



*Repertoire of the Practice of the Security Council*

**21<sup>st</sup> Supplement**

**2018**

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

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## **Part II**

# **Provisional rules of procedure and related procedural developments**

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## **Introductory note**

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

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

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

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

\* \* \*

During the period under review, the Council held a total of 288 meetings. Most of the meetings were public, with a total of 275 public meetings and 13 private meetings held in 2018. The Council held a total of 120 informal consultations of the whole in 2018 and Council members continued to meet in the framework of informal interactive dialogues and Arria-formula meetings, following past practice. During the period under review, the Council continued to expand the practice of holding also “wrap-up sessions” at the end of the month. Whilst one “wrap-up session” was conducted at a public meeting held under the item entitled

“Implementation of the note by the President of the Security Council ([S/2017/507](#))”,<sup>1</sup> all other “wrap-up sessions” took place as informal gatherings.

In 2018 the Council was seized of 68 agenda items. The Council introduced the item entitled “Letter dated 13 March 2018 from the Chargé d’affaires a.i. of the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council ([S/2018/218](#))” in the list of matters of which it was seized, while the item entitled “The situation in Sierra Leone” was removed from the list. While being seized of 68 items, the Council considered 49 items at its meetings in 2018. Of the 49 items considered by the Council in 2018, 28 concerned country-specific and regional situations, and 21 dealt with thematic and other issues.

During the period under review, the Council adopted 54 resolutions and issued 21 statements by the President. The Council also issued eight notes by the President, and 34 letters by the President. There were four instances in which draft resolutions were not adopted for lack of the required nine affirmative votes, and three instances in which draft resolutions were not adopted because of the negative vote of a permanent member.

In 2018, objections to the adoption of the agenda and to the extension of invitations pursuant to rule 39 of the provisional rules of procedure led to procedural votes on four occasions. Moreover, discussions in the Council took place with regard to the adoption of the programme of work in connection with objections raised by Council members to the holding of a meeting proposed in September 2018 (see case 5).

Aspects related to the working methods of the Security Council continued to be raised and discussed in Council meetings, particularly in the context of an open debate under the item entitled “Implementation of the note by the President of the Security Council ([S/2017/507](#))” held on 6 February 2018,<sup>2</sup> during which aspects of the procedure and practice of the Council were discussed (see cases 1, 6 and 9 below). Speakers exchanged views in particular on aspects relating to the format of Council meetings and on the participation in Council meetings. The discussion focused also on cooperation and communication between the Council and the

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<sup>1</sup> [S/PV.8173](#).

<sup>2</sup> [S/PV.8175](#). A concept note was circulated by a letter dated 24 January 2018 ([S/2018/66](#)) and a summary non-paper was circulated by Kuwait after the meeting ([S/2018/399](#)).

Secretariat, as well as on issues pertaining to the decision-making process and initiatives to restrain the use of the veto, penholdership and the drafting of outcome documents of the Council.

## **I. Meetings and records**

### **Note**

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

### *Article 28*

*1. The Security Council shall be so organized as to be able to function continuously. Each member of the Security Council shall for this purpose be represented at all times at the seat of the Organization.*

*2. The Security Council shall hold periodic meetings at which each of its members may, if it so desires, be represented by a member of the government or by some other specially designated representative.*

*3. The Security Council may hold meetings at such places other than the seat of the Organization as in its judgment will best facilitate its work.*

### *Rule 1*

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



*Rule 2*

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

*Rule 3*

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

*Rule 4*

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

*Rule 5*

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

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



*Rule 48*

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

*Rule 49*

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

*Rule 50*

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

*Rule 51*

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

*days, inform the Secretary-General of any corrections they wish to have made in this record.*

*Rule 52*

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

*Rule 53*

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

*Rule 54*

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

*Rule 55*

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

*Rule 56*

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

*Rule 57*

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

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

During the period under review, the Council held 288 meetings: 275 public meetings and 13 private meetings. Furthermore, in 2018 the Council held a total of 120 informal consultations of the whole (also known as consultations, or informal consultations).

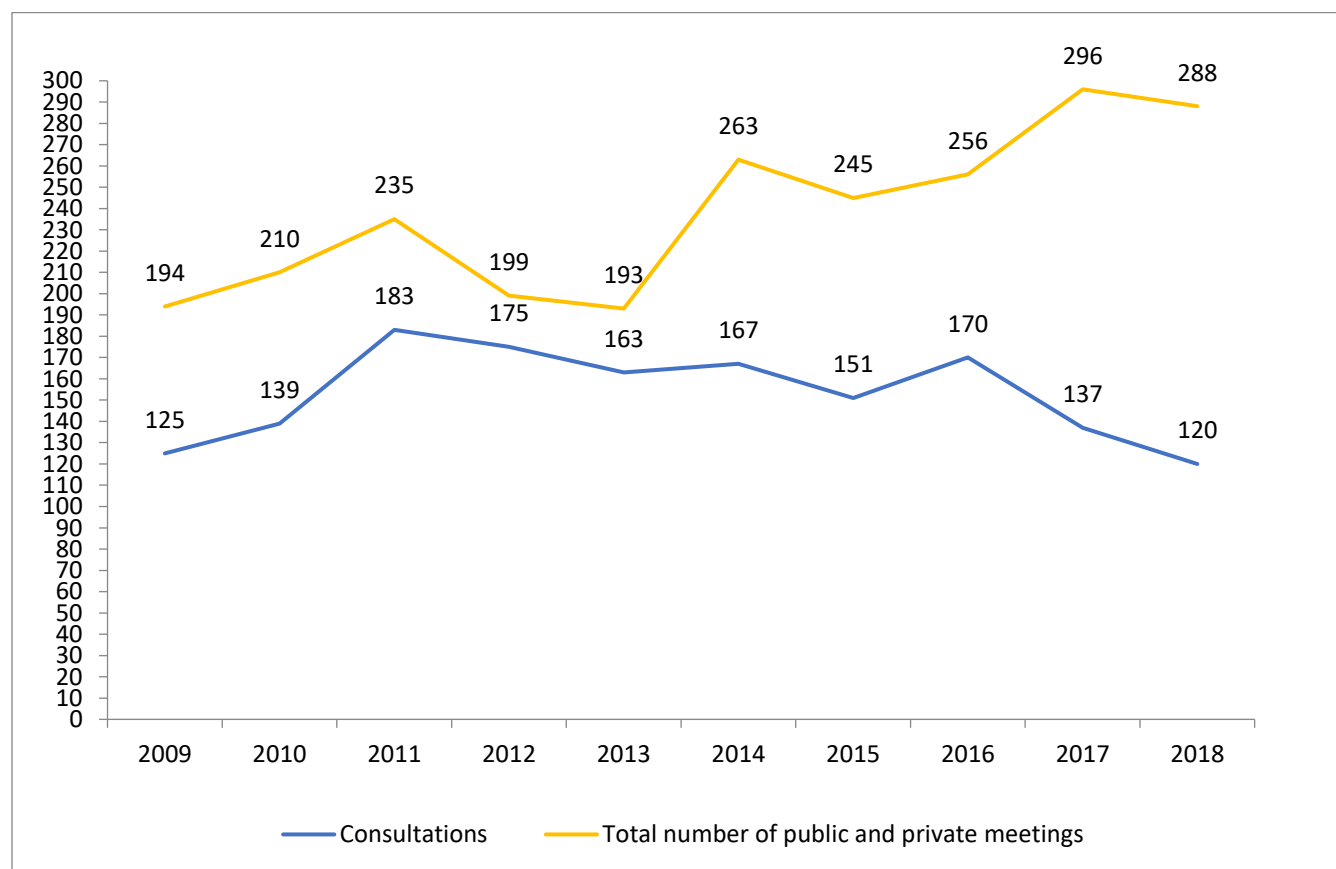
In 2018 the Council also continued to hold “wrap-up sessions” at the end of the month. While one “wrap-up session” was conducted as a public meeting held under the item entitled “Implementation of the note by the President of the Security Council ([S/2017/507](#))”,<sup>3</sup> all other “wrap-up sessions” took place as informal gatherings.

During the period under review, Council members continued to hold informal interactive dialogues (also known as IIDs) and Arria-formula meetings. Figure I shows the total number of meetings and informal consultations of the whole held from 2009 to 2018 as it compared to the total number of public and private meetings.

In 2018 the question of the format of meetings was raised during an open debate concerning the working methods of the Council (see case 1).

Figure I

**Number of meetings and consultations, 2009-2018**



<sup>3</sup> [S/PV.8173](#).

## **A. Meetings**

### **1. Application of rules relating to meetings**

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

In 2018 the Council did not hold any periodic meetings pursuant to rule 4 or any meetings away from Headquarters in accordance with rule 5.

During the reporting period, nine Council members submitted to the President of the Council a letter dated 16 October 2018 requesting a meeting of the Council explicitly citing rule 2 of the provisional rules of procedure in support of the request.<sup>4</sup> Further to the letter, Council convened a meeting on 24 October 2018.<sup>5</sup> In addition, at the 8409<sup>th</sup> meeting held on 26 November 2018 under the proposed item entitled “Maintenance of international peace and security” and the sub-item “Violation of the borders of the Russian Federation”, the representative of the Russian Federation made a statement explicitly referring to rule 2.<sup>6</sup> Against the backdrop of heightened tensions in the Sea of Azov between the Russian federation and Ukraine, objections to the proposed agenda for the meeting led to a procedural vote in the Council and the agenda was not adopted having failed to obtain the required number of votes.<sup>7</sup>

In 2018, no requests were received citing explicitly rule 3 of the provisional rules of procedure. This notwithstanding, during the period under review, there were several requests to convene meetings in which either rule 2 or 3, and/or Article 35, was cited implicitly. Table 1 lists the cases in which an urgent or emergency meeting of the Council was requested despite no explicit reference to rule 2 or 3 and/or Articles 34 or 35 of the Charter.

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<sup>4</sup> See letter dated 16 October 2018 from the representatives of Côte d’Ivoire, France, Kuwait, the Netherlands, Peru, Poland, Sweden, the United Kingdom and the United States addressed to the President of the Security Council requesting a meeting of the Council to hear a briefing by the Chair of the fact-finding mission on Myanmar ([S/2018/926](#)).

<sup>5</sup> [S/PV.8381](#).

<sup>6</sup> [S/PV.8409](#), p. 2. For more information on this item, see part I, sect. 37, “Maintenance of international peace and security”.

<sup>7</sup> For more information on the adoption of the agenda, see section II below.

Table 1

**Letters in which Member States requested an urgent or emergency meeting without explicit reference to any provision of the Charter or the provisional rules of procedure in 2018**

<i>Letter addressed to the President of the Council</i>	<i>Summary</i>	<i>Meeting convened on the basis of the request (agenda item and date)</i>
Letter dated 17 May 2018 from the Chargé d'affaires a.i. of the Permanent Mission of the Russian Federation addressed to the Secretary-General ( <a href="#">S/2018/472</a> )	The letter transmitted a statement by the President of the Russian Federation on the missile attacks against the territory of the Syrian Arab Republic carried out on 14 April 2018 announcing that Russia would convene an emergency meeting of the Security Council.	<a href="#">S/PV.8233</a> 14 April 2018
Letter dated 14 December 2018 from the Permanent Representative of Serbia addressed to the President of the Security Council ( <a href="#">S/2018/1111</a> )	Request for an urgent meeting of the Security Council to consider the decision of the Provisional Institutions of Self-Government in Priština to transform the Kosovo Security Force into armed forces.	<a href="#">S/PV.8427</a> 17 December 2018

<sup>a</sup> For more information on the adoption of the agenda, see sect. II.

*Complaints raised by Member States concerning the application of rule 3*

During the period under review, in a letter dated 31 March 2018 addressed to the President of the Security Council,<sup>8</sup> the representative of Israel expressed disappointment and outrage at the events that had taken place in the Council the day before, on 30 March 2018. He emphasised that the State of Kuwait, with “full knowledge” that the Permanent Mission of Israel and Jews everywhere were observing the first night of Passover, “hijacked” previously scheduled consultations, “forced” an open meeting of the Council, and invited the Palestinian delegation to present remarks that they had been advised to prepare well in advance. On the other hand, he underlined that Israel had not been given the same advance notice and was “barred” from taking part in the deliberations due to the observance of the religious holiday.<sup>9</sup>

In a letter dated 31 August 2018 addressed to the President of the Security Council,<sup>10</sup> the representative of Serbia expressed disappointment and regret that, notwithstanding established practice and due to a unilateral decision, no meeting of the Security Council to discuss the situation in Kosovo and Metohija was convened in the month of August during the presidency of

<sup>8</sup> [S/2018/284](#).

<sup>9</sup> For more information on participation, see sect. VII below.

<sup>10</sup> [S/2018/805](#).

the United Kingdom.<sup>11</sup> He also expressed disappointment that discussions in respect of the meetings on Kosovo and Metohija had not continued, as indicated, following the adoption of the programme of work for that month.

## **2. Format**

### *Public meetings*

The Council continued to convene meetings in public as provided for in rule 48 of the provisional rules of procedure, mainly for the purposes of (a) receiving briefings on country-specific or regional situations, or thematic issues, under its consideration; (b) holding debates on particular items; and (c) adopting decisions.<sup>12</sup> In 2018, the Council held a total of 275 public meetings. By way of comparison, the Council held 282 public meetings in 2017, and 237 in 2016.

During the review period, the Council held 15 high-level meetings at which two or more Council members were represented at the ministerial or higher levels, 12 on thematic items, and three on regional and country-specific items (see table 2). In 2018 the Council held four meetings at which more than half of the Council members were represented at the ministerial or higher levels; those meetings were held in connection with the following items “Maintenance of international peace and security”, “United Nations peacekeeping operations” and “Non-proliferation/Democratic People’s Republic of Korea”. On 26 September 2018, the Council held its 8362<sup>nd</sup> meeting under the item entitled “Maintenance of international peace and security”,<sup>13</sup> which focused on non-proliferation of weapons of mass destruction. The meeting registered the highest number of Council members represented at a high-level in 2018: eight Council members were represented at the level of Head of State or Government,<sup>14</sup> and seven were represented at

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<sup>11</sup> For more information on the presidency, see sect. IV below.

<sup>12</sup> In the note by the President dated 30 August 2017 ([S/2017/507](#), annex, para. 21), Council members expressed their intention to continue to include the following formats for public meetings: open debate, debate, briefing and adoption.

<sup>13</sup> [S/PV.8362](#).

<sup>14</sup> The Plurinational State of Bolivia, Equatorial Guinea, France, Peru, Poland and the United States were represented by their Presidents; the Netherlands and the United Kingdom were represented by their Prime Ministers.

ministerial level.<sup>15</sup> This was the highest number of Heads of State or Government representing Council members since the previous summit meeting, held on 24 September 2014 under the item entitled “Threats to international peace and security caused by terrorist acts”.<sup>16</sup>

Table 2  
**High-level meetings in 2018**

<i>Meeting record and date</i>	<i>Item</i>	<i>High-level participation</i>
<a href="#">S/PV.8160</a> 18 January 2018	Non-proliferation of weapons of mass destruction	<b>Heads of State and Government level (2)</b> <b>Kazakhstan</b> (President), <b>Poland</b> (President)  <b>Ministerial level (4)</b> <b>Kuwait</b> (Deputy Prime Minister and Minister for Foreign Affairs), <b>Russian Federation</b> (Minister for Foreign Affairs), <b>United Kingdom</b> (Minister of State for Asia and the Pacific), <b>United States</b> (Permanent Representative and member of the President's Cabinet)
<a href="#">S/PV.8162</a> 19 January 2018	Maintenance of international peace and security	<b>Ministerial Level (8)</b> <b>Equatorial Guinea</b> (Secretary of State of the Ministry for Foreign Affairs and Cooperation), <b>Kazakhstan</b> (Minister for Foreign Affairs), <b>Kuwait</b> (Deputy Prime Minister and Minister for Foreign Affairs), <b>Netherlands</b> (Vice-Minister for Foreign Affairs), <b>Poland</b> (Minister for Foreign Affairs), <b>Russian Federation</b> (Minister for Foreign Affairs), <b>United Kingdom</b> (Minister of State for Asia and the Pacific), <b>United States</b> (Deputy Secretary of State)
<a href="#">S/PV.8185</a> 21 February 2018	Maintenance of international peace and security	<b>Ministerial Level (5)</b> <b>Côte d'Ivoire</b> (Minister for Foreign Affairs), <b>Kazakhstan</b> (First Deputy Foreign Minister), <b>Kuwait</b> (Deputy Prime Minister and Minister for Foreign Affairs), <b>Poland</b> (Minister for Foreign Affairs), <b>United States</b> (Permanent Representative and member of the President's Cabinet)
<a href="#">S/PV.8199</a> 8 March 2018	The situation in Afghanistan	<b>Ministerial Level (2)</b> <b>Netherlands</b> (Minister for Foreign Trade and Development Cooperation), <b>Sweden</b> (Deputy Minister for Foreign Affairs)
<a href="#">S/PV.8218</a> 28 March 2018	United Nations peacekeeping operations	<b>Heads of State and Government level (1)</b> <b>Netherlands</b> (Prime Minister)  <b>Ministerial Level (7)</b> <b>Côte d'Ivoire</b> (Minister of State and Minister for Defence), <b>France</b> (Secretary of State attached to the Minister for Europe and Foreign Affairs), <b>Kazakhstan</b> (Deputy Minister for Defence), <b>Poland</b> (Deputy Foreign Minister), <b>Sweden</b> (Minister for Policy

<sup>15</sup> Côte d'Ivoire was represented by its Vice-President; Kuwait was represented by its Deputy Prime Minister and Minister for Foreign Affairs; and China, Ethiopia, Kazakhstan, the Russian Federation and Sweden were represented by their Ministers for Foreign Affairs.

<sup>16</sup> See [S/PV.7272](#).



<i>Meeting record and date</i>	<i>Item</i>	<i>High-level participation</i>
		Coordination and Energy), <b>United Kingdom</b> (Minister of State for the Commonwealth and the United Nations), <b>United States</b> (Permanent Representative and member of the President's Cabinet)
<a href="#">S/PV.8243</a> 25 April 2018	Peacebuilding and sustaining peace	<b>Ministerial Level (4)</b> <b>Côte d'Ivoire</b> (Minister for Foreign Affairs), <b>Netherlands</b> (Vice-Minister for Foreign Affairs), <b>Peru</b> (Minister for Foreign Affairs), <b>Sweden</b> (Minister for Foreign Affairs)
<a href="#">S/PV.8262</a> 17 May 2018	Maintenance of international peace and security	<b>Heads of State and Government level (1)</b> <b>Poland</b> (President) <b>Ministerial Level (4)</b> <b>Equatorial Guinea</b> (Vice-President), <b>Kazakhstan</b> (Minister of Justice), <b>Netherlands</b> (Minister for Foreign Affairs), <b>United States</b> (Permanent Representative and member of the President's Cabinet)
<a href="#">S/PV.8264</a> 22 May 2018	Protection of civilians in armed conflict	<b>Ministerial Level (2)</b> <b>Kazakhstan</b> (Deputy Minister for Foreign Affairs), <b>Poland</b> (Minister for Foreign Affairs)
<a href="#">S/PV.8270</a> 29 May 2018	Letter dated 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council ( <a href="#">S/2014/136</a> )	<b>Ministerial Level (2)</b> <b>Netherlands</b> (Minister for Foreign Affairs), <b>Poland</b> (Minister for Foreign Affairs)
<a href="#">S/PV.8305</a> 9 July 2018	Children and armed conflict	<b>Heads of State and Government level (2)</b> <b>Netherlands</b> (Prime Minister of Aruba, Kingdom of the Netherlands), <b>Sweden</b> (Prime Minister)
<a href="#">S/PV.8307</a> 11 July 2018	Maintenance of international peace and security	<b>Heads of State and Government level (1)</b> <b>Netherlands</b> (Prime Minister of Curaçao, Kingdom of the Netherlands) <b>Ministerial Level (2)</b> <b>Kazakhstan</b> (Deputy Minister for Foreign Affairs), <b>Sweden</b> (Minister for Foreign Affairs)
<a href="#">S/PV.8362</a> 26 September 2018	Maintenance of international peace and security	<b>Heads of State and Government level (8)</b> <b>Plurinational State of Bolivia</b> (President), <b>Equatorial Guinea</b> (President), <b>France</b> (President), <b>Netherlands</b> (Prime Minister), <b>Peru</b> (President), <b>Poland</b> (President), <b>United Kingdom</b> (Prime Minister), <b>United States</b> (President) <b>Ministerial Level (7)</b> <b>Côte d'Ivoire</b> (Vice-President), <b>Kuwait</b> (Deputy Prime Minister and Minister for Foreign Affairs), <b>China</b> (Minister for Foreign Affairs), <b>Ethiopia</b> (Minister for Foreign Affairs), <b>Kazakhstan</b> (Minister for Foreign Affairs), <b>Russian Federation</b> (Minister for Foreign Affairs), <b>Sweden</b> (Minister for Foreign Affairs)
<a href="#">S/PV.8363</a> 27 September 2018	Non-proliferation/Democratic People's Republic of Korea	<b>Ministerial Level (14)</b>

<i>Meeting record and date</i>	<i>Item</i>	<i>High-level participation</i>
		<b>China</b> (Minister for Foreign Affairs), <b>Côte d'Ivoire</b> (Minister for Foreign Affairs), <b>Equatorial Guinea</b> (Minister for Foreign Affairs and International Cooperation), <b>Ethiopia</b> (Minister for Foreign Affairs), <b>France</b> (Minister for Foreign Affairs), <b>Kazakhstan</b> (Minister for Foreign Affairs), <b>Kuwait</b> (Deputy Prime Minister and Minister for Foreign Affairs), <b>Netherlands</b> (Minister for Foreign Affairs), <b>Poland</b> (Minister for Foreign Affairs), <b>Peru</b> (Minister for Foreign Affairs), <b>Russian Federation</b> (Minister for Foreign Affairs), <b>Sweden</b> (Minister for Foreign Affairs), <b>United Kingdom</b> (Secretary of State for Foreign and Commonwealth Affairs), <b>United States</b> (Secretary of State)
<a href="#">S/PV.8382</a> 25 October 2018	Women and peace and security	<b>Ministerial Level (2)</b>  <b>Netherlands</b> (Vice-Minister of Foreign Affairs), <b>Sweden</b> (Minister for Foreign Affairs)
<a href="#">S/PV.8413</a> 5 December 2018	Peacebuilding and sustaining peace	<b>Heads of State and Government level (1)</b>  <b>Côte d'Ivoire</b> (President)  <b>Ministerial Level (2)</b>  <b>Equatorial Guinea</b> (Minister for Foreign Affairs and International Cooperation), <b>Netherlands</b> (Minister for Foreign Trade and Development Cooperation)

### *Private meetings*

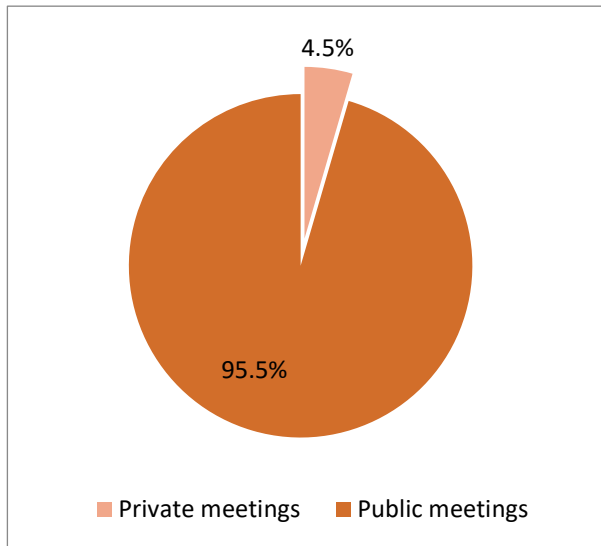
During the period under review, the Council continued to hold meetings also in private, in accordance with rule 48 of the provisional rules of procedure. Private meetings continued to constitute a small percentage of all Council meetings, approximately 4.5 per cent or 13 out of a total 288 meetings held in 2018.

Of the 13 private meetings held in 2018, 12 (92.3 per cent) were meetings with troop- and police-contributing countries held under the item entitled “Meeting of the Security Council with the troop- and police-contributing countries pursuant to resolution [1353 \(2001\)](#), annex II, sections A and B”, and one private meeting was devoted to the annual briefing by the President of the International Court of Justice.

Figures II and III show the percentage of public and private meetings during the period concerned as well as the breakdown of private meetings by type as described above. Table 3 provides information on all private meetings held by the Council during the period under review, by item and in chronological order.



**Figure II: Public and private meetings held in 2018**



**Figure III: Private meetings held in 2018**

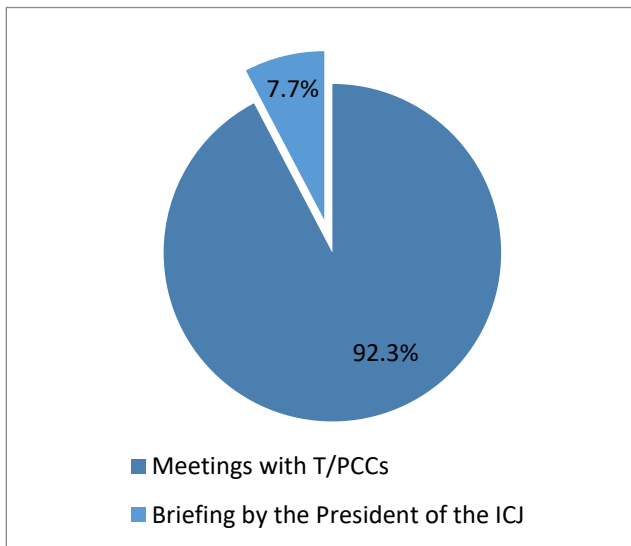


Table 3  
**Private meetings in 2018**

<i>Item</i>	<i>Meeting record and date</i>
Meeting of the Security Council with the troop- and police-contributing countries pursuant to resolution <a href="#">1353 (2001)</a> , annex II, sections A and B (12 meetings)	<a href="#">S/PV.8157</a> , 16 January 2018; <a href="#">S/PV.8196</a> , 6 March 2018; <a href="#">S/PV.8197</a> , 6 March 2018; <a href="#">S/PV.8222</a> , 5 April 2018; <a href="#">S/PV.8279</a> , 6 June 2018; <a href="#">S/PV.8281</a> , 7 June 2018; <a href="#">S/PV.8286</a> , 14 June 2018; <a href="#">S/PV.8308</a> , 12 July 2018; <a href="#">S/PV.8326</a> , 9 August 2018; <a href="#">S/PV.8367</a> , 9 October 2018; <a href="#">S/PV.8374</a> , 17 October 2018; <a href="#">S/PV.8417</a> , 11 December 2018;
Briefing by the President of the International Court of Justice (one meeting)	<a href="#">S/PV.8380</a> , 24 October 2018;

## **B. Informal consultations of the whole**

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

During the period under review, members of the Council continued to meet often in informal consultations of the whole: a total of 120 times in 2018 (see figure I). Frequently, informal consultations of the whole were held immediately after public meetings of the Council.

Pursuant to the Council's established practice, no official records of informal consultations were issued, and non-members were not invited. On several occasions, however, statements to the press were issued or elements to the press were read out by the President of the Council following informal consultations,<sup>17</sup> in line with the note by the President dated 30 August 2017, which encouraged the President of the Council to make efforts, whenever appropriate, to suggest, at the end of consultations, general lines or elements to be used when providing briefings to the press, in order to make consultations result-oriented as well as to increase the transparency of the work of the Security Council while securing confidentiality.<sup>18</sup>

<sup>17</sup> Not all statements to the press were issued as a result of informal consultations.

<sup>18</sup> [S/2017/507](#), annex, para. 54.

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

During the period under review, the Council continued to hold informal interactive dialogues and Arria-formula meetings.<sup>19</sup> Informal interactive dialogues are convened at the initiative of one or more Council members, with the participation of all Council members and are presided by the President of the Security Council for the month. Invitees to informal interactive dialogues may include non-Council members otherwise not invited to informal consultations.

By contrast, Arria-formula meetings are convened at the initiative of one or more Council members (in some instances, they are convened also by non-Council members) with the participation of all or some Council members and are not presided by the President of the Council. Frequently, the Council member or members convening the Arria-formula meeting also chair the meeting. Invitees to Arria formula meetings may include in addition to non-Council members, relevant organizations and individuals.

Neither of the two types of meeting is considered a formal meeting of the Council; neither type of meeting is announced in the *Journal* of the United Nations or in the Council's programme of work and no official records are prepared. Whilst in past practice Arria-formula meetings were closed to the public; in recent practice, these meetings have been open to the public or even broadcast.<sup>20</sup> Informal interactive dialogues are not open to the public or broadcast.

#### *Informal interactive dialogues*

During the reporting period, the Council held six informal interactive dialogues.<sup>21</sup> As provided for in the note by the President dated 30 August 2017, the members of the Council intend to seek the views of Member States that are parties to a conflict and/or other interested and affected parties and, for that purpose, may utilize private meetings, when public meetings are not appropriate. In this regard, the note further provides that when it deems appropriate, the

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<sup>19</sup> For more information on informal interactive dialogues and Arria-formula meetings, see [S/2017/507](#), annex, paras. 92, 95 and 97–99.

<sup>20</sup> 17 out of the 21 Arria-formula meetings held in 2018 were broadcast.

<sup>21</sup> For information on the evolution of informal interactive dialogues, see *Repertoire, Supplement 2008–2009, Supplement 2010–2011, Supplement 2012–2013, Supplement 2014–2015 and Supplement 2016–2017*, part II, sect. I. C.

Council may also utilize informal dialogues.<sup>22</sup> Five of the six informal interactive dialogues held in 2018 concerned country-specific or regional situations, as shown in table 4.

Table 4

**Informal interactive dialogues in 2018**

<i>Date</i>	<i>Subject</i>	<i>Participants (including non-members of the Council)</i>
7 February 2018	The situation concerning Iraq (UNAMI External Review)	All Council members; two members of the UNAMI external assessment team; Deputy Director of the Middle East and West Asia Division of the Department of Political Affairs
20 March 2018	The situation in the Middle East (Chemical Weapons)	All Council members; Director General of the Organisation for the Prohibition of Chemical Weapons (OPCW); High Representative for Disarmament Affairs
18 April 2018	Peace and security in Africa (Joint DPKO/AU visit to Darfur, Central African Republic & Addis Ababa)	All Council members; Under-Secretary-General for Peacekeeping Operations; African Union Commissioner for Peace and Security
4 June 2018	The situation in Libya (EU NAVFOR MED (Operation SOPHIA))	All Council members; Force Commander of EU NAVFOR MED; Deputy Secretary-General for Common Security and Defense Policy and Crisis response at the European External Action Service
21 June 2018	The situation in the Central African Republic (Report of the Secretary-General on the Central African Republic ( <a href="#">S/2018/611</a> ))	All Council members; Special Representative of the African Union to the Central African Republic; Force Commander of the European Union Military Training Mission in the Central African Republic; Special Representative of the Secretary-General for the Central African Republic and Head of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA)
29 June 2018	Peacebuilding and sustaining peace (Report of the Peacebuilding Commission on its eleventh session ( <a href="#">S/2018/83</a> ))	All Council members; Assistant Secretary-General for Peacebuilding Support; Director of the Americas Division in Department of Political Affairs; Director of the Africa I Division in the Department of Peacekeeping Operations; Deputy Director of the Bureau for Policy and Programme Support at the United Nations Development Programme; Colombia; Liberia; Sudan; Romania (Chair of the Peacebuilding Commission); Republic of Korea and Germany (as Vice-Chairs of the Peacebuilding Commission)

*Arria-formula meetings*

By contrast, as provided for in the note by the President dated 30 August 2017, the members of the Council intend to utilize Arria-formula meetings as a flexible and informal forum for enhancing their deliberations and they agree to consider using such meetings to enhance their contact with civil society and non-governmental organizations.<sup>23</sup> According to the note, Council members may invite, on an informal basis, any Member State, relevant organization or individual to participate in Arria-formula meetings. During the period under

<sup>22</sup> [S/2017/507](#), annex, para. 92.

<sup>23</sup> *Ibid.*, para. 98.

review, the Council held a total of 21 such meetings. Arria-formula meetings held during the period under review are listed in table 5.



Table 5  
**Arria-formula meetings in 2018**

<i>Date</i>	<i>Subject</i>	<i>Organiser(s)</i>
12 February 2018	The Electoral Process in the Democratic Republic of the Congo	Côte d'Ivoire, Equatorial Guinea, France, Netherlands, Sweden, United Kingdom, United States
22 February 2018	The situation in the Middle East, including the Palestinian question - Prospects for the two-State solution for peace	Bolivia (Plurinational State of), France, Kuwait, Sweden
12 March 2018	Implementing Syria's Cessation of Hostilities: Syria's Opposition Speaks	France, Netherlands, Poland, United Kingdom
15 March 2018	The Russian occupation of Crimea: the role and limits of the UN Security Council and good offices of the UN Secretary-General in addressing violations of the UN Charter and international law	Netherlands, Poland, Sweden, United Kingdom, United States, in partnership with Ukraine.
19 March 2018	Human Rights in Syria	France, Netherlands, Peru, Poland, Sweden, United Kingdom, United States
9 April 2018	Enhancing synergies between the United Nations and regional and subregional organisations to address the nexus between terrorism and transnational organised crime	Côte d'Ivoire, France, Kuwait, Peru
24 April 2018	Religious leaders for a safe world	Kazakhstan
7 May 2018	Ending and preventing grave violations against children through Action Plans: Best Practices from African States	Poland in partnership with Côte d'Ivoire, France and Sweden
13 June 2018	Maritime crime as a threat to international peace and security	Côte d'Ivoire, Equatorial Guinea, Ethiopia, Netherlands, United States
6 July 2018	UNSC-ICC Relations: Achievements, Challenges and Synergies	Bolivia (Plurinational State of), Côte d'Ivoire, France, Netherlands, Peru, Poland, Sweden, United Kingdom
7 September 2018	Syrian voices on preventing a deathtrap in Idlib	France, Netherlands, Poland, Sweden, United Kingdom
10 September 2018	Corruption and conflict	United States
19 October 2018	Silencing the guns in Africa: how can the UN-AU partnership contribute to a continent free of conflict	Côte d'Ivoire, Equatorial Guinea, Ethiopia, South Africa, African Union (co-sponsored by Bolivia (Plurinational State of), China, France, Kazakhstan, Kuwait, Netherlands, Peru, Poland, Sweden)
22 October 2018	Moving from a culture of impunity to a culture of deterrence: the use of sanctions in addressing sexual violence in conflict	Côte d'Ivoire, France, Netherlands, Peru
26 October 2018	Protecting children born of sexual violence in conflict zones	Poland, in partnership with Bolivia (Plurinational State of), France, Germany, South Africa
26 October 2018	Water, peace and security	Netherlands, in collaboration with Bolivia (Plurinational State of), Côte d'Ivoire, Belgium, Dominican Republic, Germany, Indonesia, Italy
7 November 2018	Protection of the environment during armed conflict	Kuwait, co-sponsored by Germany

<i>Date</i>	<i>Subject</i>	<i>Organiser(s)</i>
28 November 2018	Syria	United Kingdom
3 December 2018	Situation of persons with disabilities in armed conflict	Poland, in partnership with Côte d'Ivoire, Germany, Kuwait and Peru, as well as with the Office of the High Commissioner for Human Rights (OHCHR), the United Nations International Children's Emergency Fund (UNICEF), and the International Disability Alliance.
10 December 2018	Raising effectiveness of atrocity crimes prevention: role of the United Nations Security Council and its members	Poland, in partnership with Belgium, Côte D'Ivoire, Germany, Kuwait and Peru, as well as in close cooperation with the UN Office for Genocide Prevention and the Responsibility to Protect and the UN Office of Legal Affairs
21 December 2018	Protecting medical care in conflict - from policy to practice	Sweden, in partnership with Belgium, Côte d'Ivoire, France, Germany and Peru

### *Other informal meetings*

Following the practice started in 2007, the Council met with the Peace and Security Council of the African Union.<sup>24</sup> In this connection, and in accordance with the note by the President dated 30 August 2017, the members of the Council acknowledged the importance of annual joint consultative meetings and informal dialogues with the members of the Peace and Security Council of the African Union, to exchange views on ways to strengthen cooperation and partnership.<sup>25</sup>

<sup>24</sup> The members of the Security Council and the Peace and Security Council of the African Union held their twelfth joint consultative meeting in New York on 19 July 2018 ([S/2018/736](#)). Previously they had met on 8 September 2017 in Addis Ababa (see [S/2018/552](#)). For information on prior practice concerning the informal joint meetings of the Security Council and the Peace and Security Council of the African Union, see *Repertoire, Supplement 2008–2009, Supplement 2010–2011, Supplement 2012–2013, Supplement 2014–2015 and Supplement 2016–2017*, part II, sect. I. C.

<sup>25</sup> See [S/2017/507](#), annex, para. 97. In the note the members of the Security Council also underscored the importance of increased coordination, cooperation and interaction with other relevant bodies including regional organizations, among them the African Union (para. 93); and agreed to consider joint missions of the Security Council and the Peace and Security Council of the African Union to conflict situations in Africa (para. 122). For more information on the cooperation of the Council with regional and subregional organizations pursuant to Chapter VIII of the Charter, see part VIII.

## **D. Discussion concerning meetings**

Questions pertaining to the meetings of the Council and to other forms of informal gatherings of members of the Council were discussed during the open debate on the working methods of the Council held on 6 February 2018, under the item entitled “Implementation of the note by the President of the Security Council ([S/2017/507](#))” (see case 1).

### **Case 1**

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

During the open debate on the working methods of the Security Council, held at the 8175<sup>th</sup> meeting on 6 February 2018,<sup>26</sup> a number of speakers discussed aspects and formats of the meetings and informal gatherings of the members of the Council members. Several speakers referred to and welcomed the practice of holding wrap-up sessions at the end of the monthly Presidency of the Council.<sup>27</sup> The representatives of Chile and Australia encouraged a greater use of monthly wrap-up sessions,<sup>28</sup> whereas the representative of Guatemala regretted the increasingly irregular holding of wrap-up sessions.<sup>29</sup>

With regard to briefings, the representative of the United States suggested inviting more frequently humanitarian and human rights organizations to speak under rule 39 of the provisional rules of procedure, and asking them to provide more input into briefings and reports.<sup>30</sup> The representative of Poland underlined the need to fully utilize the potential of the Secretariat, including the Department of Political Affairs and added that briefings on situations that might escalate would help the Council discharge its primary responsibility effectively, in line with a prevention-oriented approach.<sup>31</sup> The representative of Sweden encouraged continued and

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<sup>26</sup> A concept note was circulated by a letter dated 24 January 2018 addressed to the Secretary-General ([S/2018/66](#)) and a summary non-paper was circulated by Kuwait after the meeting ([S/2018/399](#)).

<sup>27</sup> [S/PV.8175](#), p. 10 (Peru), p. 28 (Switzerland, on behalf of the Accountability, Coherence and Transparency group), p. 36 (Pakistan), p. 40 (Singapore), pp. 45-46 (Ukraine), p. 54 (Cuba), p. 59 (Uruguay).

<sup>28</sup> *Ibid.*, p. 44 (Chile) and p. 52 (Australia).

<sup>29</sup> *Ibid.*, p. 50.

<sup>30</sup> *Ibid.*, p. 7.

<sup>31</sup> *Ibid.*, p. 12.

enhanced briefings by and interactions with representatives of civil society.<sup>32</sup> The representative of Ethiopia stressed that briefings by Special Representatives should be concise and to the point,<sup>33</sup> whereas the representative of the United Kingdom underscored the need to make sure that the briefings received from the Secretariat were comprehensive.<sup>34</sup> The representatives of the United Kingdom and Sweden encouraged also making the best use of the Secretariat's insights, including through better and more frequent situational awareness briefings.<sup>35</sup> The representative of Turkey opined that there was still room for improvement, inter alia, in terms of more informative briefings.<sup>36</sup> The representative of France stressed the need for the Council to continue to adapt the format of its meetings to the subjects addressed and noted that in certain cases the Council could avoid redundancy when public briefings were followed by closed consultations.<sup>37</sup> The representative of Finland noted that holding informal briefings for all Member States on the monthly programme of work increased the flow of information.<sup>38</sup>

A number of speakers underlined the relevance of Arria-formula meetings and/or informal interactive dialogues to increase the Council's openness and transparency and to foster interaction between Council members and the wider membership.<sup>39</sup> Meanwhile, the representative of the Russian Federation opposed the use of Arria-formula meetings and interactive dialogues as "propaganda performances" and called for those formats to be used "specifically" to raise awareness on issues on the agenda of the Council.<sup>40</sup> The representative of the Bolivarian Republic of Venezuela also expressed concern about what he considered to be "abuses committed" when convening Arria-formula meetings to deal with situations of countries which were not on the Council's agenda and did not represent a threat to international peace and security. He further suggested that the holding of Arria-formula meetings be governed by a regulatory body.<sup>41</sup>

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<sup>32</sup> Ibid., p. 19.

<sup>33</sup> Ibid., p. 13.

<sup>34</sup> Ibid., p. 15.

<sup>35</sup> Ibid., p. 15 (United Kingdom), p. 19 (Sweden).

<sup>36</sup> Ibid., p. 34.

<sup>37</sup> Ibid., p. 9.

<sup>38</sup> Ibid., p. 53.

<sup>39</sup> Ibid., p. 9 (France), p. 26 (Hungary), p. 36 (Pakistan), p. 40 (Singapore), p. 44 (Chile), p. 50 (Guatemala), p. 52 (Australia), p. 53 (Finland), p. 57 (Maldives) and p. 59 (Uruguay).

<sup>40</sup> Ibid., p. 8.

<sup>41</sup> Ibid., p. 56.

A number of speakers called also for a greater use of open debates,<sup>42</sup> in order to, inter alia, continue the efforts to improve transparency in the work of the Council. The representatives of Sweden and Japan proposed exploring ways to make a better use of open debates.<sup>43</sup> In this regard the representative of Sweden suggested introducing open debates where Council members would not make statements but rather listen to the broader membership in preparation for subsequent decisions by the Council.<sup>44</sup> With regard to the adoption of outcomes of open debates, a few speakers encouraged the Council to take into account the contributions made by non-members.<sup>45</sup> In this connection, the representatives of Portugal and Costa Rica stated that whenever an open debate was expected to have an outcome, the Council should postpone the adoption to a later stage, in order to allow for the outcome to reflect the input of non-Council members.<sup>46</sup>

The representative of Peru noted that closed consultations complemented open debates and favoured greater interaction among the Council members and with the Secretariat.<sup>47</sup> Similarly, the representative of Ethiopia, while reaffirming the importance of open briefings and debates, emphasised the value of holding closed consultations in order to have frank exchanges of views.<sup>48</sup> On the other hand, a number of speakers encouraged the Council to hold more open meetings whenever possible, stressing that closed consultations should be kept to a minimum and should be the exception, rather than the rule.<sup>49</sup> The representative of Lebanon suggested that non-Council members should participate in the closed consultations that concerned them,<sup>50</sup> whereas the representative of Belgium proposed to invite the Chairs of country-specific configurations of the Peacebuilding Commission.<sup>51</sup>

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<sup>42</sup> Ibid., pp. 8-9 (France), p. 37 (Portugal), p. 44 (Chile), p. 47 (Indonesia), p. 50 (Guatemala), p. 52 (Australia), p. 53 (Finland), p. 54 (Cuba), p. 59 (Uruguay).

<sup>43</sup> Ibid., p. 19 (Sweden) and p. 24 (Japan).

<sup>44</sup> Ibid., p. 19 (Sweden).

<sup>45</sup> Ibid., p. 26 (Hungary), p. 37 (Portugal), p. 61 (Costa Rica).

<sup>46</sup> Ibid., p. 37 (Portugal), p. 61 (Costa Rica).

<sup>47</sup> Ibid., p. 10.

<sup>48</sup> Ibid., p. 13.

<sup>49</sup> Ibid., p. 29 (Switzerland, speaking on behalf of the Accountability, Coherence and Transparency group), p. 30 (Iran), p. 34 (Turkey), p. 45 (Ukraine), pp. 54-55 (Cuba), pp. 55-56 (Venezuela (Bolivarian Republic of)), p. 59 (Uruguay), p. 62 (Algeria).

<sup>50</sup> Ibid., p. 38.

<sup>51</sup> Ibid., p. 46.

## **E. Records**

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

## II. Agenda

### Note

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

#### *Rule 6*

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

#### *Rule 7*

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

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

#### *Rule 8*

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

*Rule 9*

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

*Rule 10*

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

*Rule 11*

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

*Rule 12*

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



*in or addition to the provisional agenda shall be brought to the notice of the members at least five days before the meeting. The Security Council may, however, in urgent circumstances, make additions to the Agenda at any time during a periodic meeting.*

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

During the period under review, the Secretary-General continued the practice of distributing communications from States, organs of the United Nations, or from himself concerning any matter for the consideration of the Council in accordance with the provisions of the Charter and pursuant to rule 6 of the Council's provisional rules of procedure. The Secretary-General also continued to draw up a provisional agenda for each meeting of the Council, and communicate the provisional agenda to the representatives on the Council, in accordance with rules 7 and 8. The practice relating to the circulation of communications or the preparation of the provisional agenda was not discussed or questioned during the period under review. No periodic meetings were held during 2018, and hence rule 12 was not applied. This section therefore focuses on the practice and discussion regarding rules 9 to 11 and is organized under the following three main headings: A. Adoption of the agenda (rule 9); B. Matters of which the Security Council is seized (rules 10 and 11); C. Discussions concerning the agenda.

#### **A. Adoption of the agenda (rule 9)**

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

*Voting on the adoption of the agenda*

During the period under review, objections were raised three times to the adoption of the agenda, and in all three cases the objections led to a procedural vote in the Council. On two occasions, the provisional agenda for the meeting failed to be adopted due to the lack of the required number of affirmative votes: on 19 March 2018, at the 8209<sup>th</sup> meeting,<sup>52</sup> which had been convened under the item entitled “The situation in the Middle East” in connection with the situation of human rights in the Syrian Arab Republic; and on 26 November 2018, at the 8409<sup>th</sup> meeting,<sup>53</sup> which had been convened under the item entitled “Maintenance of international peace and security” in connection with the heightened tensions between the Russian Federation and Ukraine in the Sea of Azov. At the 8381<sup>st</sup> meeting, held on 24 October 2018 under the item entitled “The situation in Myanmar” and in connection with the issue of Rakhine state, the procedural vote resulted in the adoption of the provisional agenda.<sup>54</sup>

#### *Newly introduced agenda items*

During the period under review, the Council included the item entitled “Letter dated 13 March 2018 from the Chargé d’affaires a.i. of the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council ([S/2018/218](#))” in the list of matters of which it was seized. The item was considered for the first time at the 8203<sup>rd</sup> meeting of the Council, on 14 March 2018.<sup>55</sup>

As shown in figure IV, from 1998 to 2007, the Council would add between 8 and 23 new items every year to its agenda. However, as of the year 2008 the number of new items has decreased significantly, adding between 1 to 3 items per year to its agenda.

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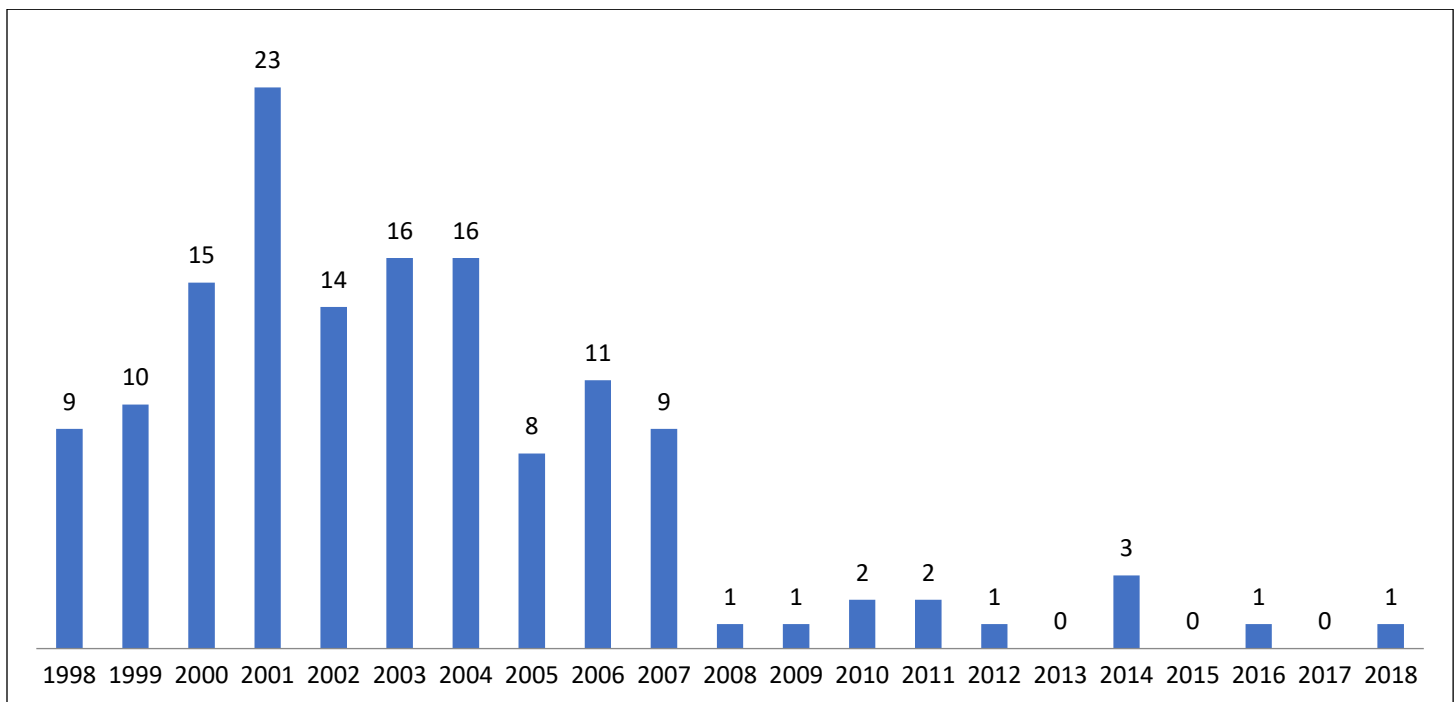
<sup>52</sup> [S/PV.8209](#).

<sup>53</sup> [S/PV.8409](#).

<sup>54</sup> [S/PV.8381](#).

<sup>55</sup> See [S/PV.8203](#). For more information on this item, see part I, sect. 22.

**Figure IV: Number of newly-introduced agenda items per year, 1998-2018**



#### *Modification of agenda items*

As set out in the note by the President of the Security Council dated 2 February 2018,<sup>56</sup> following consultations among Council members, the Council agreed that henceforth issues pertaining to the International Residual Mechanism for Criminal Tribunals would be considered under an item entitled “International Residual Mechanism for Criminal Tribunals” (IRMCT). The earlier consideration by the Council of issues pertaining to the items entitled “International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991” and “International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994” would be subsumed under the new item.

<sup>56</sup> [S/2018/90](#).

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

During the period under review, the Council continued the practice of using existing items of a regional nature for the consideration of evolving country-specific situations. For example, the Council continued to consider the situations in the Syrian Arab Republic, Lebanon and Yemen under the items entitled “The situation in the Middle East”, and “The situation concerning the Middle East, including the Palestinian question”.<sup>57</sup> In 2018 the Council also discussed the situation in the Syrian Arab Republic, under the item entitled “Threats to international peace and security” under the sub-item “The situation in the Middle East”,<sup>58</sup> while under the item entitled “Maintenance of international peace and security” the Council deliberated on the following country- or region-specific sub-items, “Building regional partnership in Afghanistan and Central Asia as a model to link security and development”; “Comprehensive review of the situation in the Middle East and North Africa” and “Migrant smuggling and human trafficking in Libya”.<sup>59</sup> Furthermore, the Council addressed the sub-item entitled “The situation in Nicaragua”, under item entitled “Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security”.<sup>60</sup>

*Inclusion of new sub-items under existing items*

During the period under review, the Council continued its practice of adding new sub-items to the existing items, for the consideration of evolving general and cross-border threats to international peace and security. Table 6 includes a selection of new sub-items introduced in 2018 in chronological order of their introduction.<sup>61</sup>

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<sup>57</sup> For more information, see part I sects. 23 and 24, respectively.

<sup>58</sup> For more information, see part I, sect. 36.

<sup>59</sup> For more information, see part I, sect. 37.

<sup>60</sup> For more information, see part I, sect. 38.

<sup>61</sup> The table does not include cases of routine sub-items relating to briefings by the Security Council missions, briefings by the Chair of the Security Council committees, letters addressed to the President of the Security Council, reports of the Secretary-General, and meetings of the Security Council with the troop- and police-contributing countries pursuant to resolution [1353 \(2001\)](#), annex II, sections A and B.

Table 6  
**New sub-items added to existing items during 2018**

<i>Meeting record and date</i>	<i>Item</i>	<i>New sub-item</i>
<a href="#">S/PV.8160</a> 18 January 2018	Non-proliferation of weapons of mass destruction	Confidence-building measures
<a href="#">S/PV.8218</a> 28 March 2018	United Nations peacekeeping operations	Collective action to improve United Nations peacekeeping operations
<a href="#">S/PV.8234</a> 16 April 2018	Women and peace and security	Preventing sexual violence in conflict through empowerment, gender equality and access to justice
<a href="#">S/PV.8241</a> 23 April 2018	Maintenance of international peace and security	Youth, peace and security
<a href="#">S/PV.8262</a> 17 May 2018	Maintenance of international peace and security	Upholding international law within the context of the maintenance of international peace and security
<a href="#">S/PV.8305</a> 9 July 2018	Children and armed conflict	Protecting children today prevents conflicts tomorrow
<a href="#">S/PV.8307</a> 11 July 2018	Maintenance of international peace and security	Understanding and addressing climate-related security risks
<a href="#">S/PV.8334</a> 29 August 2018	Maintenance of international peace and security	Mediation and settlement of disputes
<a href="#">S/PV.8346</a> 10 September 2018	Maintenance of international peace and security	Corruption and conflict
<a href="#">S/PV.8372</a> 16 October 2018	Maintenance of international peace and security	Root causes of conflict — the role of natural resources
<a href="#">S/PV.8382</a> 25 October 2018	Women and peace and security	Promoting the implementation of the women and peace and security agenda and sustaining peace through women's political and economic empowerment
<a href="#">S/PV.8395</a> 9 November 2018	Maintenance of international peace and security	Strengthening multilateralism and the role of the United Nations
<a href="#">S/PV.8412</a> 4 December 2018	Threats to international peace and security	Letter dated 15 November 2018 from the Special Adviser and Head of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant addressed to the President of the Security Council ( <a href="#">S/2018/1031</a> )

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

During the period under review, the Council was seized of 68 items.<sup>62</sup> Pursuant to rule 11 of the provisional rules of procedure and note by the President dated 30 August 2017,<sup>63</sup> the

<sup>62</sup> [S/2019/10](#).

<sup>63</sup> [S/2017/507](#), annex, paras. 13 and 14.

Secretary-General continued to communicate each week to the representatives on the Council a summary statement of matters of which the Council was seized and of the stage reached in their consideration.<sup>64</sup> The practice of including an agenda item in the summary statement upon its adoption at a formal meeting of the Council remained unchanged. On 14 March 2018, at its 8203<sup>rd</sup> meeting, the Council considered one new item entitled “Letter dated 13 March 2018 from the Chargé d’affaires a.i. of the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council ([S/2018/218](#))”, which was subsequently included in the summary statement.<sup>65</sup>

According to the note by the President dated 30 August 2017, the preliminary annual summary statement issued in January each year by the Secretary-General of matters of which the Council is seized, identifies the items which have not been considered by the Council during the preceding three calendar years and that are therefore, subject to deletion. An item is deleted unless a Member State notifies the President of the Council, by the end of February, of its request that the item be retained on the list, in which case the item will remain on the list for an additional year. If no Member State requests the item’s retention on the list, the first summary statement issued in March of that year reflects its deletion.<sup>66</sup>

During the period under review, in accordance with rule 11 and note by the President dated 30 August 2017, the Council continued the practice of reviewing the summary statement at the beginning of each year in order to determine if the Council had concluded its consideration of any of the listed items.<sup>67</sup> In 2018, of 16 items identified for deletion in January, only the item entitled “The situation in Sierra Leone” was deleted in March; the remaining 15 items were retained for one additional year at the request of Member States (see table 7).<sup>68</sup>

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<sup>64</sup> See for example: [S/2018/10/add.1](#), [S/2018/10/add.2](#).

<sup>65</sup> [S/2018/10/add.11](#)

<sup>66</sup> [S/2017/507](#), annex, paras. 15 and 16.

<sup>67</sup> [S/2018/10](#).

<sup>68</sup> [S/2018/10/Add.9](#).

Table 7

**Items proposed for deletion from the summary statement in 2018**

<i>Item</i>	<i>Date of first and last consideration</i>	<i>Proposed for deletion in 2018</i>	<i>Status in March 2018</i>
The India-Pakistan question	6 January 1948; 5 November 1965	•	Retained
The Hyderabad question	16 September 1948; 24 May 1949	•	Retained
Letter dated 20 February 1958 from the representative of the Sudan addressed to the Secretary-General	21 February 1958; 21 February 1958	•	Retained
Letter dated 11 July 1960 from the Minister for Foreign Affairs of Cuba addressed to the president of the Security Council	18 July 1960; 5 January 1961	•	Retained
Letter dated 31 December 1960 from the Minister for External Affairs of Cuba addressed to the President of the Security Council	4 January 1961; 5 January 1961	•	Retained
The situation in the India/Pakistan subcontinent	4 December 1971; 27 December 1971	•	Retained
Letter dated 3 December 1971 from the Permanent Representatives of Algeria, Iraq, the Libyan Arab Republic and the People's Democratic Republic of Yemen to the United Nations addressed to the President of the Security Council	9 December 1971; 9 December 1971	•	Retained
Complaint by Cuba	17 September 1973; 18 September 1973	•	Retained
The situation between Iran and Iraq	26 September 1980; 31 January 1991	•	Retained
Letter dated 1 October 1985 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council	2 October 1985; 4 October 1985	•	Retained
Letter dated 19 April 1988 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council	21 April 1988; 25 April 1988	•	Retained
Letter dated 2 February 1990 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council	9 February 1990; 9 February 1990	•	Retained
The situation between Iraq and Kuwait	2 August 1990; 17 June 2013	•	Retained
The situation in Georgia	8 October 1992; 15 June 2009	•	Retained
The situation in Sierra Leone	27 November 1995; 26 March 2014	•	Deleted
The promotion and strengthening of the rule of law in the maintenance of international peace and security	24 September 2003; 21 February 2014	•	Retained

*Items considered at Security Council meetings*

Whilst being seized of 68 items during the review period, in 2018 the Council considered at its meetings 49 items. Of the 49 items considered in 2018 at meetings of the Council, 28 concerned country-specific and regional situations, and 21 concerned thematic and other issues. At the 8386<sup>th</sup> meeting held on 30 October 2018,<sup>69</sup> which had been convened to discuss the announcement of leadership elections in Donetsk and Luhansk, the Council considered two items jointly, namely, “Letter dated 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council ([S/2014/136](#))” and “Letter dated 13 April 2014 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council ([S/2014/264](#))”. At the meeting, the representative of Sweden nonetheless clarified that whilst it was convened under two items, they remained separate and distinct and that future Security Council meetings could be held on each of them separately.<sup>70</sup> Table 8 provides an overview of the items on the agenda of the Council and the items considered at formal meetings of the Council during the period under review.

Table 8

**Items on the agenda of the Council and items considered at formal meetings of the Council in 2018**

<i>Item</i>	<i>Considered at a meeting of the Council in 2018</i>
<b>Country-specific and regional situations</b>	
<b>Africa</b>	
Central African region	Yes
Letter dated 20 February 1958 from the representative of the Sudan addressed to the Secretary-General	No
Letter dated 1 October 1985 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council	No
Letter dated 19 April 1988 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council	No
Peace and security in Africa	Yes
Peace consolidation in West Africa	Yes
Reports of the Secretary-General on the Sudan and South Sudan	Yes
The situation concerning the Democratic Republic of the Congo	Yes
The situation concerning Western Sahara	Yes
The situation in Burundi	Yes

<sup>69</sup> [S/PV.8386](#).

<sup>70</sup> *Ibid.*, p. 2.



<i>Item</i>	<i>Considered at a meeting of the Council in 2018</i>
The situation in Côte d'Ivoire	No
The situation in the Great Lakes region	Yes
The situation in Guinea-Bissau	Yes
The situation in Liberia	Yes
The situation in Libya	Yes
The situation in Mali	Yes
The situation in Somalia	Yes
The situation in the Central African Republic	Yes
<b>Americas</b>	
Letter dated 11 July 1960 from the Minister for Foreign Affairs of Cuba addressed to the President of the Security Council	No
Letter dated 31 December 1960 from the Minister for External Affairs of Cuba addressed to the President of the Security Council	No
Complaint by Cuba	No
Letter dated 2 February 1990 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council	No
Identical letters dated 19 January 2016 from the Permanent Representative of Colombia to the United Nations addressed to the Secretary-General and the President of the Security Council ( <a href="#">S/2016/53</a> )	Yes
The question concerning Haiti	Yes
<b>Asia</b>	
Non-proliferation/Democratic People's Republic of Korea	Yes
The situation in Afghanistan	Yes
The situation in the Democratic People's Republic of Korea	No
The Hyderabad question	No
The India-Pakistan question	No
The situation in the India/Pakistan subcontinent	No
The situation in Myanmar	Yes
<b>Europe</b>	
The situation in Bosnia and Herzegovina	Yes
The situation in Cyprus	Yes
The situation in Georgia	No
Letter dated 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council ( <a href="#">S/2014/136</a> )	Yes
Letter dated 13 April 2014 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council ( <a href="#">S/2014/264</a> )	Yes
Security Council resolutions <a href="#">1160 (1998)</a> , <a href="#">1199 (1998)</a> , <a href="#">1203 (1998)</a> , <a href="#">1239 (1999)</a> and <a href="#">1244 (1999)</a>	Yes
Letter dated 13 March 2018 from the Chargé d'affaires a.i. of the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council ( <a href="#">S/2018/218</a> )	Yes
<b>Middle East</b>	
Letter dated 3 December 1971 from the Permanent Representatives of Algeria, Iraq, the Libyan Arab Republic and the People's Democratic Republic of Yemen to the United Nations addressed to the President of the Security Council ( <a href="#">S/10409</a> )	No
The situation between Iran and Iraq	No

<i>Item</i>	<i>Considered at a meeting of the Council in 2018</i>
The situation concerning Iraq	Yes
The situation between Iraq and Kuwait	No
The situation in the Middle East	Yes
The situation in the Middle East, including the Palestinian question	Yes
<i>Items concerning country-specific and regional situations considered at a meeting of the Council in 2018</i>	28 items
<b>Thematic and other issues</b>	
Briefing by the Chairperson-in-Office of the Organization for Security and Cooperation in Europe	Yes
Briefings by Chairs of subsidiary bodies of the Security Council	Yes
Briefing by the President of the International Court of Justice	Yes
Briefing by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator	No
Briefing by the United Nations High Commissioner for Refugees	No
Children and armed conflict	Yes
Consideration of the draft report of the Security Council to the General Assembly	Yes
Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security	Yes
Date of election to fill a vacancy in the International Court of Justice <sup>a</sup>	Yes
Election of a member of the International Court of Justice <sup>a</sup>	Yes
General issues relating to sanctions	No
Implementation of the note by the President of the Security Council ( <a href="#">S/2017/507</a> )	Yes
International Residual Mechanism for Criminal Tribunals	Yes
Maintenance of international peace and security	Yes
Meeting of the Security Council with the troop- and police-contributing countries pursuant to resolution <a href="#">1353 (2001)</a> , annex II, sections A and B	Yes
Non-proliferation	Yes
Non-proliferation of weapons of mass destruction	Yes
Peacebuilding and sustaining peace	Yes
The promotion and strengthening of the rule of law in the maintenance of international peace and security	No
Protection of civilians in armed conflict	Yes
Security Council mission	Yes
Small arms	No
Threats to international peace and security	Yes
Threats to international peace and security caused by terrorist acts	Yes
United Nations peacekeeping operations	Yes
Women and peace and security	Yes
<i>Items concerning thematic issues considered at a meeting of the Council in 2018</i>	21 items
<b><i>Items on the agenda of the Council in 2018</i></b>	<b>68 items<sup>a</sup></b>
<b><i>Items discussed in 2018</i></b>	<b>49 items</b>

<sup>a</sup> In 2018 the Council considered two items, namely: “Date of election to fill a vacancy in the International Court of Justice” and “Election of a member of the International Court of Justice”, despite them not being on the list of items of which the Council was seized.

## **C. Discussions concerning the agenda**

During the period under review, the discussions on the agenda of the Council occurred mainly in connection with country- or region-specific items and related to the adoption of the agenda (see cases 2, 3 and 4).

### **Case 2**

#### **The situation in the Middle East**

At the 8209<sup>th</sup> meeting held on 19 March 2018,<sup>71</sup> which had been convened to hear a briefing by the High Commissioner for Human Rights in connection with the conflict in the Syrian Arab Republic,<sup>72</sup> Council members expressed differing views about the holding of the meeting as well as objections to the adoption of the agenda leading to a procedural vote in the Council. Prior to the vote on the agenda, the representative of France indicated that his country together with six other Council members had collectively requested the briefing for “functional and substantive reasons”. He argued that human rights were a fundamental aspect of the crisis which the Council had not dealt with since the last such briefing by the then-High Commissioner in 2014, and stressed that there had been other briefings by the High Commissioner for Human Rights on situations on the Council’s agenda, emphasising that Syria should not and could not be an exception.<sup>73</sup> By contrast, the representative of the Russian Federation argued that there was no justification for such a meeting, since human rights was not a subject on the Security Council’s agenda, but rather pertained to the Human Rights Council.<sup>74</sup> He further emphasized that the item on the provisional agenda, namely, “The situation in the Middle East”, was an existing agenda item and that the Russian Federation was not against it per se. Instead, he explained, the Russian Federation was against the holding of the meeting in the proposed format.<sup>75</sup> The representative of China also expressed opposition to holding deliberations in the Council on the question of human

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<sup>71</sup> [S/PV.8209](#).

<sup>72</sup> For more information on this item, see part I, sect. 23.

<sup>73</sup> [S/PV.8209](#), p. 2.

<sup>74</sup> *Ibid.*, p. 2.

<sup>75</sup> *Ibid.*, p. 3

rights in Syria.<sup>76</sup> The provisional agenda for the meeting was put to the vote and failed to be adopted due to the lack of the required number of affirmative votes.<sup>77</sup>

### Case 3

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

At the 8340<sup>th</sup> meeting, held on 5 September 2018 under the item entitled “Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security”, the Council addressed the situation in Nicaragua.<sup>78</sup> At the meeting, Council members held differing views about the holding of the meeting, and on whether the situation in Nicaragua should be on the Council’s agenda.<sup>79</sup> The representative of the United Kingdom expressed gratitude to the United States delegation for putting the matter on the Council’s agenda, emphasizing the need for the Council to be made aware of the concerns of regional organizations.<sup>80</sup> On the other hand, the representative of the Russian Federation stressed that the issue of Nicaragua had no place on the agenda of the Council as the domestic political situation in the country did not pose a threat to international peace and security. He further accused the United States presidency of the Council of using a regional rationale in order to “shovel the Nicaraguan issue onto the Security Council’s agenda”.<sup>81</sup> The representative of the Plurinational State of Bolivia opposed the manipulation of agenda items whose legitimate purpose was to support cooperation mechanisms with regional organizations.<sup>82</sup> Similarly, the representative of the Bolivarian Republic of Venezuela rejected the practice of “exploiting” items on the agenda of the Council to “force” a discussion on domestic matters, underscoring that this practice set a “dangerous precedent” and constituted a “flagrant violation” of the Charter

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<sup>76</sup> Ibid., p. 3.

<sup>77</sup> *In favour*: France, Kuwait, Netherlands, Peru, Poland, Sweden, United Kingdom, United States; *Against*: Bolivia (Plurinational State of), China, Kazakhstan, Russian Federation; *Abstaining*: Côte d’Ivoire, Equatorial Guinea, Ethiopia.

<sup>78</sup> [S/PV.8340](#).

<sup>79</sup> For more information on this item, see part I, sect. 38.

<sup>80</sup> [S/PV.8340](#), p. 8.

<sup>81</sup> Ibid., p. 6.

<sup>82</sup> Ibid., p. 17.

and of the mandate of the Security Council.<sup>83</sup> The representative of Nicaragua argued that there was consensus in the Council that the situation in his country did not represent a threat to international peace and security, and concluded that its inclusion on the Council's agenda was a clear interference in the internal affairs of Nicaragua and a violation of the Charter and international law.<sup>84</sup>

#### **Case 4**

#### **Maintenance of international peace and security**

Following heightened tensions between the Russian Federation and Ukraine in the Sea of Azov, on 26 November 2018, the Council held its 8409<sup>th</sup> meeting under the item entitled "Maintenance of international peace and security" and the sub-item entitled "Violation of the borders of the Russian Federation".<sup>85</sup> Objections to the adoption of the agenda led to a procedural vote in the Council. Prior to the vote on the agenda, the representative of the United States delivered a statement also on behalf of the Netherlands, Poland, Sweden and the United Kingdom to oppose holding a discussion on the serious escalation in the Kerch Strait under an item entitled "Violation of the borders of the Russian Federation", as proposed by the Russian delegation.<sup>86</sup> The representative of the Russian Federation underlined that Ukraine's counter-demand to hold a separate meeting under a different agenda item was merely an attempt to avoid responsibility for undermining international security, and added that the agenda item proposed by Ukraine was inappropriate.<sup>87</sup> The provisional agenda for the meeting was put to the vote and failed to be adopted due to the lack of the required number of affirmative votes.<sup>88</sup> After the vote, the representative of the Russian Federation expressed regret for the result of the vote and emphasized that no one could prevent the Russian Federation, as a permanent member of the Security Council, from raising an issue in the Council under the agenda item it related to. He

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<sup>83</sup> Ibid., p. 22.

<sup>84</sup> Ibid., pp. 19-20.

<sup>85</sup> [S/PV.8409](#). For more information on this item, see part I, sect. 40.

<sup>86</sup> [S/PV.8409](#), p. 2.

<sup>87</sup> Ibid., p. 2.

<sup>88</sup> *In favour*: Bolivia (Plurinational State of), China, Kazakhstan, Russian Federation; *Against* France, Kuwait, Netherlands, Poland, Sweden, United Kingdom, United States; *Abstaining*: Côte d'Ivoire, Equatorial Guinea, Ethiopia, Peru.

further accused the Member States which had voted against the provisional agenda of being more concerned about which agenda item the meeting was held under than about solving the problem. He also announced that he would not make a statement in the meeting convened under the item entitled “Letter dated 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council ([S/2014/136](#))”, as that agenda item was “not appropriate” for that discussion, and indicated that he would instead “confine” himself to his statement during the current meeting in explanation of vote.<sup>89</sup>

### Case 5

#### **Letter dated 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council ([S/2014/136](#))**

Further to the 8409<sup>th</sup> meeting held on 26 November 2018 under the item entitled “Maintenance of international peace and security” and the sub-item entitled “Violation of the borders of the Russian Federation” (see case 4),<sup>90</sup> the Council convened on the same day the 8410<sup>th</sup> meeting under the item entitled “Letter dated 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council ([S/2014/136](#))”.<sup>91</sup> Following the briefing by the Under Secretary-General for Political Affairs, the representative of the United Kingdom referred to the 8409<sup>th</sup> meeting and expressed disappointment at the explanation of vote delivered by the Russian Federation after the procedural vote had been held, which resulted in the agenda for the meeting not being adopted. He stressed that the representative of the Russian Federation did not deliver an explanation of vote, but rather a substantive statement and emphasised that in doing so, the Russian Federation showed “contempt for the Security Council and its members” by not accepting the outcome of a procedural vote by the Council. The representative of the United Kingdom added that while the Russian Federation had regularly discussed Ukraine under a different agenda item, on that occasion the Russian Federation had deliberately chosen a “provocative title” for the meeting.<sup>92</sup>

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<sup>89</sup> [S/PV.8409](#), pp. 2-3.

<sup>90</sup> [S/PV.8409](#). For more information on this item, see part I, sect. 37.

<sup>91</sup> [S/PV.8410](#).

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

Echoing the argument of the United Kingdom, the representative of Poland stressed that at the 8409<sup>th</sup> meeting, following the procedural vote, the Russian Federation delivered a de facto full and substantial statement, running against the practices and procedures of the Security Council.<sup>93</sup> The representative of the Netherlands also expressed support for the procedural point put forward by the representatives of the United Kingdom and Poland.<sup>94</sup> With regard to the agenda for the 8409<sup>th</sup> meeting, the representative of the Russian Federation emphasised that his delegation felt “absolutely justified” to propose to hold a meeting under a “different” agenda item to discuss the situation in and around Ukraine.<sup>95</sup>

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<sup>93</sup> Ibid., p. 5.

<sup>94</sup> Ibid., p. 9.

<sup>95</sup> Ibid., p. 13.

### **III. Representation and credentials**

#### **Note**

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

#### *Rule 13*

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

#### *Rule 14*

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



*Rule 15*

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

*Rule 16*

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

*Rule 17*

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

During the period under review, in accordance with rule 13 of the provisional rules of procedure, the credentials of the representatives of the members of the Security Council were communicated to the Secretary-General. The Secretary-General subsequently submitted his report to the Council pursuant to rule 15. Such reports were transmitted to the Council when there were changes in the representation of members of the Council,<sup>96</sup> as well as when representatives of the newly elected members of the Council were designated prior to the

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<sup>96</sup> See for example, [S/2018/117](#), [S/2018/381](#) and [S/2018/593](#).

beginning of each term.<sup>97</sup> No discussions regarding the interpretation and application of rules 13 to 17 arose during the period under review.

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<sup>97</sup> For the report of the Secretary-General concerning the credentials of the representatives and deputies and alternate representatives of members of the Security Council elected for the period 2018 to 2019, see [S/2017/1107](#).

## **IV. Presidency**

### **Note**

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

### *Rule 18*

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

### *Rule 19*

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

### *Rule 20*

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

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

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

During 2018, there were no instances of the application of rule 20. Kazakhstan, which held the Presidency of the Council for the month of January 2018, held – for the first time in its history – a flag installation ceremony for the newly-elected members of the Council.<sup>98</sup>

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

In accordance with rule 18 of the provisional rules of procedure, the presidency of the Council was held in turn for one calendar month by the members of the Council in the English alphabetical order. In addition to presiding over meetings of the Council, informal consultations of the whole and informal interactive dialogues, the President of the Council continued to perform several functions under the authority of the Council, in accordance with rule 19. These functions included (a) briefing non- members of the Council and the media on the monthly programme of work of the Council at the beginning of the month; (b) representing the Council and delivering statements on its behalf including the presentation of the annual report of the Council to the General Assembly;<sup>99</sup> and (c) delivering statements or elements to the press,

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<sup>98</sup> [S/2018/254](#).

<sup>99</sup> At its 8335<sup>th</sup> meeting, on 30 August 2018 (see [S/PV.8335](#)), the Council adopted its report to the General Assembly ([A/72/2](#)). The report was introduced to the Assembly at the 114th plenary meeting of its seventy-second

following informal consultations of the whole or whenever Council members reached an agreement on a text. The Presidents of the Council continued to maintain the practice of holding monthly meetings with the Secretary-General and the President of the Security Council.<sup>100</sup> Moreover, in October 2018, the President of the Security Council participated in a high-level dialogue between the Presidents of the General Assembly, the Economic and Social Council and the Security Council under the theme “Renewing Commitment to Multilateralism”.<sup>101</sup> Representatives of Council members continued to submit, in their national capacities, monthly assessments providing information on the main aspects of the work of the Council during the month of their respective presidencies, following their completion.<sup>102</sup>

Following previous practice, and in accordance with the note by the President dated 30 August 2017 the introduction to the annual report of the Council to the General Assembly for 2017 was prepared under the coordination of the President of the Council for the month of July 2017 (China),<sup>103</sup> who continued the practice of convening informal meetings with Member States to exchange views on the annual report, a practice initiated in 2008.<sup>104</sup>

In 2018, during their respective presidencies, Council members continued to take the initiative of bringing to the attention of the Council emerging general and cross-border threats to international peace and security, at times adding new sub-items to existing thematic items with a view to informing the deliberations.<sup>105</sup> In several such instances, to frame the discussion, a concept paper prepared by the monthly presidency was circulated prior to the meeting.<sup>106</sup> A

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session on 12 September 2018 by the President of the Council for the month of September (United States). See also part IV, sect. I.F “Annual and special reports of the Security Council to the General Assembly”.

<sup>100</sup> See General Assembly resolution [72/313](#), para. 91.

<sup>101</sup> See Report of the Ad Hoc Working Group on the Revitalization of the Work of the General Assembly, p. 3 ([A/73/956](#)).

<sup>102</sup> See for example, [S/2018/575](#), [S/2018/589](#) and [S/2018/1015](#). A list of the monthly assessments is provided in the annual reports of the Council to the General Assembly.

<sup>103</sup> [S/2017/507](#), annex, para. 127.

<sup>104</sup> For details, see [S/PV.8335](#).

<sup>105</sup> See, for further details on referrals by Member States pursuant to Article 35 of the Charter, sect. I.A of part VI.

<sup>106</sup> See, for example, letter dated 2 April 2018 from the representative of Peru addressed to the Secretary-General ([S/2018/311](#)) forwarding a concept note on the theme “Preventing sexual violence in conflict through empowerment, gender equality and access to justice” prior to the 8234<sup>th</sup> meeting of the Council held on 16 April 2018 (see [S/PV.8234](#)); and letter dated 9 October 2018 from the representative of the Plurinational State of Bolivia addressed to the Secretary-General ([S/2018/901](#)) forwarding a concept note on the theme “Maintenance of international peace and security: root causes of conflict — the role of natural resources” prior to the 8372<sup>nd</sup> meeting of the Council held on 16 October 2018 (see [S/PV.8372](#)).

number of Council members continued also the practice of circulating summaries of the meetings they had organized during their presidencies.<sup>107</sup>

In the note by the President dated 30 August 2017, the incoming presidencies were encouraged to discuss the provisional monthly programme of work with other members of the Council well in advance of their respective presidencies.<sup>108</sup> The note also provided that Council members, during their respective presidencies, should ordinarily plan no more than four days per week of Council business, with Fridays normally being allocated to facilitate the work of the Council's subsidiary bodies.<sup>109</sup> During the period under review, a complaint was raised in a communication to the Council regarding the role of the President. By a letter dated 29 June 2018 from the Chargé d'affaires a.i. of the Permanent Mission of Morocco addressed to the President of the Security Council, the Kingdom of Morocco expressed its "astonishment and surprise" that a new letter from the "polisario" had been circulated among Council members by the presidency. The Kingdom of Morocco stated that communications from non-State actors and armed groups such as the "polisario" should not under any circumstances be circulated, even informally, to the members of the Council through the presidency.<sup>110</sup>

## **B. Discussions concerning the presidency of the Security Council**

In 2018, aspects of the presidency of the Security Council were discussed during Council meetings. At the 8339<sup>th</sup> meeting, held on 4 September 2018, under the item entitled "Implementation of the note by the President of the Security Council ([S/2017/507](#))", the Council discussed the provisional programme of work for the month proposed by the presidency of the United States as illustrated in case 5.<sup>111</sup> At the 8340<sup>th</sup> meeting of the Council, held on 5

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<sup>107</sup> See, for example, letter dated 7 February 2018 from the representative of Kazakhstan summarizing the thematic briefing held on 18 January 2018 on the theme "Non-proliferation of weapons of mass destruction: confidence-building measures" ([S/2018/107](#)), letter dated 11 April 2018 from the representative of Kuwait summarizing the ministerial-level briefing held on 21 February 2018 on the subject of the "Purposes and principles of the Charter of the United Nations in the maintenance of international peace and security" ([S/2018/318](#)) and letter dated 10 July 2018 from the representative of Poland including a summary of the open debate held on 22 May 2018 on the protection of civilians in armed conflict ([S/2018/684](#)).

<sup>108</sup> [S/2017/507](#), annex, para. 2.

<sup>109</sup> *Ibid.*, para. 1.

<sup>110</sup> [S/2018/654](#).

<sup>111</sup> [S/PV.8339](#).

September 2018, the Council addressed the situation in Nicaragua.<sup>112</sup> In the discussion that followed the briefings by the Chief of Staff to the Secretary-General of the Organization of American States and by Mr. Felix Maradiaga, civil society leader and former Secretary-General of the Ministry of Defense of Nicaragua, the representative of the Russian Federation criticised the United States presidency of the Security Council for using a “regional rationale” in order to “shovel” the situation in Nicaragua onto the agenda of the Council.<sup>113</sup> The representative of the Bolivarian Republic of Venezuela rejected “the practice of exploiting items” on the agenda of the Council to “force” a discussion on domestic situations of sovereign countries, and underscored that such practice, set a “dangerous precedent” and attested to the “arbitrary nature” of the United States presidency of the Council.<sup>114</sup> At the 8345<sup>th</sup> meeting of the Council, held on 7 September 2018 under the item entitled “The situation in the Middle East” in connection with the situation in Idlib in the Syrian Arab Republic, while a few Council members thanked the United States presidency of the Council for having convened a meeting on the situation in Idlib,<sup>115</sup> the representative of the Russian Federation stated that the presidency had formulated the topic of the meeting in a “curious way”. Reminding the Council that Idlib was an integral part of the Syrian Arab Republic, he pointed out that the meeting had been convened to consider the situation in the Middle East, with an emphasis on the situation in Idlib, as if Idlib was a “separate State entity”.<sup>116</sup> The representative of the Syrian Arab Republic opined that many Member States were facing an “unprecedented challenge”, namely, that the presidency of the Council was simultaneously playing the role of “adversary and arbiter”. In that regard, he criticised the presidency for “forcing” a discussion on the situation in Idlib, and more broadly for forcing discussions in the Council on a number of other issues that in his view, did not constitute threats to international peace and security. He added that it had become common practice for three Western countries that were also permanent members of the Security Council, to use their presidency of the Council to rally others against his country and Government.<sup>117</sup>

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<sup>112</sup> [S/PV.8340](#). For more information on this item, see part I, sect. 41.

<sup>113</sup> [S/PV.8340](#), p. 6.

<sup>114</sup> *Ibid.*, p. 22.

<sup>115</sup> [S/PV.8345](#), p. 7 (France), p. 10 (Poland), p. 11 (Côte d’Ivoire) and p.13 (the Netherlands).

<sup>116</sup> *Ibid.*, p. 17.

<sup>117</sup> *Ibid.*, p. 22.

## Case 5

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

On 4 September 2018, the Council held its 8339<sup>th</sup> meeting under the item entitled “Implementation of the note by the President of the Security Council ([S/2017/507](#))” to discuss the provisional programme of work for the month proposed by the presidency of the United States.<sup>118</sup> At the outset of the meeting, the representative of the United States explained that the meeting was taking place further to concerns, or issues, raised by some Council members in connection with the provisional programme of work during the monthly breakfast of permanent representatives.<sup>119</sup> The representative of the Plurinational State of Bolivia noted that the provisional programme of work envisioned a meeting on the situation in Nicaragua to be held under the item entitled “Cooperation between the United Nations and regional and subregional organizations in the maintenance of international peace and security”. In this regard, he stressed that the situation in Nicaragua should not be addressed within the Security Council primarily because it did not constitute a threat to international peace and security.<sup>120</sup> The representatives of the Russian Federation, China, Equatorial Guinea and Ethiopia reiterated that the situation in Nicaragua did not pose a threat to international peace and security, opposing any involvement by the Security Council and objecting to the inclusion of the meeting in the programme of work.<sup>121</sup> On a similar note, the representative of Kazakhstan expressed reservations regarding the inclusion of the Nicaraguan issue in the provisional programme of work.<sup>122</sup> The representative of Peru expressed support for the provisional programme of work presented by the presidency and emphasised the importance of many of the planned meetings. He pointed out that if the issue of Nicaragua was presented in the framework of Chapter VIII of the Charter of the United Nations, Article 54 of the Charter provided the basis for the United Nations to be kept informed of the activities of regional organizations concerning the maintenance of international peace and security. In that sense, and based also on the merits of preventive diplomacy, he stated that the

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<sup>118</sup> [S/PV.8339](#).

<sup>119</sup> *Ibid.*, p. 2.

<sup>120</sup> *Ibid.*, p. 2.

<sup>121</sup> *Ibid.*, p. 3 (Russian Federation), p. 3 (China), p. 5 (Equatorial Guinea), and p. 6 (Ethiopia).

<sup>122</sup> *Ibid.*, p. 4.



proposed meeting would be pertinent and that his delegation was ready to support it.<sup>123</sup> The representative of Poland concurred with the representative of Peru and expressed appreciation for the fact that the question of Nicaragua would be discussed under the item entitled “Cooperation between the United Nations and regional and subregional organizations in the maintenance of international peace and security”.<sup>124</sup> A number of speakers expressed support for the proposed programme of work and for holding a discussion on the situation in Nicaragua from a preventive perspective.<sup>125</sup> The representative of the United Kingdom expressed support for the proposed programme of work and for the proposed discussion on the situation in Nicaragua underscoring in particular that pursuant to Article 34 of the Charter, the Security Council may investigate any dispute or situation that might lead to international friction or give rise to a dispute, in order to determine whether the continuation of the dispute or situation is likely to endanger the maintenance of international peace and security.<sup>126</sup> The representative of Kuwait stated that the issue of preventive diplomacy and conflict prevention were a priority and underscored the importance of the regional dimension, and the role played by regional organizations in the context of Nicaragua. Nevertheless he emphasised the importance of unity, stressing that if the Council was to contribute to addressing the situation, it must be united.<sup>127</sup> The representative of the United States recalled that the Council had dealt many times with the African Union on regional issues, and thus there was no reason for it not to deal with the Organization of American States (OAS) on regional issues.<sup>128</sup> After having resumed her functions as president of the Council, the representative of the United States noted that while there was no consensus on the adoption of the provisional programme of work, there was no requirement in the provisional rules of procedure that the programme of work be adopted. She added that the adoption of the programme of work was rather a practice, and not a requirement, and concluded that the Council would proceed in its work without the adoption of the programme of work for the month.<sup>129</sup>

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<sup>123</sup> Ibid., p. 3.

<sup>124</sup> Ibid., p. 4.

<sup>125</sup> Ibid., p.3 (Peru); p. 4 (United Kingdom), p. 4 (France), pp. 4-5 (Netherlands), p. 5 (Côte d’Ivoire).

<sup>126</sup> Ibid., p. 4.

<sup>127</sup> Ibid., pp. 5-6.

<sup>128</sup> Ibid., p. 6.

<sup>129</sup> Ibid., p. 6.

## V. Secretariat

### Note

Section V covers the practice of the Security Council concerning the functions and powers of the Secretary-General in connection with meetings of the Council, in relation to rules 21 to 26 of its provisional rules of procedure.<sup>130</sup>

#### *Rule 21*

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

#### *Rule 22*

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

#### *Rule 23*

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

#### *Rule 24*

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<sup>130</sup> For non-administrative functions that the Secretary-General was requested or authorized to carry out in accordance with Article 98, see part IV.

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

*Rule 25*

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

*Rule 26*

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

During the period under review and in accordance with previous practice, the Secretary-General and senior officials of the Secretariat continued to attend Council meetings and to provide briefings to the Council as requested. The Council continued to request briefings by senior officials from the Secretariat. With respect to the content of those briefings, at a meeting held on 16 October 2018 under the item entitled “Maintenance of international peace and security”, the representative of Sweden noted that it was essential for the regular reporting from the Secretariat to include more integrated analysis of the drivers of conflict and, in that connection, he underscored that gender analysis was key.<sup>131</sup> On a similar note, the representative of France called on the Secretariat to integrate the natural-resources dimension into its reports and to find the expertise required for that through the support of the specialized agencies of the United Nations.<sup>132</sup>

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<sup>131</sup> [S/PV.8372](#), p. 12.

<sup>132</sup> *Ibid.*, p. 16.

A number of aspects concerning briefings and reporting by the Secretariat were discussed under the item entitled “Implementation of the note by the President of the Security Council ([S/2017/507](#))” (see case 6).

## Case 6

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

At its 8175<sup>th</sup> meeting held on 6 February 2018 under the item entitled “Implementation of the note by the President of the Security Council ([S/2017/507](#))”,<sup>133</sup> the Council held an open debate on its working methods organized by Kuwait, which held the presidency of the Council for the month.<sup>134</sup> During the meeting, the Council discussed cooperation and communications between the Council and the Secretariat.

Concerning the cooperation between the two organs, the representative of Peru underscored that it was important that the Council’s working methods ensured timely cooperation with the Secretariat in addressing risks and emerging threats to international peace and security and emphasized that such cooperation was vital in preventing the occurrence, escalation and continuation of conflict. He further encouraged greater interaction between Council members and the Secretariat.<sup>135</sup> Welcoming developments in response to the need for a strategic overview and a prevention-oriented approach within the Council, the representative of Poland expressed the need for the Council to fully utilize the potential of the Secretariat, emphasizing that briefings on situations that might escalate would help the Council effectively discharge its primary responsibility.<sup>136</sup> The representative of the United Kingdom encouraged the Council to continue its efforts to make its meetings more effective and action-oriented, making sure that the briefings from the Secretariat were comprehensive by promoting more interactivity in consultations and seeking outcomes from meetings. He further urged the Council to make the best use of the Secretariat’s insights, including through situational awareness briefings, in order

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<sup>133</sup> [S/PV.8175](#).

<sup>134</sup> A concept note was circulated by a letter dated 24 January 2018 addressed to the Secretary-General ([S/2018/66](#)) and a summary non-paper was circulated by Kuwait after the meeting ([S/2018/399](#)).

<sup>135</sup> [S/PV.8175](#), p. 10.

<sup>136</sup> *Ibid.*, p. 12.

to do more on preventative diplomacy.<sup>137</sup> The representative of Brazil encouraged the Secretariat to make the proper arrangements to allow for Special Representatives of the Secretary-General and Special Envoys to brief country-specific configurations of the Peacebuilding Commission prior to Security Council meetings so that the Commission could fully play its advisory role vis-à-vis the Security Council.<sup>138</sup>

With regard to reports and other communications with the Secretariat, the Executive Director of Security Council Report recalled the note by the President of the Security Council dated 30 August 2017 ([S/2017/507](#)), which sought to encourage information from the Secretariat being presented in the Council in the “most helpful manner” and lamented that during negotiations on the note, Council members did not agree on a reference to situational awareness briefings.<sup>139</sup> The representative of Ethiopia, underlined that the reports of the Secretary-General were particularly useful for elected members, who might not have other means of gathering adequate information; and noted that the challenge was to ensure that those reports were more concise, timely, relevant and to the point. Additionally, he indicated that briefings by Special Representatives of the Secretary-General should also be concise and to the point, highlighting the latest developments and drawing attention to issues that might require a response or action on the part of the Council.<sup>140</sup> The representative of New Zealand stated that in order for the Council to act early and prevent conflict, strengthening its situational awareness was key; and added that where issues were fast-moving, with competing accounts on the ground, the Secretariat could play an important role in providing authoritative information to Council members.<sup>141</sup> The representative of Côte d’Ivoire urged the Secretariat to ensure that all reports and other required working documents be made available as soon as possible and in all working languages of the Organization in order to enable their consideration by the various delegations.<sup>142</sup> The representative of the Bolivarian Republic of Venezuela regretted that in some cases the Secretariat had not submitted the written reports mandated by Security Council resolutions. He emphasised in particular that the written report on the implementation of resolution [2334 \(2016\)](#),

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<sup>137</sup> Ibid., p. 15.

<sup>138</sup> Ibid., p. 25.

<sup>139</sup> Ibid., p. 4.

<sup>140</sup> Ibid., p. 13.

<sup>141</sup> Ibid., p. 45.

<sup>142</sup> Ibid., p. 16.

concerning Israeli settlements in the occupied Palestinian territories, had not been submitted; and indicated that the membership had been limited to listening to oral presentations by the Special Coordinator for the Middle East Peace Process.<sup>143</sup>

Finally, on the engagement with troop- and police-contributing countries (TCCs and / PCCs), the representative of Germany called for more timely, interactive, and action-oriented consultations among the Council, the contributing States and the Secretariat.<sup>144</sup> The representative of Belgium similarly stressed the need to further strengthen tripartite dialogues among TCCs and PCCs, the Security Council and the Secretariat in terms of the preparation of meetings, the degree of interaction among participants and transparency of expected outcomes.<sup>145</sup> The representative of Uruguay also opined that formal and informal consultation meetings between the Council, the Secretariat and TCCs and PCCs could be further enhanced.<sup>146</sup>

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<sup>143</sup> Ibid., p. 56.

<sup>144</sup> Ibid., p. 29.

<sup>145</sup> Ibid., p. 47.

<sup>146</sup> Ibid., p. 60. For further information on the consultation with troop and police contributing countries, see part VII, sect. V. B.

## **VI. Conduct of business**

### **Note**

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

#### *Rule 27*

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

#### *Rule 29*

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

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

#### *Rule 30*

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

#### *Rule 33*

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

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

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

During 2018 no explicit reference was made to rules 27, 29 and 30. During the period under review, the President of the Council routinely requested speakers to limit their statements to four minutes,<sup>147</sup> or to five minutes.<sup>148</sup> Frequently, the President also requested delegations with lengthy statements to circulate their texts in writing and to deliver a condensed version when speaking in the Chamber.<sup>149</sup> At the request of the President, delegations frequently delivered a shortened version of the statement and subsequently circulated the full text in writing, or made it available online.<sup>150</sup> Following an established practice, during the period under review joint statements were delivered by both Council members and other Member States who had been invited to participate in Council meetings.<sup>151</sup>

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<sup>147</sup> See for example: [S/PV.8167](#), p. 29, [S/PV.8316](#), p. 27, [S/PV.8414](#), p. 30.

<sup>148</sup> See for example: [S/PV.8187](#), p. 2, [S/PV.8202](#), pp. 2 and 9, [S/PV.8426](#), pp. 28 and 34.

<sup>149</sup> See for example: [S/PV.8175](#), p. 23, [S/PV.8244](#), p. 28, [S/PV.8407](#), p. 22.

<sup>150</sup> See for example: [S/PV.8167](#), p. 54 (United Arab Emirates), [S/PV.8244](#), p. 33 (European Union), [S/PV.8316](#), p. 28 (Argentina).

<sup>151</sup> For example, at the 8167<sup>th</sup> meeting on 25 January 2018, under the item entitled “The situation in the Middle East including the Palestinian question”, the representative of Turkey delivered a statement on behalf of the States members of the Organization of Islamic Cooperation (OIC) ([S/PV.8167](#), p. 52). At the 8217<sup>th</sup> meeting on 27 March



Regarding the speaking order, according to the note by the President dated 30 August 2017, the speaking order for meetings of the Council is established, as a general practice, by a draw. In addition, the President of the Council delivers his or her national statement last of all Council members.<sup>152</sup> However, in certain cases, the speaking order is established by the use of a sign-up sheet, and the President of the Council may make his or her national statement before the other members take the floor.<sup>153</sup> In certain cases, the President of the Council may adjust the list of speakers and inscribe first the delegation(s) responsible for the drafting process in order to allow it or them to make an introductory or explanatory presentation.<sup>154</sup> When an unscheduled or emergency meeting is convened, the President may adjust the list of speakers so that the delegation having requested the meeting can speak before other Council members in order to present the rationale for convening the meeting.<sup>155</sup> The President of the Council may inscribe first the Chairs of the subsidiary bodies of the Council when they present their work as occurred on several occasions during the period under review.<sup>156</sup> According to established practice, the list of speakers was adjusted according to protocol when high-level officials were representing Council members at a meeting.<sup>157</sup> During 2018, non- members of the Council having a direct

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statement on behalf of Kuwait and Sweden ([S/PV.8217](#), p. 6). At the 8305<sup>th</sup> meeting on 9 July 2018, under the item entitled “Children and armed conflict”, the representative of Canada delivered a joint statement on behalf of the Group of Friends of Children and Armed Conflict ([S/PV.8305](#), p. 38). For more information and examples on statements delivered by Member States on behalf of regional or international organizations, or groups of States, see sect. VII.A below, concerning participation in Security Council meetings.

<sup>152</sup> [S/2017/507](#), annex, paras. 24 and 25.

<sup>153</sup> *Ibid.* For example, at the 8175<sup>th</sup> meeting on 6 February 2018, under the item entitled “Implementation of the note by the President of the Security Council ([S/2017/507](#))”, the representative of Kuwait and President of the Council for the month, took the floor after the briefing by the Executive Director of Security Council Report and delivered a single statement comprising introductory remarks and his national statement before the other members took the floor ([S/PV.8175](#), pp. 4-6).

<sup>154</sup> [S/2017/507](#), annex, para. 26. For example, at the 8277<sup>th</sup> meeting on 6 June 2018, under the item entitled “Maintenance of international peace and security”, the representative of Sweden, who had been the co-penholder of resolution [2419 \(2018\)](#) together with Peru, took the floor prior to the vote and gave introductory remarks ([S/PV.8277](#), pp. 2-3).

<sup>155</sup> [S/2017/507](#), annex, para. 26. For example, at the 8219<sup>th</sup> meeting on 30 March 2018, under the item entitled “The situation in the Middle East, including the Palestinian question”, Kuwait, who had requested an urgent meeting of the Security Council, delivered a statement before other Council members ([S/PV.8219](#), p. 3).

<sup>156</sup> [S/2017/507](#), annex, para. 27. For example, at the 8229<sup>th</sup> meeting on 11 April 2018, under the item entitled “The situation in Mali”, the representative of Sweden spoke before other Council members, and briefed the Council in his capacity as Chair of the Committee established pursuant to resolution [2374 \(2017\)](#), concerning Mali ([S/PV.8229](#), p. 5).

<sup>157</sup> See [S/2017/507](#), annex, paras. 29 to 30. For example, at the 8199<sup>th</sup> meeting on 8 March 2018, under the item entitled “The situation in Afghanistan”, Netherlands (President of the Council) who was represented by its Minister for Foreign Trade and Development Cooperation, and Sweden, who was represented by its Deputy Minister for Foreign Affairs, both took the floor after the briefers but before other Council members ([S/PV.8199](#), pp. 10-13). At

interest in the matter under consideration, spoke before Council members,<sup>158</sup> consistent with prior practice and note by the President dated 30 August 2017.<sup>159</sup>

In the note by the President dated 30 August 2017, the Council expressed its commitment to continue to take steps to improve the focus and interactivity of its open debates.<sup>160</sup> In particular, the note reflects the understanding that open debates could benefit from the contributions of both Council members and the wider membership,<sup>161</sup> and the acknowledgement by Council members of the usefulness of concept notes to help focus the discussion.<sup>162</sup> During the period under review, Council members continued the practice of circulating concept notes prior to open debates; the concept notes were frequently annexed to letters addressed to the Secretary-General or the President of the Security Council.<sup>163</sup>

The Council continued to use videoconferencing at its meetings, a practice that has become common since its introduction in 2009,<sup>164</sup> resulting in an average of more than 55 briefings via videoconferencing per year. In 2018, the Council was briefed via videoconferencing 91 times, from different locations, including Bangui, Jerusalem, Kinshasa and Tripoli.<sup>165</sup>

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the 8264<sup>th</sup> meeting on 22 May 2018, under the item entitled “Protection of civilians in armed conflict”, Poland, (President of the Council) who was represented by its Minister for Foreign Affairs, and Kazakhstan, who was represented by its Deputy Minister for Foreign Affairs, both took the floor after the briefers but before other Council members ([S/PV.8264](#), pp. 7-11). For more information on high-level meetings, see section I.

<sup>158</sup> For example, at the 8167<sup>th</sup> meeting on 25 January, under the item entitled “The situation in the Middle East, including the Palestinian question”, the representative of Israel, who was invited under rule 37 of the provisional rules of procedure, and the Permanent Observer of the Observer State of Palestine, who was invited in accordance with the provisional rules of procedure and the previous practice, both took the floor before Council members, as per established practice in connection with this item ([S/PV.8167](#), pp. 5-11). Similarly, at the 8354<sup>th</sup> meeting on 17 September 2018, under the item entitled “The situation in Afghanistan”, the representative of Afghanistan spoke before Council members, as per established practice in connection with this item ([S/PV.8354](#), pp. 5-7). For more information concerning participation in Security Council meetings, see sect. VII.A.

<sup>159</sup> [S/2017/507](#), annex, para. 33.

<sup>160</sup> *Ibid.*, para. 43.

<sup>161</sup> *Ibid.*, para. 38.

<sup>162</sup> *Ibid.*, para. 40.

<sup>163</sup> See for example the letter dated 2 April 2018 from the Permanent Representative of Peru addressed to the Secretary-General ([S/2018/311](#)) forwarding a concept note on the theme “Preventing sexual violence in conflict through empowerment, gender equality and access to justice” prior to the 8234<sup>th</sup> meeting of the Council on 16 April 2018 ([S/PV.8234](#)); and the letter dated 9 October 2018 from the Permanent Representative of the Plurinational State of Bolivia addressed to the Secretary-General ([S/2018/901](#)) forwarding a concept note on the theme “Maintenance of international peace and security: root causes of conflict — the role of natural resources” prior to the 8372<sup>nd</sup> meeting of the Council on 16 October 2018 ([S/PV.8372](#)).

<sup>164</sup> [S/2017/507](#), annex, para. 60.

<sup>165</sup> For information on participation in Council meetings via videoconferencing, see also section VII.B.



## VII. Participation

### Note

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

#### *Article 31*

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

#### *Article 32*

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

#### *Rule 37*

*Any Member of the United Nations which is not a member of the Security Council may be invited, as the result of a decision of the*

*Security Council, to participate, without vote, in the discussion of any question brought before the Security Council when the Security Council considers that the interests of that Member are specially affected, or when a Member brings a matter to the attention of the Security Council in accordance with Article 35 (1) of the Charter.*

*Rule 39*

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

During the period under review, the Council continued to invite non-members to participate in its meetings. The invitations were extended by the President at the beginning or during Council meetings either under the “relevant provisions” of the Charter without an explicit reference to a specific Article or rule, or under rule 37 or rule 39 of the provisional rules of procedure of the Council. Specifically, Member States continued to be invited under rule 37, while representatives of the Secretariat, other United Nations organs, specialized agencies, funds and programmes, regional and other intergovernmental organizations, or other invitees, including representatives of non-governmental organizations, were invited under rule 39. While Member States requested invitations in letters addressed to the President of the Council, in most cases these were not circulated as documents of the Council.<sup>166</sup>

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<sup>166</sup> See letter dated 14 December 2018 from the representative of Serbia to the President of the Security Council ([S/2018/1111](#)) in which the Government of Serbia requested an urgent meeting of the Security Council to consider the decision of the Provisional Institutions of Self-Government in Priština to transform the Kosovo Security Force into armed forces.

During the period under review, in accordance with the note by the President dated 30 August 2017, the Council invited newly elected members to observe all meetings of the Council from 1 October, for the three months immediately preceding their term of membership.<sup>167</sup>

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

#### **A. Invitations extended under rule 37**

In accordance with the relevant Articles of the Charter and the provisional rules of procedure, all States, whether Members of the United Nations or not, can be invited to participate in Council meetings when: (a) the interests of a Member State are “specially affected” (Article 31 of the Charter and rule 37); (b) a Member State or a non-Member State is a party to a dispute under consideration by the Council (Article 32 of the Charter); and (c) a Member State of the United Nations brings a matter to the attention of the Council in accordance with Article 35 (1) of the Charter (rule 37).<sup>168</sup>

During the period under review, there were no changes to the procedure for extending invitations to Member States to participate in the proceedings of the Council. Member States invited under rule 37, in accordance with previous practice, continued to speak occasionally in other capacities, for example on behalf of international or regional organizations, or groups of States, by delivering joint statements.<sup>169</sup> There was, further, no instance in 2018 of a request from a Member State to participate in a Council meeting being put to a vote at a public meeting. In a letter dated 1 June 2018 addressed to the President of the Security Council, the representative of Turkey considered “deeply regrettable” that his delegation’s request to be included on the list of speakers at the 8274<sup>th</sup> meeting held on 1 June 2018 under the item entitled

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<sup>167</sup> [S/2017/507](#), annex, paras. 140 to 141.

<sup>168</sup> For more details on referral of a dispute or situation to the Council by States, see sect. I. A.

<sup>169</sup> For example, at the 8175<sup>th</sup> meeting on 6 February 2018, the representative of Switzerland spoke on behalf of the Accountability, Coherence and Transparency group ([S/PV.8175](#), pp. 28-29). At the 8244<sup>th</sup> meeting on 26 April 2018, the representative of Tunisia spoke on behalf of the Group of Arab States ([S/PV.8244](#), pp. 32-33) and the representative of Venezuela (Bolivarian Republic of) spoke on behalf of the Non-Aligned Movement ([S/PV.8244](#), pp. 40-42). At the 8307<sup>th</sup> meeting, on 11 July 2018, the President of the Republic of Nauru spoke on behalf of the 12 Pacific Small Island Developing States ([S/PV.8307](#), pp. 25-26).

“The situation in the Middle East, including the Palestinian question”,<sup>170</sup> in accordance with rule 37 of the provisional rules of procedure, was not accommodated owing to the objection of one permanent member of the Council.<sup>171</sup>

## **B. Invitations extended under rule 39**

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

Following previous practice, an invitation under rule 39 was extended to representatives of a Member State, on an exceptional basis, only if his or her participation was in a role other than that of representative of a State, for example, as Chair of the Peacebuilding Commission (PBC)<sup>172</sup> or one of its country-specific configurations.<sup>173</sup>

In 2018, a total of 350 invitations were extended under rule 39 (see figure V).

### **Figure V: Invitations under rule 39, 2009-2018**

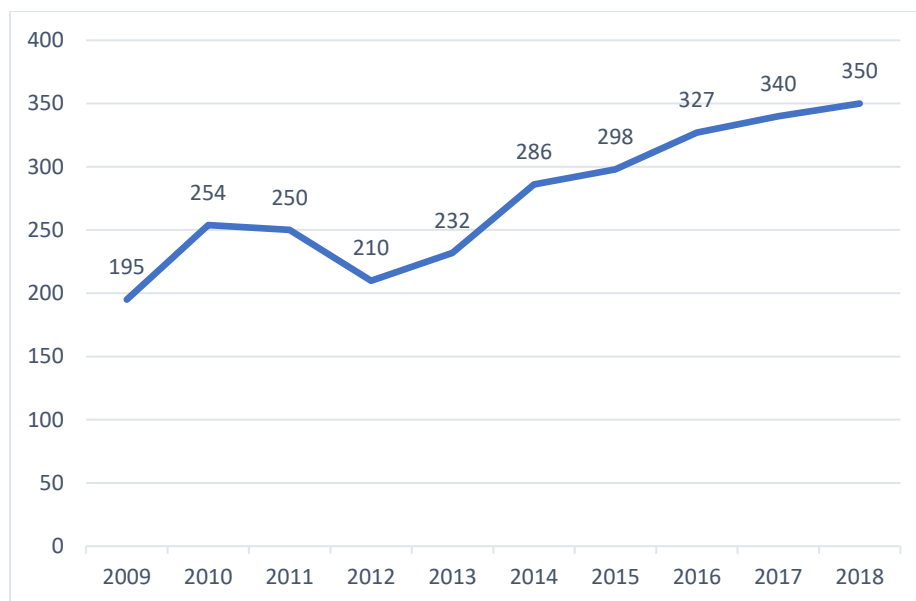
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<sup>170</sup> [S/PV.8274](#).

<sup>171</sup> [S/2018/529](#).

<sup>172</sup> For example, at the 8301<sup>st</sup> meeting on 29 June 2018, the representatives of the Republic of Korea and Romania were invited under rule 39 as former and current Chair of the Peacebuilding Commission, respectively ([S/PV.8301](#), p. 2).

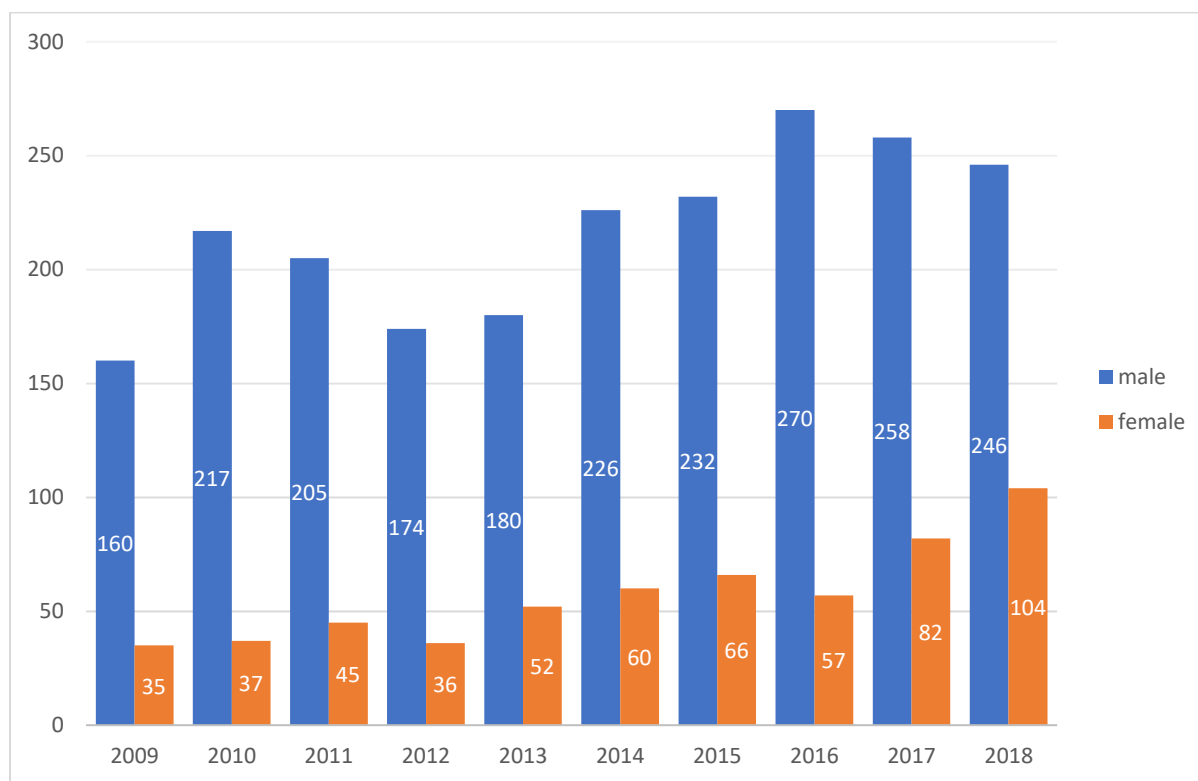
<sup>173</sup> For example, at the 8187<sup>th</sup> meeting on 22 February, the representative of Morocco was invited under rule 39 in his capacity as Chair of the Central African Republic configuration of the Peacebuilding Commission ([S/PV.8187](#), p. 2); at the 8337<sup>th</sup> meeting on 30 August 2018, the representative of Brazil was invited under rule 39 in his capacity as Chair of the Guinea-Bissau configuration of the Peacebuilding Commission ([S/PV.8337](#), p. 2); at the 8408<sup>th</sup> meeting on 21 November 2018, the representative of Switzerland was invited under rule 39 in his capacity as Chair of the Burundi configuration of the Peacebuilding Commission ([S/PV.8408](#), p. 2).



Of the 350 invitees under rule 39, 246 were men and 104 were women. As shown in figure VI, in recent years prior to 2018, the number of male speakers invited to Council meetings under rule 39 has been 3 to 4 times higher than the number of female speakers invited under rule 39. This notwithstanding, the percentage of women invited under rule 39 increased during the period under review, from 24.1 per cent in 2017 to 29.7 per cent in 2018.



**Figure VI: Invitations under rule 39, 2009-2018**



For the purposes of this part of the *Repertoire*, invitations extended under rule 39 are classified according to four main categories, namely:<sup>174</sup> (a) officials of the United Nations system;<sup>175</sup> (b) invitees from international organizations other than the United Nations;<sup>176</sup> (c) officials representing regional intergovernmental organizations;<sup>177</sup> and (d) representatives of other entities such as non-governmental organizations.<sup>178</sup> During the period under review, invitations under rule 39 were most often extended to officials of the United Nations system;

<sup>174</sup> Previous Supplements used two different categories for invitees of the Secretariat and Security Council subsidiary bodies, and the United Nations organs, subsidiary bodies or agencies. For the sake of simplicity, these two categories have now been subsumed under the category United Nations system. The category “UN system” also includes officials of the African Union-United Nations Hybrid Operation in Darfur (UNAMID).

<sup>175</sup> For example, at the 8163<sup>rd</sup> meeting on 23 January 2018, the Under-Secretary-General for Peacekeeping Operations was invited under rule 39 (see [S/PV.8163](#)).

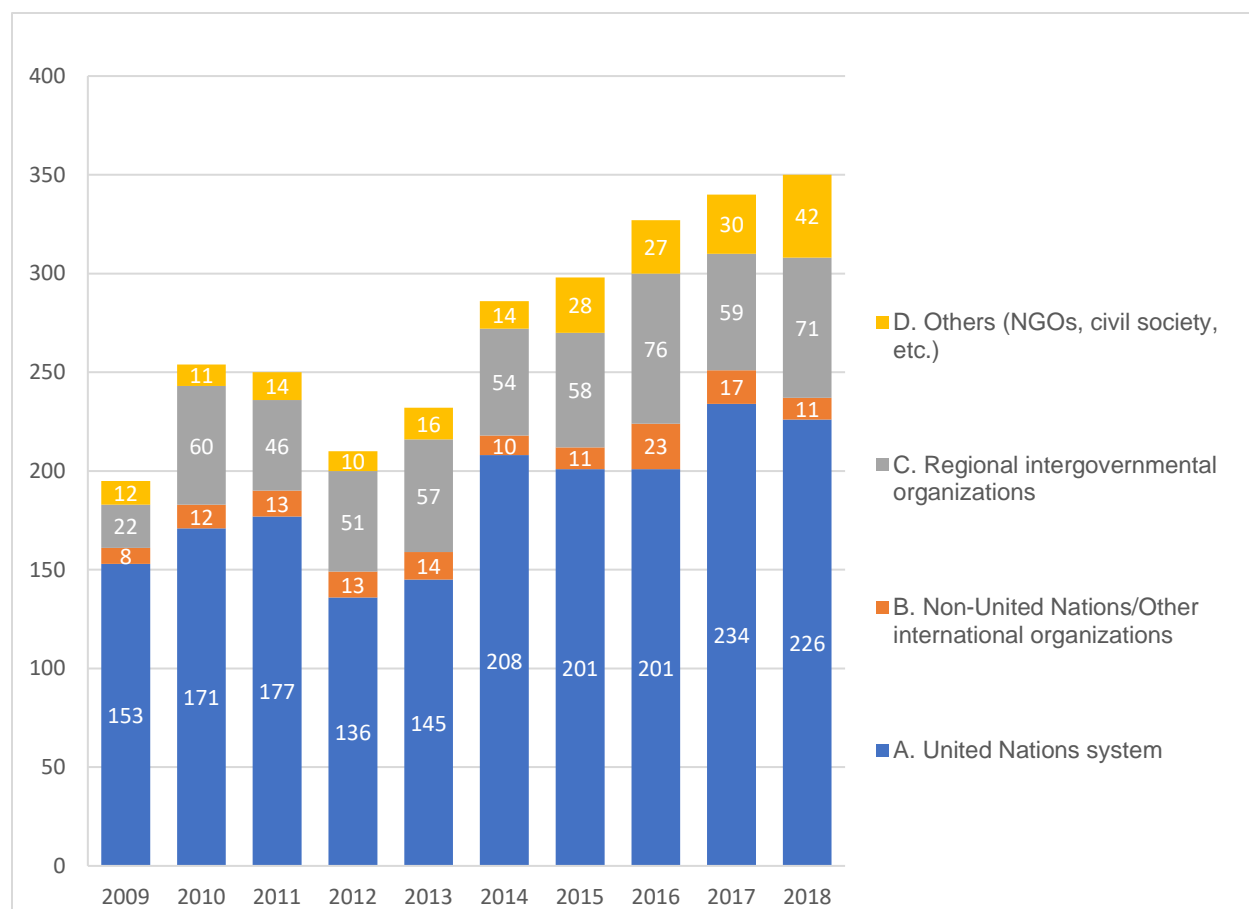
<sup>176</sup> For example, at the 8435<sup>th</sup> meeting on 20 December 2018, the Vice-President of the World Bank for Africa was invited under rule 39 (see [S/PV.8435](#)).

<sup>177</sup> For example, at the 8264<sup>th</sup> meeting on 22 May 2018, the Permanent Observer of the African Union to the United Nations was invited under rule 39 (see [S/PV.8264](#)).

<sup>178</sup> For example, at the 8382<sup>nd</sup> meeting on 25 October 2018, the General Director of the Women’s Centre for Legal Aid and Counselling was invited under rule 39 (see [S/PV.8382](#)).

representatives of other entities, such as non-governmental organizations, were invited less frequently, as shown in figure VII.

**Figure VII: Breakdown of rule 39 invitations by category, 2009-2018**



In one instance, at the 8386<sup>th</sup> meeting held on 30 October 2018 under the items entitled “Letter dated 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council ([S/2014/136](#))” and “Letter dated 13 April 2014 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council ([S/2014/264](#))”, in connection with the

developments in eastern Ukraine, objections to a request to extend an invitation under rule 39 of the provisional rules of procedure led to a procedural vote (see case 10).<sup>179</sup>

### *Videoconferencing*

The Council continued the practice of inviting speakers who participated in the meetings via videoconferencing, a practice that has become increasingly common since its introduction in 2009.<sup>180</sup> In the note by the President dated 30 August 2017, Council members reiterated their intention to resort more often to the use of video teleconferencing for briefing the Council, where appropriate, while preserving a balanced approach between video teleconferencing and briefings in person, including during open meetings.<sup>181</sup>

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

During the period under review, the Council extended several invitations not expressly under rule 37 or rule 39 (see table 9).

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

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<sup>179</sup> [S/PV.8386](#).

<sup>180</sup> For example, at the 8212<sup>th</sup> meeting on 22 March 2018, the Deputy Secretary-General briefed the Council via videoconference from Monrovia (see [S/PV.8212](#), p. 2). For more information on videoconferencing, see section VI above. .

<sup>181</sup> [S/2017/507](#), annex, para. 60.

Table 9

**Invitations not expressly extended under rule 37 or rule 39 in 2018**

<i>Invitee</i>	<i>Meeting record and date</i>	<i>Agenda item</i>
Palestine	<a href="#">S/PV.8305</a> , 9 July 2018	Children and armed conflict
	<a href="#">S/PV.8262</a> , 17 May 2018; <a href="#">S/PV.8293</a> , 25 June 2018	Maintenance of international peace and security
	<a href="#">S/PV.8264</a> , 22 May 2018	Protection of civilians in armed conflict
	<a href="#">S/PV.8167</a> , 25 January 2018; <a href="#">S/PV.8219</a> , 30 March 2018; <a href="#">S/PV.8256</a> , 15 May 2018; <a href="#">S/PV.8274</a> , 1 June 2018; <a href="#">S/PV.8316</a> , 24 July 2018; <a href="#">S/PV.8375</a> , 18 October 2018	The situation in the Middle East, including the Palestinian question
	<a href="#">S/PV.8272</a> , 30 May 2018	Threats to international peace and security
Holy See	<a href="#">S/PV.8305</a> , 9 July 2018	Children and armed conflict
	<a href="#">S/PV.8262</a> , 17 May 2018; <a href="#">S/PV.8293</a> , 25 June 2018; <a href="#">S/PV.8334</a> , 29 August 2018	Maintenance of international peace and security
	<a href="#">S/PV.8407</a> , 20 November 2018	Peace and security in Africa
	<a href="#">S/PV.8264</a> , 22 May 2018	Protection of civilians in armed conflict
	<a href="#">S/PV.8167</a> , 25 January 2018; <a href="#">S/PV.8375</a> , 18 October 2018	The situation in the Middle East, including the Palestinian question
	<a href="#">S/PV.8218</a> , 28 March 2018	United Nations peacekeeping operations
	<a href="#">S/PV.8234</a> , 16 April 2018; <a href="#">S/PV.8382</a> , 25 October 2018	Women and peace and security

**D. Discussions relating to participation**

During the period under review, when non-members of the Council were invited to participate in a meeting, Council members generally spoke before Member States invited under rule 37 of the provisional rules of procedure and before those not expressly invited under any rule, except on some occasions when parties directly involved in the matter under consideration took the floor before Council members.<sup>182</sup> The practice of the Council with regard to invitees

<sup>182</sup> For example, , following established practice in connection with the item entitled “The situation in Afghanistan”, the representative of Afghanistan spoke after the briefers , but before Council members (see [S/PV.8199](#), [S/PV.8294](#), [S/PV.8354](#) and [S/PV.8426](#)). Similarly, following established practice in connection with the quarterly open debates under the item entitled “The situation in the Middle East, including the Palestinian question”, the representatives of Palestine (invited under no rule) and Israel (invited under rule 37) spoke after the briefers and before all Council members (see [S/PV.8167](#), [S/PV.8244](#), [S/PV.8316](#) and [S/PV.8375](#)). For more information on the order of speaking see sect. VI above.

under rule 39 was less consistent and dependent on whether or not they participated in the meeting as briefers.

In 2018, issues concerning participation in Council meetings were raised in a number of occasions. At the 8175<sup>th</sup> meeting held on 6 February 2018, on the Council's working methods, the representative of the United States suggested inviting more frequently humanitarian and human rights organizations to speak under rule 39 of the provisional rules of procedure, and asking them to provide more input into briefings and reports.<sup>183</sup> At the 8234<sup>th</sup> meeting held on 16 April 2018 on women and peace and security, the Special Representative of the Secretary-General on Sexual Violence in Conflict acknowledged the participation of Ms. Razia Sultana, on behalf of the NGO Working Group on Women, Peace and Security, emphasising that she was the first Rohingya woman, born in northern Rakhine state, Myanmar, to brief the Council on the plight of her people. The Special Representative further underscored that her perspective was particularly valuable on the eve of the Council's first visit to Myanmar and Bangladesh.<sup>184</sup> At the 8375<sup>th</sup> meeting held on 18 October 2018 on the Palestinian question, the representative of Israel criticized the Bolivian presidency for having invited the Executive Director of B'Tselem to participate in the meeting, and argued that B'Tselem had been invited to "defame" Israel's "strong democracy".<sup>185</sup> Further examples are illustrated in cases 7 and 8.

## **Case 7**

### **The situation in the Middle East, including the Palestinian question**

At its 8219<sup>th</sup> meeting, held on 30 March 2019, under the item entitled "The situation in the Middle East, including the Palestinian question", the Council met in an emergency meeting requested by Kuwait to discuss the developments that followed the March of Return near the Gaza fence.<sup>186</sup> During his intervention, the representative of the United States noted that the representative of Israel was unable to attend the meeting because it was taking place during the celebration of Passover, and underlined that it was extremely unfortunate that Israel was not able

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<sup>183</sup> [S/PV.8175](#), p. 7.

<sup>184</sup> [S/PV.8234](#), p. 3.

<sup>185</sup> [S/PV.8375](#), p. 11.

<sup>186</sup> [S/PV.8219](#).

to participate in the discussion. He further underscored that it was “vital” for the Council to take a “balanced approach” to all matters that came before it, and opined that the Council should have found an arrangement to enable all the parties to participate.<sup>187</sup> On a similar note, the representatives of the United Kingdom, Poland and the Netherlands expressed regret that the representative of Israel was unable to participate in the meeting owing to the start of Passover.<sup>188</sup>

### Case 8

**Letter dated 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council ([S/2014/136](#))**

**Letter dated 13 April 2014 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council ([S/2014/264](#))**

At the 8386<sup>th</sup> meeting, held on 30 October 2018, the Council met to discuss the announcement of leadership elections in Donetsk and Luhansk. After the president of the Council announced the request by the Russian Federation to invite Ms. Elena Kravchenko to participate in the meeting under rule 39 of the Council’s provisional rules of procedure,<sup>189</sup> the representative of Sweden took the floor to object to the request, noting that the “so-called elections” in what were “misleadingly referred to as the Donetsk and Luhansk People’s Republics,” in eastern Ukraine, scheduled for 11 November 2018, were an infringement on the sovereignty and territorial integrity of Ukraine, and in breach of the letter and the spirit of the Minsk agreements. He further stressed that the suggested briefer did not represent the legal authorities or civil society of Ukraine and underlined that allowing a representative of an “illegal separatist entity” to participate in a Council meeting would set a dangerous precedent. He concluded that the briefer proposed by the Russian Federation was not “competent” to the purpose at hand, as stipulated in rule 39 of the Council’s provisional rules of procedure, and indicated that if the matter was put to a procedural vote, France, the Netherlands, Poland, Sweden, the United Kingdom and the United States would oppose the invitation.<sup>190</sup> The

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<sup>187</sup> Ibid., p. 4.

<sup>188</sup> Ibid., p. 5 (United Kingdom), p. 9 (Poland) and p. 9 (Netherlands).

<sup>189</sup> [S/PV.8386](#), p. 2.

<sup>190</sup> Ibid., p. 2.

representative of the Russian Federation responded that while it was the delegations of France, the Netherlands, Poland, Sweden, the United Kingdom and the United States who proposed to discuss the elections in eastern Ukraine, those delegations did not invite representatives of the area concerned to participate in the meeting. He emphasised that for reasons of transparency, the Russian Federation had insisted on a public meeting and had requested the participation of the “heads of the central electoral commissions of the Donetsk and Luhansk People’s Republics”. In closing, he expressed hope that Council members would be interested in “receiving complete information on the true state of affairs in Ukraine” and called on them “not to submit” to pressure or “to obstruct a briefing to the Council by the representative of the Donetsk and Luhansk People’s Republics and parties to the Minsk agreements”.<sup>191</sup> The president put to a vote the proposal to extend an invitation under rule 39 of the Council’s provisional rules of procedure to Ms. Elena Kravchenko and the proposal was not adopted having failed to obtain the required number of votes.<sup>192</sup>

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<sup>191</sup> Ibid., pp. 2-3.

<sup>192</sup> Ibid., p. 3.

## **VIII. Decision-making and voting**

### **Note**

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

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

### *Article 27*

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

### *Rule 31*

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



*Rule 32*

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

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

*Rule 34*

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

*Rule 35*

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

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

*Rule 36*

*If two or more amendments to a motion or draft resolution are*

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

*Rule 38*

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

*Rule 40*

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

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

During 2018, rule 31 of the provisional rules of procedure was routinely applied in Security Council meetings. There were also no instances of departure from the Council's standard practice of adopting a single decision at a meeting. In addition, there were no instances

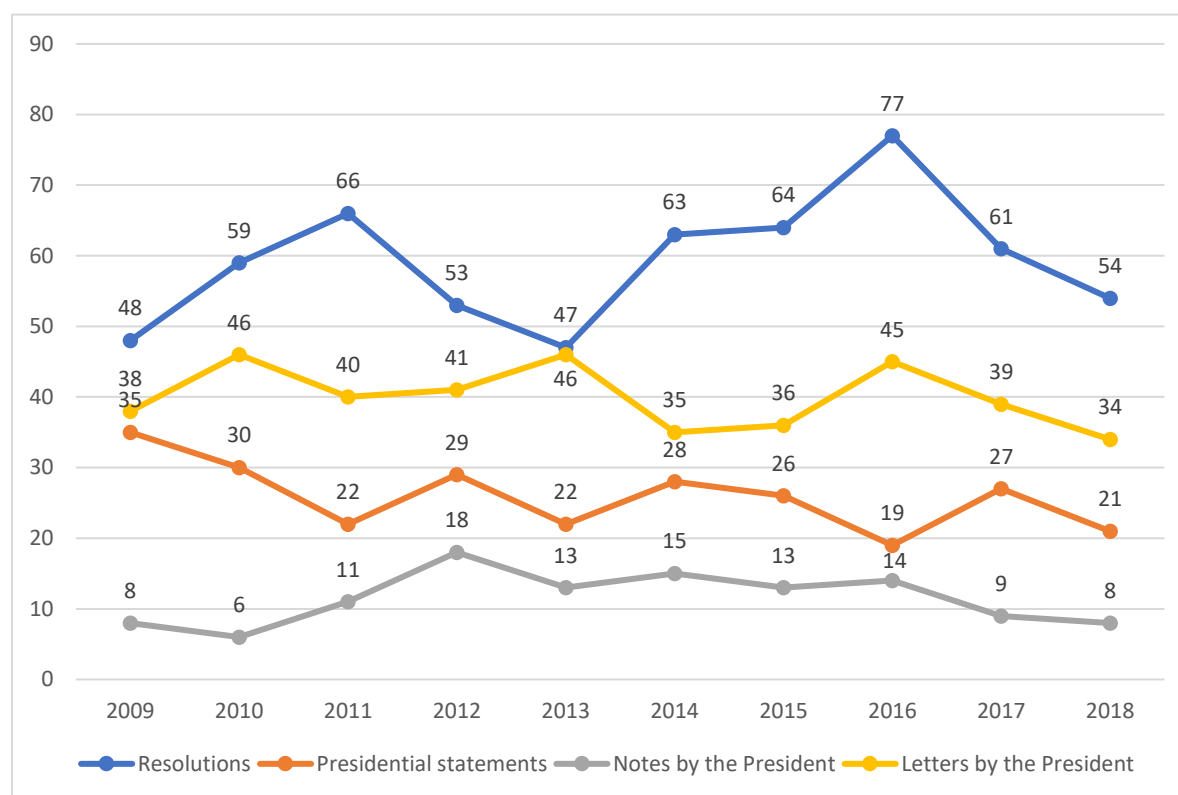
of motions or amendments requiring voting, withdrawal of draft resolutions, or requests for separate voting on parts of a draft resolution; consequently, there were no occasions on which rules 34 to 36 were invoked. During the period under review, there were multiple instances of competing draft resolutions put to a vote in connection with the items entitled “The situation in the Middle East” and “The situation in the Middle East, including the Palestinian question”, as detailed below.

## **A. Decisions of the Council**

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

In 2018, the Council adopted a total of 54 resolutions and issued 21 presidential statements. The Council also issued eight notes by the President, and 34 letters by the President. Figure VIII shows the total number of resolutions adopted and statements by the President, notes and letters from the President issued during the past decade (2009 to 2018).

**Figure VIII: Resolutions adopted and presidential statements, notes and letters by the President issued, 2009-2018**



### *Competing draft resolutions*

In three instances during the period under review, more than one draft resolution was put to a vote. This notwithstanding, no discussion took place regarding the application of rule 32 of the provisional rules of procedure. At the 8190<sup>th</sup> meeting, held on 26 February 2018 under the item entitled “The situation in the Middle East”, the Council adopted resolution [2402 \(2018\)](#), whereas draft resolution [S/2018/156](#) was not adopted owing to the negative vote of a permanent member of the Council.<sup>193</sup> At the 8228<sup>th</sup> meeting, held on 10 April 2018, also under the item entitled “The situation in the Middle East”, the Council failed to adopt draft resolution [S/2018/321](#) owing to the negative vote of a permanent member of the Council, and did not adopt draft resolutions [S/2018/175](#) and [S/2018/322](#) due to the failure to obtain the required number of

<sup>193</sup> [S/PV.8190](#), p. 4.

votes.<sup>194</sup> At the 8274<sup>th</sup> meeting, held on 1 June 2018 under the item entitled “The situation in the Middle East, including the Palestinian question”, the Council failed to adopt draft resolution [S/2018/516](#) owing to the negative vote of a permanent member of the Council, and did not adopt draft resolution [S/2018/520](#) due to the failure to obtain the required number of votes.<sup>195</sup>

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

A draft resolution may be submitted by any member of the Council. The note by the President dated 30 August 2017 stipulates that the members of the Security Council support, where appropriate, the informal arrangement whereby one or more Council members (as “penholder(s)”) initiate and chair the informal drafting process.<sup>196</sup> According to the note, any member of the Security Council may be a penholder and more than one Council member may act as co-penholders, when it is deemed to add value, taking into account as appropriate the expertise and/or contributions of Council members on the subjects.<sup>197</sup> The note reaffirms that all members of the Security Council should be allowed to participate fully in the preparation of, inter alia, the resolutions, presidential statements and press statements of the Council and that the drafting of all documents such as resolutions and presidential statements as well as press statements should be carried out in an inclusive manner that will allow participation of all members of the Council.<sup>198</sup> The members of the Security Council also encourage the penholder or co-penholders, depending on the subject as well as the urgency of the situation on the ground, to provide a reasonably sufficient time for consideration by all Council members when draft resolutions, presidential statements and press statements of the Council are placed under a silence procedure.<sup>199</sup>

According to rule 38 of the provisional rules of procedure, any Member of the United Nations, invited in accordance with rule 37 or in application of Article 32 of the Charter to participate in the discussions of the Council, may also submit a proposal, but a proposal may be

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<sup>194</sup> [S/PV.8228](#), pp. 5, 8-9 and 14.

<sup>195</sup> [S/PV.8274](#), pp. 3-4 and 8.

<sup>196</sup> [S/2017/507](#), annex, para. 78.

<sup>197</sup> Ibid., para. 79.

<sup>198</sup> Ibid., para. 80.

<sup>199</sup> Ibid., para. 82.

put to a vote only at the request of a Council member. Those Member States that submit a draft resolution become sponsors of the draft resolution. A draft resolution is described as a presidential text if all the Council members agree to be co-sponsors.

Out of a total of 54 resolutions adopted by the Council in 2018, one was a presidential text, namely resolution [2439 \(2018\)](#) relating to the Ebola outbreak in the Democratic Republic of the Congo.<sup>200</sup>

During the period under review, the Council considered a total of 61 draft resolutions, four of which were sponsored by non-Council members as shown in table 10.

Table 10  
**Draft resolutions sponsored by non-members of the Council in 2018**

<i>Draft resolution</i>	<i>Agenda item</i>	<i>Meeting record and date</i>	<i>Resolution</i>	<i>Council member sponsors</i>	<i>Non-Council member co-sponsors</i>
<a href="#">S/2018/321</a>	The situation in the Middle East	<a href="#">S/PV.8228</a> , 10 April 2018	Not adopted owing to negative vote of a permanent member	Seven Council members: France, Netherlands, Peru, Poland, Sweden, United Kingdom, United States	19 Member States <sup>a</sup>
<a href="#">S/2018/532</a>	Maintenance of international peace and security	<a href="#">S/PV.8277</a> , 6 June 2018	Resolution <a href="#">2419 (2018)</a>	Nine Council members: Bolivia (Plurinational State of), France, Kazakhstan, Netherlands, Peru, Poland, Sweden, United Kingdom, United States	69 Member States <sup>b</sup>
<a href="#">S/2018/667</a>	Children and armed conflict	<a href="#">S/PV.8305</a> , 9 July 2018	Resolution <a href="#">2427 (2018)</a>	12 Council members <sup>c</sup>	86 Member States <sup>d</sup>
<a href="#">S/2018/887</a>	Maintenance of international peace and security	<a href="#">S/PV.8365</a> , 3 October 2018	Resolution <a href="#">2437 (2018)</a>	Four Council members: Netherlands, Poland, Sweden, United Kingdom	15 Member States <sup>e</sup>

<sup>a</sup> Albania, Australia, Bulgaria, Canada, Denmark, Estonia, Finland, Germany, Italy, Latvia, Lithuania, Montenegro, Norway, Qatar, Republic of Moldova, Slovenia, The former Yugoslav Republic of Macedonia, Turkey, Ukraine.

<sup>b</sup> Albania, Andorra, Argentina, Australia, Austria, Belgium, Bulgaria, Burkina Faso, Canada, Central African Republic, Chile, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Djibouti, Dominican Republic, Egypt, Estonia, Finland, Gambia, Georgia,

<sup>200</sup> For more information on the past practice concerning presidential texts, see also *Repertoire, Supplement 2016–2017*, part II, sect. VIII. B.

Germany, Greece, Guatemala, Guinea, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Latvia, Lebanon, Liberia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Malta, Monaco, Montenegro, Morocco, Namibia, New Zealand, Nigeria, Norway, Papua New Guinea, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, San Marino, Senegal, Slovakia, Slovenia, South Africa, Spain, Switzerland, the former Yugoslav Republic of Macedonia, Tunisia, Ukraine, United Arab Emirates, Uruguay.

<sup>c</sup> Bolivia (Plurinational State of), Côte d'Ivoire, Equatorial Guinea, Ethiopia, France, Kazakhstan, Kuwait, Peru, Poland, Sweden, United Kingdom, United States.

<sup>d</sup> Afghanistan, Albania, Algeria, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Belize, Benin, Bulgaria, Canada, Central African Republic, Chile, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Estonia, Fiji, Finland, Gabon, Georgia, Germany, Greece, Grenada, Guatemala, Guyana, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Latvia, Lebanon, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mexico, Monaco, Montenegro, Morocco, Mozambique, Namibia, Niger, Nigeria, Norway, Oman, Palau, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia, Slovakia, Slovenia, Somalia, South Africa, Spain, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tunisia, Turkey, Ukraine, Uruguay, Venezuela (Bolivarian Republic of), Zimbabwe.

<sup>e</sup> Belgium, Croatia, Cyprus, Czechia, Estonia, Germany, Greece, Hungary, Ireland, Italy, Japan, Malta, Slovakia, Slovenia, Spain.

### **C. Decision-making by voting**

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

were voted upon, the vote was considered procedural. During 2018, the Council voted on procedural matters on four occasions (see table 11).

Table 11  
**Cases in which the vote indicated the procedural character of the matter, 2018**

<i>Item</i>	<i>Meeting record and date</i>	<i>Subject of proposal</i>	<i>Vote (for-against-abstaining)</i>	<i>Permanent members casting negative vote</i>
The situation in the Middle East	<a href="#">S/PV.8209</a> , 19 March 2018	Adoption of the agenda <sup>a</sup>	8-4-3	China, Russian Federation
The situation in the Myanmar	<a href="#">S/PV.8381</a> , 24 October 2018	Adoption of the agenda	9-3-3	China, Russian Federation
Letter dated 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council ( <a href="#">S/2014/136</a> )	<a href="#">S/PV.8386</a> , 30 October 2018	Invitation under rule 39 <sup>b</sup>	1-7-7	France, United Kingdom, United States
Maintenance of international peace and security	<a href="#">S/PV.8409</a> , 26 November 2018	Adoption of the agenda	4-7-4	France, United Kingdom, United States

<sup>a</sup> For more information on the adoption of the agenda, see section II above.

<sup>b</sup> For more information on participation, see section VII above.

### *Adoption of resolutions*

During the period under review, the majority of resolutions adopted by the Council (45 out of 54) were adopted unanimously. Nine resolutions were adopted without a unanimous vote (see table 12).

Table 12  
**Resolutions adopted without a unanimous vote, 2018**

<i>Resolution</i>	<i>Item</i>	<i>Meeting record and date</i>	<i>Votes in favour</i>	<i>Votes against</i>	<i>Abstention</i>
<a href="#">2410 (2018)</a>	The question concerning Haiti	<a href="#">S/PV.8226</a> , 10 April 2018	13 (Bolivia (Plurinational State of), Côte d'Ivoire, Equatorial Guinea, Ethiopia, France, Kazakhstan, Kuwait, Netherlands, Peru, Poland, Sweden, United Kingdom, United States)	None	2 (China, Russian Federation)
<a href="#">2414 (2018)</a>	The situation concerning Western Sahara	<a href="#">S/PV.8246</a> , 27 April 2018	12 (Bolivia (Plurinational State of), Côte d'Ivoire, Equatorial Guinea, France, Kazakhstan, Kuwait, Netherlands, Peru,	None	3 (China, Ethiopia, Russian Federation)



<i>Resolution</i>	<i>Item</i>	<i>Meeting record and date</i>	<i>Votes in favour</i>	<i>Votes against</i>	<i>Abstention</i>
			Poland, Sweden, United Kingdom, United States)		
<a href="#">2418 (2018)</a>	Reports of the Secretary-General on the Sudan and South Sudan	<a href="#">S/PV.8273</a> , 31 May 2018	9 (Côte d'Ivoire, France, Kuwait, Netherlands, Peru, Poland, Sweden, United Kingdom, United States)	None	6 (Bolivia (Plurinational State of), China, Equatorial Guinea, Ethiopia, Kazakhstan, Russian Federation)
<a href="#">2422 (2018)</a>	International Residual Mechanism for Criminal Tribunals	<a href="#">S/PV.8295</a> , 27 June 2018	14 (Bolivia (Plurinational State of), China, Côte d'Ivoire, Equatorial Guinea, Ethiopia, France, Kazakhstan, Kuwait, Netherlands, Peru, Poland, Sweden, United Kingdom, United States)	None	1 (Russian Federation)
<a href="#">2428 (2018)</a>	Reports of the Secretary-General on the Sudan and South Sudan	<a href="#">S/PV.8310</a> , 13 July 2018	9 (Côte d'Ivoire, France, Kuwait, Netherlands, Peru, Poland, Sweden, United Kingdom, United States)	None	6 (Bolivia (Plurinational State of), China, Equatorial Guinea, Ethiopia, Kazakhstan, Russian Federation)
<a href="#">2440 (2018)</a>	The situation concerning Western Sahara	<a href="#">S/PV.8387</a> , 31 October 2018	12 (China, Côte d'Ivoire, Equatorial Guinea, France, Kazakhstan, Kuwait, Netherlands, Peru, Poland, Sweden, United Kingdom, United States)	None	3 (Bolivia (Plurinational State of), Ethiopia, Russian Federation)
<a href="#">2441 (2018)</a>	The situation in Libya	<a href="#">S/PV.8389</a> , 5 November 2018	13 (Bolivia (Plurinational State of), Côte d'Ivoire, Equatorial Guinea, Ethiopia, France, Kazakhstan, Kuwait, Netherlands, Peru, Poland, Sweden, United Kingdom, United States)	None	2 (China, Russian Federation)
<a href="#">2448 (2018)</a>	The situation in the Central African Republic	<a href="#">S/PV.8422</a> , 13 December 2018	13 (Bolivia (Plurinational State of), Côte d'Ivoire, Equatorial Guinea, Ethiopia, France, Kazakhstan, Kuwait, Netherlands, Peru, Poland, Sweden, United Kingdom, United States)	None	2 (China, Russian Federation)
<a href="#">2449 (2018)</a>	The situation in the Middle East	<a href="#">S/PV.8423</a> , 13 December 2018	13 (Bolivia (Plurinational State of), Côte d'Ivoire, Equatorial Guinea, Ethiopia, France, Kazakhstan, Kuwait, Netherlands, Peru, Poland, Sweden, United Kingdom, United States)	None	2 (China, Russian Federation)

### *Draft resolutions not adopted*

According to Article 27 (3) of the Charter, a draft resolution on non-procedural matters is not adopted when it fails to obtain the nine affirmative votes required, or when a negative vote is

cast by a permanent member. During the period under review, there were four instances in which a draft resolution was not adopted because it failed to obtain the nine affirmative votes required, and three occasions when a draft resolution was not adopted owing to a negative vote cast by a permanent member (see table 13).

Table 13  
**Draft resolutions not adopted owing to the negative vote of a permanent member or for lack of the requisite number of votes, 2018**

<i>Draft resolution</i>	<i>Meeting record and date</i>	<i>Item</i>	<i>Votes in favour</i>	<i>Votes against</i>	<i>Abstention</i>
<a href="#">S/2018/156</a>	<a href="#">S/PV.8190</a> , 26 February 2018	The situation in the Middle East	11 (Côte d'Ivoire, Equatorial Guinea, Ethiopia, France, Kuwait, Netherlands, Peru, Poland, Sweden, United Kingdom, United States)	2 (Bolivia (Plurinational State of), Russian Federation)	2 (China, Kazakhstan)
<a href="#">S/2018/321</a>	<a href="#">S/PV.8228</a> , 10 April 2018	The situation in the Middle East	12 (Côte d'Ivoire, Equatorial Guinea, Ethiopia, France, Kazakhstan, Kuwait, Netherlands, Peru, Poland, Sweden, United Kingdom, United States)	2 (Bolivia (Plurinational State of), Russian Federation)	1 (China)
<a href="#">S/2018/175</a>	<a href="#">S/PV.8228</a> , 10 April 2018	The situation in the Middle East	6 (Bolivia (Plurinational State of), China, Equatorial Guinea, Ethiopia, Kazakhstan, Russian Federation)	7 (France, Netherlands, Peru, Poland, Sweden, United Kingdom, United States)	2 (Côte d'Ivoire, Kuwait)
<a href="#">S/2018/322</a>	<a href="#">S/PV.8228</a> , 10 April 2018	The situation in the Middle East	5 (Bolivia (Plurinational State of), China, Ethiopia, Kazakhstan, Russian Federation)	4 (France, Poland, United Kingdom, United States)	6 (Côte d'Ivoire, Equatorial Guinea, Kuwait, Netherlands, Peru, Sweden)
<a href="#">S/2018/355</a>	<a href="#">S/PV.8233</a> , 14 April 2018	Threats to international peace and security	3 (Bolivia (Plurinational State of), China, Russian Federation)	8 (Côte d'Ivoire, France, Kuwait, Netherlands, Poland, Sweden, United Kingdom, United States)	4 (Equatorial Guinea, Ethiopia, Kazakhstan, Peru)
<a href="#">S/2018/516</a>	<a href="#">S/PV.8274</a> , 1 June 2018	The situation in the Middle East, including the Palestinian question	10 (Bolivia (Plurinational State of), China, Côte d'Ivoire, Equatorial Guinea, France, Kazakhstan, Kuwait, Peru, Russian Federation, Sweden)	1 (United States)	4 (Ethiopia, Netherlands, Poland, United Kingdom)

<a href="#">S/2018/520</a>	<a href="#">S/PV.8274</a> , 1 June 2018	The situation in the Middle East, including the Palestinian question	1 (United States)	3 (Bolivia (Plurinational State of), Kuwait, Russian Federation)	11 (China, Côte d'Ivoire, Equatorial Guinea, Ethiopia, France, Kazakhstan, Netherlands, Peru, Poland, Sweden, United Kingdom)
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## D. Decision-making without a vote

A procedural motion or a substantive motion may be adopted in the Council without a vote or by consensus. During 2018, one resolution was adopted without a vote, namely resolution [2403 \(2018\)](#), of 28 February 2018, concerning the date of election to fill a vacancy in the International Court of Justice.<sup>201</sup>

Statements by the President on behalf of the Council continued to be adopted by consensus. A total of 21 statements by the President were adopted during the period under review.<sup>202</sup> In contrast to past practice, according to which most of the statements adopted were read out at meetings, during the period under review, 16 of 21 statements were adopted without the text being read out.<sup>203</sup>

Following past practice, during the period under review, notes and letters by the President of the Council were adopted by consensus and issued as official documents of the Council. In 2018, the Council issued 8 notes and 34 letters by the President.<sup>204</sup> Notes and letters by the President are rarely adopted during Council meetings. During the period under review, one note by the President, namely, the note concerning the adoption of the draft report of the Council to

<sup>201</sup> For more information on the election of members of the International Court of Justice, see part IV, sect. I.E.

<sup>202</sup> For a complete list of presidential statements adopted during the review period, see: <https://www.un.org/securitycouncil/content/statements-made-president-security-council-2018>.

<sup>203</sup> For example, in a meeting under the item entitled “Letter date 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council ([S/2014/136](#))” the President of the Council read out the statement (see [S/PV.8276](#)).

<sup>204</sup> For the complete list of notes by the President of the Security Council issued in 2018, see part I, section XIII of the report of the Security Council to the seventy-third session of the General Assembly ([A/73/2](#)), or visit: <https://www.un.org/securitycouncil/content/notes-president-security-council-2018>. For the complete list of letters from the President of the Council issued in 2018, see part I, section III of the above-mentioned report or <https://www.un.org/securitycouncil/content/letters-exchanged-between-secretary-general-and-president-security-council-2018>.

the General Assembly for the period from 1 January 2017 to 31 December 2017, was adopted during a meeting of the Council, in line with past practice.<sup>205</sup>

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

During the period under review, both procedural and non-procedural aspects of the decision-making process were discussed during Council meetings. In particular, Council members as well as the wider membership addressed issues pertaining to the exercise of the veto, penholdership and the negotiation process leading to the adoption of outcome documents, as reflected in case 9. In addition, at the 8395<sup>th</sup> meeting held on 9 November 2018 under the item entitled “Maintenance of international peace and security”, and the sub-item entitled “Strengthening multilateralism and the role of the United Nations”,<sup>206</sup> one speaker explicitly referred to Article 27 of the Charter.<sup>207</sup> The representative of Georgia recalled that in 2009 the Russian Federation vetoed the extension of the mandate of the United Nations Observer Mission in Georgia (UNOMIG) and emphasised that as the Russian Federation was party to the conflict, using its veto power came in direct contradiction with Chapter V, Article 27, paragraph 3 of the Charter, which stipulated that “a party to a dispute shall abstain from voting”.<sup>208</sup>

### **Case 9**

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

On 6 February 2018, at the initiative of Kuwait which held the Presidency for the month,<sup>209</sup> the Council convened its 8175<sup>th</sup> meeting as an open debate. During the meeting, a number of speakers expressed views on penholdership and other aspects pertaining to the negotiation and drafting of Security Council outcome documents. The representative of Kuwait noted that the participation of Member States in the decision-making process within the Council

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<sup>205</sup> [S/2018/797](#), at the 8335<sup>th</sup> meeting (see [S/PV.8335](#)).

<sup>206</sup> A concept note was circulated by a letter dated 1 November 2018 ([S/2018/982](#)).

<sup>207</sup> [S/PV.8395](#).

<sup>208</sup> *Ibid.*, p. 71.

<sup>209</sup> A concept note was circulated by a letter dated 24 January 2018 ([S/2018/66](#)) and a summary non-paper was circulated by Kuwait after the meeting ([S/2018/399](#)).

remained “weak”, and stressed the importance of engaging with the wider membership, especially with affected States, and to consult with them before making any decisions.<sup>210</sup> The representative of Italy encouraged the Council to engage in timely consultations during the drafting process, including with the broader membership, in particular with interested States and regional organizations.<sup>211</sup>

In connection with the decision-making process within the Council, the representatives of Equatorial Guinea and New Zealand said that at times decisions were negotiated among the permanent members without input from the elected members, leaving elected members with limited options.<sup>212</sup> The representative of Equatorial Guinea concluded that the process should be more inclusive in order to improve transparency<sup>213</sup> and the representative of New Zealand stressed that the legitimacy and effectiveness of the Council’s decisions were “maximized” when the Council “worked as 15 rather than five”.<sup>214</sup> While underlining that penholdership was at times distorted to exclude meaningful input from elected members, the representative of New Zealand called on the elected members to be ambitious and to enact the change they wished to see in the Council.<sup>215</sup>

The representative of Italy welcomed co-penholdership as a practice that allowed for wider participation of Council members in the drafting process and that could consequently add value to the Council’s outcomes.<sup>216</sup> On a similar note, the representative of Chile stated that the drafting process should be more inclusive and that the elected members should be included as co-penholders, “preferably in interregional groups”.<sup>217</sup> Several other speakers emphasised the importance of inclusivity in the decision-making process in the Council and called for enhanced consultation in that regard with concerned countries and with those with relevant expertise.<sup>218</sup> The representative of Ethiopia emphasised that the idea of co-penholdership should be “seriously explored”, not only to enable elected members to contribute in shaping Council’s outcome

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<sup>210</sup> [S/PV.8175](#), pp. 4-5.

<sup>211</sup> *Ibid.*, p. 43.

<sup>212</sup> *Ibid.*, p. 17 (Equatorial Guinea) and p. 44 (New Zealand).

<sup>213</sup> *Ibid.*, p. 17.

<sup>214</sup> *Ibid.*, p. 44.

<sup>215</sup> *Ibid.*, pp. 44-45.

<sup>216</sup> *Ibid.*, p. 43.

<sup>217</sup> *Ibid.*, p. 44.

<sup>218</sup> *Ibid.*, p. 35 (Pakistan), p. 38 (Lebanon) and p. 47 (Belgium).

documents, but also to improve unity and consensus among Council members.<sup>219</sup> The representative of Singapore opined that more could be done to strengthen the voice of elected Council members, including through a review of the penholder system.<sup>220</sup> The representative of Peru underscored the importance of complementing the work of the penholders with the views of the Chairs of subsidiary bodies and noted that the reports of panels of experts and field visits provided substantive, first-hand information that was “vital” when drafting resolutions or statements.<sup>221</sup>

The language of the note of the President of 30 August 2017 ([S/2017/507](#)) was referred to by the representatives of Kazakhstan,<sup>222</sup> the Plurinational State of Bolivia,<sup>223</sup> and Switzerland<sup>224</sup> to emphasise that penholders or co-penholders of Council decisions needed to present and to discuss drafts with Council members in at least one round of consultations. The representative of Ethiopia underlined the importance of allowing adequate time for consultations on Council decisions and noted that penholders had a “special responsibility” in that regard.<sup>225</sup> Similarly, the representative of Japan stressed that penholders had the “heavy responsibility” to pursue the best possible outcome through an inclusive process, providing sufficient time for the consideration of drafts by all members, or proactively reaching out to those with expertise outside of the Council.<sup>226</sup> The representative of the Plurinational State of Bolivia further stressed that full consultations should be conducted with a view to achieving consensus, and efforts should be made to ensure that all members had adequate time to examine draft resolutions and presidential statements.<sup>227</sup> In this regard, the representative of Costa Rica suggested establishing procedures for informal consultations during the drafting process as well as silence procedures.<sup>228</sup>

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<sup>219</sup> Ibid., p. 14.

<sup>220</sup> Ibid., p. 40.

<sup>221</sup> Ibid., p. 10.

<sup>222</sup> Ibid., p. 11.

<sup>223</sup> Ibid., p. 21.

<sup>224</sup> Ibid., p. 28.

<sup>225</sup> Ibid., p. 14.

<sup>226</sup> Ibid., p. 24.

<sup>227</sup> Ibid., p. 23.

<sup>228</sup> Ibid., p. 61.

A number of speakers called for a distribution of penholdership among all Council members.<sup>229</sup> The representative of Sweden noted that penholdership should be “evenly distributed” between both permanent, elected members and among members from different regions.<sup>230</sup> Emphasizing that penholders were almost exclusively the permanent members and that the level of participation of elected members in the adoption of outcome documents continued to be at their discretion, the representative of the Plurinational State of Bolivia encouraged more appointments of elected members as penholders.<sup>231</sup> The representative of Switzerland stated that elected members should be enabled to engage actively on all issues and should be entrusted with more penholderships, adding that an increase in the use of co-penholderships could be explored.<sup>232</sup> While recalling that in principle, any Council member could serve as penholder, the representative of Germany noted that, in practice, the list of actual penholders continued to be very short, and expressed the hope that a more inclusive practice would emerge.<sup>233</sup> The representative of Costa Rica called for greater participation by the non-permanent members, as well as formalized consultations among all members of the Council when making decisions on the distribution of penholder responsibilities. Furthermore, he encouraged the practice of enabling Council members to postpone the adoption of decisions or outcomes of open debates in order to take into consideration the contributions of participants.<sup>234</sup> The representative of Egypt emphasised that the functioning of the Security Council was a collective responsibility that required full participation by all its members on an equal footing and a fair distribution of duties and functions, including the drafting of Council documents.<sup>235</sup>

In the discussion, a number of speakers called also for restraint in the use of the veto and expressed support for the Code of Conduct elaborated by the Accountability, Coherence and Transparency group, whereby members of the Council pledged not to vote against any draft

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<sup>229</sup> Ibid., p. 8 (Russian Federation), p. 19 (Sweden), pp. 21-22 (Bolivia (Plurinational State of)), p. 28 (Switzerland, on behalf of the Accountability, Coherence and Transparency group), p. 29 (Germany), p. 35 (Pakistan), p. 61 (Costa Rica).

<sup>230</sup> Ibid., p. 19.

<sup>231</sup> Ibid., pp. 21-22.

<sup>232</sup> Ibid., p. 28.

<sup>233</sup> Ibid., p. 29.

<sup>234</sup> Ibid., p. 61.

<sup>235</sup> Ibid., p. 63.



resolution intended to prevent crimes against humanity, genocide and war crimes.<sup>236</sup> Several speakers also expressed support for the political statement on the suspension of the veto in case of mass atrocities presented by France and Mexico.<sup>237</sup> In this connection, the representative of Mexico stated that those initiatives sought to improve the efficiency of the Council while fostering a new culture of responsibility and accountability among the permanent members, in addition to contributing to the effectiveness, legitimacy and accountability of the Council.<sup>238</sup> The representative of Ukraine noted that while a Council without the veto was a “distant and uncertain reality”, responsible members of the international community should pledge not to resort to the veto when considering cases that had “all the hallmarks of crimes against humanity and mass atrocities”.<sup>239</sup> Noting that the Council had “found it difficult” to adopt a draft resolution on the Rohingya humanitarian crisis, “mostly due to the possibility of the exercise of the veto against any such draft resolution”, the representative of Bangladesh stressed that the exercise of the veto should be avoided in cases that involve mass atrocities.<sup>240</sup> The representative of Indonesia stressed that regulating the use of the veto would be a great push to elevate the effectiveness of the Council and its global credibility. Until veto regulation was realized, he called on permanent members to circulate to the membership a formal explanation in cases where the veto was exercised.<sup>241</sup> The representative of Australia expressed the need to move “urgently, decisively and in unison” to agree on clear restraint of the veto. He noted that too often, the Council had failed in its mandate because narrow interests prevailed over those of the most vulnerable.<sup>242</sup> The representatives of Kuwait, Sweden and Turkey addressed the question of the use of veto to protect national interests, emphasising that this practice diminished the Council’s efficiency and credibility and prevented the Council from carrying out its responsibilities.<sup>243</sup> Similarly, the representative of Mexico noted that the use of the veto had

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<sup>236</sup> Ibid., p. 5 (Kuwait), p. 10 (Peru), p. 17 (Equatorial Guinea), p. 26 (Hungary), p. 29 (Switzerland, on behalf of the Accountability, Coherence and Transparency group), p. 42 (Liechtenstein), p. 46 (Ukraine), p. 47 (Indonesia), p. 52 (Saudi Arabia), pp. 52-53 (Australia), pp. 56-57 (Maldives), p. 57 (Mexico), p. 60 (Uruguay) and pp. 61-62 (Costa Rica).

<sup>237</sup> Ibid., p. 5 (Kuwait), pp. 9-10 (France), p. 17 (Equatorial Guinea), p. 20 (Sweden), p. 26 (Hungary), p. 46 (Ukraine), p. 47 (Indonesia), p.53 (Australia), pp. 56-57 (Maldives), p. 57 (Mexico) and p. 60 (Uruguay).

<sup>238</sup> Ibid., p. 57.

<sup>239</sup> Ibid., p. 46.

<sup>240</sup> Ibid., p. 49.

<sup>241</sup> Ibid., p. 47.

<sup>242</sup> Ibid., pp. 52-53.

<sup>243</sup> Ibid., p. 5 (Kuwait), pp. 19-20 (Sweden) and p. 34 (Turkey).



prevented the effective fulfilment of the responsibilities entrusted to the Council and added that the use of the veto had “obstructed and derailed” the common interest and had encouraged division among members.<sup>244</sup> The representative of Equatorial Guinea stated that the existence of the veto was an “important obstacle” to the work of the Council, which at times had prevented the Council from making clear to the world that there was no place for impunity.<sup>245</sup> The representative of Liechtenstein emphasised that particularly in the recent past, the veto had repeatedly been used in “stark opposition” to the spirit of the Charter, preventing the Council from fulfilling its tasks under the Charter, including on matters related to the Syrian conflict and to the reaffirmation of international law with respect to the situation in the Middle East.<sup>246</sup>

The representative of the Russian Federation stated that the veto was a cornerstone of the entire architecture of the Security Council. He stressed that the veto was not a privilege but an instrument pledging and guaranteeing the Council’s ability to reach balanced decisions.<sup>247</sup> The representatives of Sweden and Mexico stressed that the veto was not a right, but a responsibility.<sup>248</sup> On the other hand, the representatives of Equatorial Guinea, the Plurinational State of Bolivia and Cuba stated that the veto was an anachronistic and anti-democratic privilege.<sup>249</sup> The representative of Equatorial Guinea further added that the veto should be re-evaluated with a view to evolving more inclusive and democratic decision-making measures.<sup>250</sup> Arguing that the veto was determined by long-outdated historical circumstances, and that no change to the Council working methods would prevent the interests of a few from hindering the maintenance and pursuit of peace and prosperity for all, the representative of South Africa called for a comprehensive reform of the Security Council.<sup>251</sup>

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<sup>244</sup> Ibid., p. 57

<sup>245</sup> Ibid., p. 17.

<sup>246</sup> Ibid., p. 42.

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

<sup>248</sup> Ibid., pp. 19-20 (Sweden) and p. 57 (Mexico).

<sup>249</sup> Ibid., p. 18 (Equatorial Guinea), p. 22 (Bolivia, Plurinational State of), and p. 55 (Cuba).

<sup>250</sup> Ibid., p. 18.

<sup>251</sup> Ibid., p. 33.

## **IX. Languages**

### **Note**

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

#### *Rule 41*

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

#### *Rule 42*

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

#### *Rule 43*

*[Deleted]*

#### *Rule 44*

*Any representative may make a speech in a language other than the languages of the Security Council. In this case, he shall himself*

*provide for interpretation into one of those languages. Interpretation into the other languages of the Security Council by the interpreters of the Secretariat may be based on the interpretation given in the first such language.*

*Rule 45*

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

*Rule 46*

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

*Rule 47*

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

By the note by the President dated 30 August 2017, Council members encourage the Secretariat to maintain the translation of all United Nations sanctions lists into all official languages of the United Nations, and to continue to ensure that the information on the websites of the subsidiary bodies of the Council, including the reports of sanctions monitoring teams, groups and panels, was accurate and updated in all official languages.<sup>252</sup>

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<sup>252</sup> [S/2017/507](#), annex, para. 110.

During the period under review, rules 41 to 47 were applied consistently. At several meetings, speakers delivered their statements in a language other than the six official languages of the United Nations, as provided in rule 44.<sup>253</sup> Furthermore, the matter of working languages was addressed in different contexts throughout the year during the regular work of the Council. For example, at the 8175<sup>th</sup> meeting, held on 6 February 2018, on the working methods of the Security Council, the representative of Côte d'Ivoire urged the Secretariat to ensure that all reports and other required working documents were made available as soon as possible and in all working languages of the Organization in order to enable their consideration by the various delegations.<sup>254</sup> At the 8375<sup>th</sup> meeting held on 18 October 2018, under the item entitled "The situation in the Middle East, including the Palestinian question", the representative of Israel, while delivering his statement in English, addressed the Executive Director of B'Tselem with a few sentences in Hebrew, recorded in the webcast of the meeting but not in the verbatim record. In the discussion that followed, the representative of the United Kingdom stressed that the meeting was an open debate and that not understanding what was being said in the Chamber defied the purpose of the open debate. She insisted that she wanted to know what the representative of Israel had said to the Executive Director of B'Tselem in Hebrew, and emphasised that if speakers used a language for which there was no interpretation, the presidency should stop them and ask them to speak in one of the six UN official languages.<sup>255</sup> In a letter dated 26 October 2018 addressed to the President of the Security Council,<sup>256</sup> the Permanent Representatives of France, the Netherlands, Sweden and the United Kingdom, defined the remarks made by the representative of Israel to the Executive Director of B'Tselem during the open debate "deeply regrettable". Underlining that those remarks were delivered in a language for which interpretation was not provided, the letter stressed that the incident constituted a breach of the basic rules and of the procedures of the Council and that it undermined the point of

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<sup>253</sup> For example, at the 8160<sup>th</sup> meeting, on 18 January 2018, the President of Kazakhstan spoke in Kazakh and the English interpretation was provided by the delegation ([S/PV.8160](#), pp. 4-6). At the 8176<sup>th</sup> meeting, on 7 February 2018, the First Deputy Prime Minister and Minister for Foreign Affairs of Serbia spoke in Serbian and the interpretation was provided by the delegation ([S/PV.8176](#), pp. 4-8). At the 8427<sup>th</sup> meeting, on 17 December 2018, the representative of Kosovo spoke in Albanian and the English interpretation was provided by the delegation (see [S/PV.8427](#), pp. 6-8 and p. 20).

<sup>254</sup> [S/PV.8175](#), p. 16.

<sup>255</sup> [S/PV.8375](#), p. 24.

<sup>256</sup> [S/2018/957](#).

an open debate. In the letter, the presidency of the Security Council, as well as all incoming presidencies, were requested to ensure that the incident did not set a precedent and that in general all speakers used one of the six official languages.

## **X. Provisional status of the rules of procedure**

### **Note**

Section X covers the deliberations of the Council concerning the provisional status of the rules of procedure of the Council, last amended in 1982.<sup>257</sup> Article 30 of the Charter of the United Nations provides that the Council shall adopt its own rules of procedure. Since their adoption by the Council at its first meeting held on 17 January 1946, the rules of procedure have remained provisional.

### *Article 30*

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

During the period under review, the question of the status of the provisional rules of procedure, including in connection with Article 30 of the Charter, was raised at the 8175<sup>th</sup> meeting, held on 6 February 2018, under the item entitled “Implementation of the note by the President of the Security Council ([S/2017/507](#))”.<sup>258</sup> During the debate, Council members referred to the work carried out in the Informal Working Group on Documentation and Other Procedural Questions and to the efforts that led to the adoption of the note by the President dated 30 August

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<sup>257</sup> The provisional rules of procedure of the Council were amended 11 times between 1946 and 1982: five times during the Council’s first year at its 31<sup>st</sup>, 41<sup>st</sup>, 42<sup>nd</sup>, 44<sup>th</sup> and 48<sup>th</sup> meetings on 9 April, 16 and 17 May, and 6 and 24 June 1946; twice in its second year at the 138<sup>th</sup> and 222<sup>nd</sup> meetings, on 4 June and 9 December 1947; and at its 468<sup>th</sup> meeting on 28 February 1950; 1463<sup>rd</sup> meeting, on 24 January 1969; 1761<sup>st</sup> meeting, on 17 January 1974; and 2410<sup>th</sup> meeting, on 21 December 1982. Previous versions of the provisional rules were issued under the symbols [S/96](#) and Rev.1-6, the latest version under the symbol [S/96/Rev.7](#).

<sup>258</sup> [S/PV.8175](#).

2017 ([S/2017/507](#)), and exchanged views on the Council's working methods. Several speakers stressed that the Security Council rules of procedure should cease to be provisional and should be permanent and definitive in order to improve the transparency and accountability of the Council, as well as the predictability and effectiveness of its work.<sup>259</sup>

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<sup>259</sup> Ibid., pp. 17-18 (Equatorial Guinea), p. 21 (Bolivia (Plurinational State of)), p. 32 (South Africa), p. 40 (Singapore), p. 55 (Cuba), p. 62 (Algeria).