesting the support of regional and subregional organizations in their implementation with respect to the Central African Republic and the Sudan.

In connection with the situation in the Central African Republic, and acting under Chapter VII of the Charter, the Council emphasized the importance of holding regular consultations with concerned Member States and regional and subregional

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<sup>206</sup> Resolution [2292 \(2016\)](#), paras. 3 and 4.

<sup>207</sup> Resolutions [2312 \(2016\)](#), para. 7 and [2380 \(2017\)](#), para. 7.

<sup>208</sup> Resolution [2316 \(2016\)](#), para. 12.

<sup>209</sup> *Ibid.*, para. 14. See also resolution [2246 \(2015\)](#), para. 14.

<sup>210</sup> Resolution [2304 \(2017\)](#), paras. 8, 10 and 11. For further information relating to the mandate of the Regional Protection Force, see part X, sect. I.

organizations by the Committee established pursuant to resolution [2127 \(2013\)](#) to ensure full implementation of the arms embargo, assets freeze and travel ban renewed therein.<sup>211</sup> The Council also reiterated previous calls on all parties and Member States, as well as regional and subregional organizations, to ensure cooperation with the relevant Panel of Experts and the safety of its members.<sup>212</sup> Concerning the situation in the Sudan and in Darfur the Council continued to urge the African Union and other parties to cooperate fully with the Committee and Panel of Experts established pursuant to resolution [1591 \(2005\)](#), in particular by supplying any information at their disposal on the implementation of measures concerning the Sudan.<sup>213</sup>

## **B. Discussions concerning the authorization of enforcement action by regional arrangements**

During 2016 and 2017, several explicit references to Article 53 of the Charter were made in the context of thematic and region-specific debates before the Council. At the 7621<sup>st</sup> meeting held on 15 February 2016, under the item entitled, “Maintenance of international peace and security”, the representative of the League of Arab States, citing Article 53, pointed out that the Council should cooperate with the African Union, the Organisation of Islamic Cooperation and the League of Arab States, particularly with respect to establishing joint forces with the League.<sup>214</sup>

At the 7694<sup>th</sup> meeting held on 24 May 2016, under the item entitled, “Cooperation between the United Nations and regional and subregional organizations”, the representative of Pakistan also explicitly referred to Article 53, maintaining that it envisaged “an interdependent relationship and close coordination between regional organizations and the United Nations”.<sup>215</sup> Moreover, on 19 January 2017, at the 7866<sup>th</sup> meeting under the item entitled, “Peace consolidation in West Africa”, the representative of Uruguay underlined that, pursuant to Article 53, no

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<sup>213</sup> Resolution [2265 \(2016\)](#), para. 22.

<sup>214</sup> [S/PV.7621](#), p. 46.

<sup>215</sup> [S/PV.7694](#), p. 31.

enforcement action could be taken by regional organizations without the Council's authorization and warned that nothing in resolution [2337 \(2017\)](#), calling upon all Gambian parties and stakeholders to respect the outcome of the election and expressing its full support to ECOWAS in its commitment to ensure such an outcome by political means first, could be interpreted as an authorization to use force.<sup>216</sup>

In addition, at the 7940<sup>th</sup> meeting held on 16 May 2017 under the item entitled, "Security Council resolutions [1160 \(1998\)](#), [1199 \(1998\)](#), [1203 \(1998\)](#), [1239 \(1999\)](#) and [1244 \(1999\)](#)", the representative of Serbia asserted that the use of armed force against the Federal Republic of Yugoslavia constituted a violation of "the imperative clause of Article 53" to the effect that no enforcement action shall be taken under regional arrangements or by regional agencies, including NATO, without the authorization of the Security Council.<sup>217</sup>

During the biennium, Council members also discussed the position of the African Union concerning the implementation of resolution [1593 \(2005\)](#) in which the Council, acting under Chapter VII, referred the situation in Darfur to the International Criminal Court as featured in case 7 below.

## Case 7

### Reports of the Secretary-General on the Sudan and South Sudan

At the 7710<sup>th</sup> meeting held on 9 June 2016, under the item entitled "Reports of the Secretary-General on the Sudan and South Sudan", the representative of Angola recalled the decisions made at two Summits of Heads of State and Government of the African Union in 2015, requesting the withdrawal of the Council's referral of the Darfur situation to the International Criminal Court pursuant to resolution [1593 \(2005\)](#) and the suspension of the proceedings against President Omar Al-Bashir of the Republic of the Sudan.<sup>218</sup> He further noted the request of the African Union for discussions with the Security Council to address concerns regarding the relationship

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<sup>216</sup> [S/PV.7866](#), p. 3. For more information on resolution [2337 \(2017\)](#), please see section II, subsection A above.

<sup>217</sup> [S/PV.7940](#), p. 6.

<sup>218</sup> [S/PV.7710](#), p. 9.

with the International Criminal Court.<sup>219</sup> The representative of Egypt highlighted the reservations of the African Union Member States that the Court should “refrain from taking measures that would affect the peace, security, stability, dignity, sovereignty and territorial integrity” of African countries and that it should respect the provisions of international law regarding the immunity granted to heads of State and sitting officials.<sup>220</sup>

The representative of the Russian Federation stated that his delegation understood the position of African countries on the issue of the International Criminal Court and thought it was justified.<sup>221</sup> Similarly, the representative of Venezuela asserted that his State shared the position of the African Union, the Organisation of Islamic Cooperation, the League of Arab States and the Movement of Non-Aligned Countries on the matter, but nonetheless called upon the Government of the Sudan, competent regional authorities and neighbouring States to cooperate with the Court in the arrest of suspects not subject to jurisdictional immunity.<sup>222</sup>

In contrast, the representative of Uruguay recalled that resolution [1593 \(2005\)](#) urged all States and concerned regional and international organizations to cooperate fully.<sup>223</sup> He added that the Council should adopt a more active role in reviewing cases of non-cooperation with the International Criminal Court and ensure that arrest warrants were executed.<sup>224</sup> The representative of New Zealand referred to his delegation’s proposals from December 2015; namely a more structured approach by the Council in its consideration of the findings of non-cooperation to determine, on a “case-by-case basis”, what would be the most appropriate response, and a more productive relationship between the Council and the Government of the Sudan.<sup>225</sup> The representative of Japan urged all States and concerned regional and international organizations to cooperate with the Court in line with resolution [1593 \(2005\)](#).<sup>226</sup>

At the 7963<sup>rd</sup> meeting, on 8 June 2017, in her remarks to the Council, the Prosecutor of the International Criminal Court stated that Council members had the

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<sup>219</sup> Ibid.

<sup>220</sup> Ibid., p. 11.

<sup>221</sup> Ibid., p. 4.

<sup>222</sup> Ibid., p. 7.

<sup>223</sup> Ibid., p. 14.

<sup>224</sup> Ibid.

<sup>225</sup> Ibid., p. 8.

<sup>226</sup> Ibid., p. 15.



authority to influence and incentivize States, whether or not parties to the Rome Statute, to assist in the efforts to arrest and surrender the Darfur suspects and that it applied equally to regional organizations.<sup>227</sup> She added that, by not acting in response to 13 decisions by the Court of non-compliance or non-cooperation by Member States, the Council was in essence relinquishing and undermining its clear role on such matters arising from the Rome Statute and pursuant to resolution [1593 \(2005\)](#).<sup>228</sup>

The representative of Ethiopia regretted that the requests made by the African Union to withdraw the referral from the International Criminal Court had not been responded to by the Council. He stressed that past experiences in Africa and elsewhere had amply demonstrated the need to balance justice and security and reconciliation in complex conflict situations; hence the “importance of finding homegrown solutions to some of the intractable conflicts” in Africa. He added that it was on the basis of such understanding that the African Union had requested deferral of the case against President Al-Bashir, in accordance with Article 16 of the Rome Statute, under Chapter VII of the Charter of the United Nations.<sup>229</sup> The representative of Egypt also urged the Council to withdraw the referral of the situation in Darfur to the International Criminal Court as per the African Union’s requests and expressed concern that the Council had not yet responded.<sup>230</sup> Finally, the representative of Bolivia, recalling resolution [1593 \(2005\)](#), emphasized that it not only activated the Court’s jurisdiction to try individuals, but also encouraged the Court to support international cooperation to promote the rule of law as well as non-judicial activities such as reconciliation, and that cooperation with the African Union was essential in that regard.<sup>231</sup>

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<sup>227</sup> [S/PV.7963](#), p. 4.

<sup>228</sup> *Ibid.*

<sup>229</sup> *Ibid.*, p. 6.

<sup>230</sup> *Ibid.*, p. 7.

<sup>231</sup> *Ibid.*, pp. 15-16.

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

### **Note**

Section V examines reporting by regional arrangements on their activities in the maintenance of international peace and security within the framework of Article 54 of the Charter, under two headings: (a) decisions concerning reporting by regional arrangements; and (b) discussions concerning reporting by regional arrangements.

#### **A. Decisions concerning reporting by regional arrangements**

During the period under review, the Council made no explicit reference to Article 54 of the Charter in its decisions. The Council did, however, request reporting from regional organizations, particularly the African Union, either directly or through the Secretary-General on issues such as cooperation on peace and security between the United Nations and the African Union, and particularly with respect to peace support operations, such as AMISOM in Somalia, cooperation between their respective police and military expert missions in Burundi, and support for the establishment of transitional justice mechanisms in South Sudan, as described in further detail below. The Council further requested the Secretary-General to report on the status of the deployment of the G5 Sahel Joint Force, in coordination with the G5 Sahel States.

In connection with the item entitled “Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security”, by resolution [2320 \(2016\)](#), the Council underscored the need for early and regular engagement between the United Nations and the African Union on emerging and ongoing threats in Africa. The Council also emphasized that consultative analysis and joint planning was critical to developing joint recommendations on the scope and resource implications of potential peace support operations, assessing action and undertaking missions where appropriate, and regularly reporting on such actions when

taken.<sup>232</sup> The resolution further requested the Secretary-General to provide a detailed report to the Council on refined options on future authorization and support by the Security Council for African Union peace support operations authorized by the Council under Chapter VIII of the Charter.<sup>233</sup>

Relating to United Nations peacekeeping operations, by resolution [2378 \(2017\)](#), the Council requested the Secretary-General, in coordination with the African Union, to present in his report on strengthening the partnership between the United Nations and the African Union on issues of peace and security in Africa, a reporting framework with clear, consistent and predictable reporting channels, including fiduciary and mandate delivery, between the Secretariat, the Commission and the two Councils, as well as standardized reporting requirements.<sup>234</sup>

In connection with Burundi, by resolution [2303 \(2016\)](#), the Council requested the Secretary-General, in close coordination with the African Union, to report on proposals to enable the United Nations to facilitate the deployment of African Union observers and on modalities for their cooperation with the proposed United Nations police component, taking into account their comparative advantages and within their respective mandates, in compliance with the United Nations standards and practices and consistent with the Human Rights Due Diligence Policy on United Nations support to Non-United Nations Security Forces (HRDDP).<sup>235</sup>

The Council further requested the Secretary-General, in close coordination with the G5 Sahel States and the African Union, to report on the activities of the G5 Sahel Joint Force, including on progress in its operationalization, international support, the implementation of technical agreements for support to the Mission and the corresponding possible impact on the MINUSMA mandate, challenges encountered by the Mission and on the G5 Sahel States' compliance with the HRDDP and measures to mitigate any adverse impact of military operations on the civilian population, including women and children.<sup>236</sup>

In connection with the situation in Somalia, by resolution [2297 \(2016\)](#), the Council requested the African Union, through the Secretary-General, to regularly

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<sup>232</sup> Resolution [2320 \(2016\)](#), para. 9.

<sup>233</sup> *Ibid.*, paras. 7 and 8.

<sup>234</sup> Resolution [2378 \(2017\)](#), para. 20.

<sup>235</sup> Resolution [2303 \(2016\)](#), para. 11.

<sup>236</sup> Resolutions [2359 \(2017\)](#), para. 7 and [2391 \(2017\)](#), para. 33.

report on the implementation of the mandate of AMISOM through oral and written updates, as well as on the reconfiguration of the Mission in favour of police personnel.<sup>237</sup> The Council also requested the Secretary-General, in consultation with the African Union, to conduct a joint assessment of AMISOM, after the 2016 electoral process, to ensure the Mission was properly configured to support the next phase of state-building in Somalia, and to present options and recommendations in that regard.<sup>238</sup> In addition, the Secretary-General was required to report, in consultation with AMISOM and the Federal Government of Somalia, on progress in securing key supply routes as part of his written reports to the Council.<sup>239</sup> In 2017, by resolution [2372 \(2017\)](#), the Council requested the African Union to report, through the Secretary-General, on progress on the reconfiguration of AMISOM including the deployment of police personnel and progress towards achievement of the Mission's objectives in its regular reports to the Council.<sup>240</sup> By resolutions [2316 \(2016\)](#) and [2383 \(2017\)](#), Member States and regional organizations cooperating with Somali authorities in the fight against piracy and armed robbery at sea were requested to inform the Council and the Secretary-General on the progress of actions undertaken in that regard.<sup>241</sup>

Regarding the conflict in South Sudan, under the item "Reports of the Secretary-General on the Sudan and South Sudan", the Council requested the Secretary-General, by resolution [2327 \(2016\)](#), to report on the technical assistance provided to the Hybrid Court for South Sudan and further invited the African Union to share information with the Secretary-General on progress made in the establishment of the Court.<sup>242</sup> Upon the receipt of the requested reports, the Council indicated its intention to assess the work that had been done in line with international standards.<sup>243</sup>

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<sup>237</sup> Resolution [2297 \(2016\)](#), paras. 18 and 23.

<sup>238</sup> *Ibid.*, para. 24.

<sup>239</sup> *Ibid.*, para. 8.

<sup>240</sup> Resolution [2372 \(2017\)](#), para. 55.

<sup>241</sup> Resolutions [2316 \(2016\)](#) and [2383 \(2017\)](#), para. 32.

<sup>242</sup> Resolution [2327 \(2016\)](#), para. 35.

<sup>243</sup> *Ibid.*

Table 3 lists decisions adopted during the period under review in connection with the obligation to keep the Council informed of activities undertaken by regional arrangements for the maintenance of international peace and security.

Table 3

**Decisions concerning reporting of activities by regional arrangements**

	<i>Items</i>	<i>Decisions</i>	<i>Paragraphs</i>	<i>Reporting from</i>
Thematic items	Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security	Resolution <a href="#">2320 (2016)</a> 18 November 2016	paras. 7, 8 and 9	Secretary-General, working closely with the African Union
	United Nations peacekeeping operations	Resolution <a href="#">2378 (2017)</a> 20 September 2017	paras. 16 and 20	Secretary-General, in coordination with the African Union
Country and region-specific items	Peace and security in Africa	Resolution <a href="#">2359 (2017)</a> 21 June 2017	para. 7	Secretary-General, in close coordination with the G5 Sahel States and the African Union
	The situation in Burundi	Resolution <a href="#">2303 (2016)</a> 29 July 2016	para. 11	Secretary-General, in close coordination with the African Union
	The situation in Somalia	Resolution <a href="#">2297 (2016)</a> 7 July 2016	paras. 8, 18, 23 and 24	African Union, Secretary-General, in consultation with AMISOM
		Resolution <a href="#">2316 (2016)</a> 9 November 2016	para. 32	Regional organizations
		Resolution <a href="#">2372 (2017)</a> 30 August 2017	paras. 9 and 55	African Union, through the Secretary-General
Resolution <a href="#">2383 (2017)</a> 7 November 2017	para. 32	Regional organizations		
Reports of the Secretary-General on the Sudan and South Sudan	Resolution <a href="#">2327 (2016)</a> 16 December 2016	paras. 30 and 35	Secretary-General and the African Union	

## **B. Discussion concerning reporting by regional arrangements**

During the 7796<sup>th</sup> meeting of the Council held on 28 October 2016, under the item “Cooperation between the United Nations and regional and subregional organizations in maintaining peace and security”, in connection with the Collective Security Treaty Organization, Shanghai Cooperation Organisation and Commonwealth of Independent States, the representative of India highlighted the important role played by regional and subregional organizations in maintaining peace and security and, within the framework of their cooperation with the United Nations under Chapter VIII of the Charter, the obligations of such organizations under Article 54 to keep the Council fully informed of their activities in that regard.<sup>244</sup>

At the Council’s 7971<sup>st</sup> meeting, on 15 June 2017, under the same item, the Chef de Cabinet presented the report of the Secretary-General on options for authorization and support for African Union peace support operations of 26 May 2017.<sup>245</sup> In her remarks, the Chef de Cabinet informed the Council that the report, along with the accompanying update from the African Union, was the result of six months of coordination and cooperation between the Secretariat and the African Union Commission.<sup>246</sup> The representative of China underlined that both the United Nations and the African Union should further improve their cooperation and coordination through more effective mechanisms on joint planning, decision-making, assessment and reporting, and jointly implementing early warning procedures for crises, strategic assessments, the creation of mandates, deployments and other efforts.<sup>247</sup> Similarly, the representative of the United Kingdom noted the need to examine joint standards for reporting of peace operations, as well as accountability and protection to ensure the highest standards and most robust oversight of missions.<sup>248</sup> The representative of the Russian Federation underlined that cooperation between the two organizations must be rooted in Chapter VIII of the Charter and include key provisions, such as the obligation to report before the Council.<sup>249</sup>

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<sup>244</sup> [S/PV.7796](#), p. 28.

<sup>245</sup> [S/2017/454](#).

<sup>246</sup> [S/PV.7971](#), p. 2.

<sup>247</sup> *Ibid.*, p. 8.

<sup>248</sup> *Ibid.*, p. 11.

<sup>249</sup> *Ibid.*, p. 12.

At the subsequent 8044<sup>th</sup> meeting held on 12 September 2017, the representative of Senegal expressed his gratitude to the Secretary-General and the Chairperson of the African Union Commission for the quality of their reports, submitted in accordance with resolution [2320 \(2016\)](#), the concrete proposals of which brought the two organizations closer to realizing the common goal of a more strategic and predictable partnership.<sup>250</sup> The representative of France stated that the Council should be kept duly informed to be able to guide the missions it authorizes and mandates, including, for example, through greater sharing of early warning information.<sup>251</sup> The representative of the Russian Federation, citing the need for enhanced interaction between the United Nations and the African Union, highlighted the possibility of appointing relevant special representatives of the African Union Commission to report to the Security Council to allow its members to have a more comprehensive picture of a particular situation and to determine the necessary level of support to mediation efforts through the African Union.<sup>252</sup> The representative of the United Kingdom further opined that the two organizations should cultivate joint reporting on gender-based violence in places like South Sudan to move beyond reporting to the sharing of action plans and further collaboration.<sup>253</sup>

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<sup>250</sup> [S/PV.8044](#), p. 5.

<sup>251</sup> *Ibid.*, p. 14.

<sup>252</sup> *Ibid.*, p. 9.

<sup>253</sup> *Ibid.*, p. 16.