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Part VIII

Regional arrangements

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Introductory note

Article 52

- 1. Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.*
- 2. The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.*
- 3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.*
- 4. This Article in no way impairs the application of Articles 34 and 35.*

Article 53

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

Article 54

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

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

During the period under review, the Council reaffirmed the importance of enhancing cooperation between the United Nations and regional arrangements, pursuant to Chapter VIII of the Charter, on conflict prevention and resolution, peacekeeping and peacebuilding. The Council acknowledged the progress made in the cooperation between the United Nations and the African Union, evidenced by the increasing number of joint missions, joint briefings, joint reports and declarations, and underlined the importance of developing an effective partnership underpinned by mutual consultations between the Security Council and the Peace and Security Council of the African Union. In 2018, the Security Council and the Peace and Security Council of the African Union held their twelfth annual joint consultative meeting in New York on 19 July 2018.² In addition to the African Union, engagement with other organizations such as the Organization of American States, the League of Arab States and the Shanghai Cooperation Organization featured prominently in the discussions at the Council.

In 2018, Council's deliberations focused on the modalities for planning and mandating operations, the need for adherence to international human rights,

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

² [S/2018/736](#).

international humanitarian law and conduct and discipline compliance frameworks. In addition, ensuring predictable and sustainable funding for African Union-led peacekeeping operations was extensively debated in the meetings of the Council.

In connection with the pacific settlement of disputes, the Council continued to highlight in its decisions the crucial importance of the role played by regional and subregional arrangements in mediation and good offices to end conflicts and ensure successful peace negotiations. The Council highlighted the mediation efforts of regional and subregional arrangements in cessation of political crises and implementation of peace agreements in Burundi, Mali, Liberia, the Democratic Republic of the Congo, Somalia and Guinea-Bissau, and sustainable peace and security in Afghanistan and the Central African Republic.

Concerning peacekeeping operations led by regional organizations, the Council renewed the authorization of two existing missions, namely the African Union Mission in Somalia and the European Union Force-Althea in Bosnia and Herzegovina, while the North Atlantic Treaty Organization Force in Kosovo continued to operate without any decisions taken with respect to its mandate. The Council also commended the countries in West Africa and the Sahel for addressing the security challenges in the region through the deployment of the Joint Force of the Group of Five for the Sahel and called for its full operationalization. As in previous periods, the Council authorized enforcement action by regional and subregional organizations beyond the framework of peacekeeping operations in relation to Libya, Somalia and South Sudan, and it continued to request reporting by regional organizations, particularly on mandate implementation of relevant regional peacekeeping operations and cooperation with the United Nations.

The practice of the Council under Chapter VIII of the Charter in 2018 is illustrated below in five sections. Each section covers both the decisions adopted by the Council and the discussions held during Council meetings. Section I examines the practice of the Council regarding cooperation with regional and subregional arrangements in the maintenance of international peace and security concerning items of a thematic nature. Section II deals with the recognition by the Council of the efforts of regional arrangements in the peaceful settlement of disputes, within the framework of Article 52 of the Charter. Section III covers the practice of the Council in

connection with cooperation with regional organizations in the area of peacekeeping. Section IV describes the practice of the Council in authorizing enforcement actions by regional organizations outside the context of regional peacekeeping operations. Section V refers to the reporting on the activities of regional arrangements in the maintenance of international peace and security.

I. Consideration of the provisions of Chapter VIII of the Charter of the United Nations under thematic items

Note

Section I examines the practice of the Security Council in 2018 in cooperating with regional organizations in the maintenance of international peace and security, within the framework of Chapter VIII of the Charter, in connection with items of a thematic nature. The section is organized under two headings: (a) decisions on thematic issues relating to Chapter VIII of the Charter, and (b) discussions on thematic issues concerning the interpretation and application of Chapter VIII of the Charter.

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

During the period under review, the Council explicitly referred to Chapter VIII of the Charter in two of its decisions on thematic issues.³ Under the item entitled “Maintenance of international peace and security”, the Council reiterated that the United Nations’ cooperation with regional and subregional organizations was critical to contributing to the prevention of the outbreak, escalation, continuation and recurrence of conflict, in line with Chapter VIII of the United Nations Charter.⁴ The Council acknowledged the strengthening of strategic cooperation and coordination among the United Nations and regional and sub-regional organizations that could play an important role in conflict prevention. In this regard, the Council encouraged consideration of the need to support the pacific settlement of local disputes through regional arrangements or by regional agencies in accordance with Chapter VIII of the United Nations Charter.⁵ The Council encouraged the Secretary-General to continue his efforts to ensure better use of conflict prevention and preventive diplomacy tools in cooperation with regional and subregional organizations.⁶

³ [S/PRST/2018/1](#), seventeenth and twenty-third paragraphs; and [S/PRST/2018/10](#), seventh paragraph.

⁴ [S/PRST/2018/1](#), twenty-third paragraph.

⁵ *Ibid.*, seventeenth paragraph.

⁶ *Ibid.*, sixteenth paragraph.

Under the item entitled “United Nations peacekeeping operations”, the Council recalled resolutions [2320 \(2016\)](#) and [2378 \(2017\)](#) and underlined the importance of partnership and political and operational cooperation with regional and subregional arrangements and organizations, in particular the African Union, in accordance with Chapter VIII of the United Nations Charter, in supporting peacekeeping and peacebuilding activities.⁷ Underlining the need for collective action to improve the United Nations peacekeeping, the Council also recognized that peacekeeping operations could benefit from the collective engagement of the Security Council; Member States, including troop- and police-contributing countries, donors, as well as host countries; the Secretariat; and regional and sub-regional organizations.⁸

Without explicit reference to Chapter VIII of the Charter, the Council recognized and referred to the role of regional and subregional arrangements in other decisions adopted under various thematic items. Under the item entitled “Maintenance of international peace and security”, focusing on the regional partnership in Afghanistan and Central Asia, the Council stressed the importance of advancing regional, interregional and international cooperation to achieve long-term peace, stability and sustainable development in Afghanistan and Central Asia.⁹ Specifically, the Council welcomed the involvement of Afghanistan in the Central Asian regional mechanisms for cooperation on counter-terrorism, including in implementing the Joint Plan of Action for the implementation of the United Nations Global Counter-Terrorism Strategy.¹⁰ The Council also commended the efforts of the Regional Economic Cooperation Conference on Afghanistan, as one of the platforms for cross-border economic dialogue.¹¹

In connection with the item entitled “Children and armed conflict”, the Council requested the Special Representative for Children and Armed Conflict to continue engaging with regional and subregional organizations and also called on regional and subregional bodies, within their respective mandates and in close cooperation with the Governments of the countries concerned to establish appropriate

⁷ [S/PRST/2018/10](#), seventh paragraph.

⁸ *Ibid.*, twenty-seventh paragraph.

⁹ [S/PRST/2018/2](#), eighth paragraph.

¹⁰ *Ibid.*, thirteenth paragraph.

¹¹ *Ibid.*, fifteenth, sixteenth, and twenty-third paragraphs.

strategies and coordination mechanisms for information exchange and cooperation on child protection concerns, in particular on cross-border issues.¹² The Council further encouraged regional and subregional organizations and arrangements to continue mainstreaming child protection into their advocacy, policies, programmes and mission planning as well as to train personnel and include child protection staff in their peacekeeping and field operations and establish, within their secretariats, child protection mechanisms, including through appointing child protection focal points, as well as develop and expand regional and subregional initiatives to prevent violations and abuses against children affected by armed conflict.¹³ Recognizing the link between abductions, recruitment, sexual violence and trafficking and that children in situations of armed conflict can be especially vulnerable to trafficking in persons in armed conflict and to these forms of exploitation, the Council encouraged relevant parts of the United Nations system, and international and regional bodies, within their respective mandates to work to address this issue.¹⁴

Under the item entitled “Threats to international peace and security”, the Council strongly encouraged Member States and relevant regional, subregional and international organizations to enhance cooperation and strategies to prevent terrorists from benefiting from transnational organized crime by strengthening of national, regional and global systems to collect, analyze and exchange information, including law enforcement and intelligence information.¹⁵ Noting that the nature and scope of the linkages between terrorism and transnational organized crime varied by context, the Council further encouraged Member States, as well as international, regional, subregional organizations and fora to continue conducting research to better understand the nature and scope of the links that may exist between terrorists and transnational organized criminals and enhance knowledge of and support initiatives to address, in the design and implementation of global, regional and national counter-terrorism strategies, the linkages between terrorism and transnational organized crime.¹⁶ The Council also recalled its previous resolutions and presidential statements highlighting the importance of developing effective partnerships between the United

¹² Resolution [2427 \(2018\)](#), paras. 5 and 10.

¹³ *Ibid.*, para. 11.

¹⁴ *Ibid.*, para. 39.

¹⁵ [S/PRST/2018/9](#), second paragraph.

¹⁶ *Ibid.*, third and seventh paragraphs.

Nations and regional and subregional organizations, in accordance with the relevant statutes of the regional and subregional organizations, as well as the United Nations Charter.¹⁷

Regarding the item entitled “Peacebuilding and sustaining peace”, the Council welcomed the Peacebuilding Commission’s collaboration with regional and subregional organizations, including the African Union, emphasizing the importance of further engagement with relevant regional actors on regional and country-specific issues with the consent of the countries concerned.¹⁸ On that note, the Council also highlighted that the Commission was a unique platform to convene key actors, such as Member States, including host and concerned countries, relevant United Nations actors as well as regional organizations with a view to enhance coordination, advocacy and resource mobilization of peacebuilding activities.¹⁹

B. Discussions on thematic issues concerning the interpretation and application of Chapter VIII of the Charter

At a number of Council meetings held in 2018, speakers discussed the role of regional and subregional organizations under the items entitled “Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security”,²⁰ “Maintenance of international peace and security”,²¹ “Peacebuilding and sustaining peace”,²² “Protection of civilians in armed conflict”,²³ “United Nations peacekeeping operations”,²⁴ and “Briefings by the Chairperson-in-Office of the Organization for Security and Cooperation in Europe”.²⁵ Discussions held in connection with the item entitled “Maintenance of international peace and security” touched upon the importance of regional frameworks in Central Asia for the stabilization and reconstruction of Afghanistan (see case 1). Under the

¹⁷ Ibid., eighth and twelfth paragraphs.

¹⁸ [S/PRST/2018/20](#), seventeenth paragraph.

¹⁹ Ibid., ninth paragraph. For more information on the Peacebuilding Commission, see part IX, sect. VII.

²⁰ [S/PV.8314](#), [S/PV.8340](#) and [S/PV.8414](#).

²¹ [S/PV.8162](#), [S/PV.8185](#), [S/PV.8241](#), [S/PV.8262](#), [S/PV.8293](#), [S/PV.8334](#), [S/PV.8346](#) and [S/PV.8395](#).

²² [S/PV.8413](#).

²³ [S/PV.8264](#).

²⁴ [S/PV.8218](#) and [S/PV.8349](#).

²⁵ [S/PV.8200](#).

agenda item entitled “Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security”, the Council engaged in discussions on strengthening cooperation with the African Union with a focus on the two organizations’ strategic partnership for peacekeeping and support operations (see case 2) and engagement with the Organization of American States in the context of the situation in Nicaragua (see case 3).

Case 1

Maintenance of international peace and security

At its 8162nd meeting on 19 January 2018, the Council held a ministerial-level debate on the topic of building regional partnership in Afghanistan and Central Asia and the interlinkages between security and development through regional mechanisms, during which the Council heard a briefing by the Secretary-General. The meeting was held at the initiative of Kazakhstan which held the Council’s Presidency for the month.²⁶ During the course of the meeting, Chapter VIII of the Charter was explicitly invoked by the representatives of Kuwait and Ethiopia.²⁷

The Minister of Foreign Affairs of Kazakhstan, presiding over the Council, remarked that stabilization and reconstruction in Afghanistan would be an opportunity for Central Asian countries to reinvigorate regional cooperation. He expressed hope that increased dialogue and connectivity would help to address security challenges posed by terrorism and recognized the importance of close coordination between Afghanistan and Central Asian States in combatting narcotics cultivation, production, trade and trafficking. He further noted that long-term stability and prosperity in the region should be guided by the three guiding principles of an integrated approach, among them a regional approach for the streamlining of efforts by regional organizations and frameworks, including the Regional Economic Cooperation Conference on Afghanistan and the Central Asia Regional Economic Cooperation Programme.²⁸

²⁶ A concept note was circulated by letter dated 2 January 2018 addressed to the Secretary-General ([S/2018/7](#)).

²⁷ [S/PV.8162](#), p. 6 (Kuwait); and p. 22 (Ethiopia).

²⁸ *Ibid.*, pp. 4–5.

During the debate, many representatives affirmed their support for ongoing efforts to boost regional economic cooperation and long-term stability.²⁹ Others raised concerns about continued threats to stability and violence due to widespread narcotics production and terrorism.³⁰ In that regard, the Deputy Prime Minister and Minister for Foreign Affairs of Kuwait expressed concern regarding the continued presence of terrorist and extremist groups such as the Taliban, the Haqqani Network, Al-Qaida and the Islamic State in Iraq and the Levant. He also stated that the meeting reflected the provisions of Chapter VIII of the Charter of the United Nations for it underscored the clear role of regional and subregional organizations in resolving conflicts through peaceful and diplomatic means.³¹

The Minister for Foreign Affairs of Poland stressed the importance of regional cooperation to promote not only the economic and social development of Afghanistan but also its peace and stability in Afghanistan for the location of Central Asia and Afghanistan presented a unique opportunity to interconnect Europe and Asia. Pointing out that even the most ambitious regional economic agenda could fail due to an unstable security situation, he emphasized that Afghanistan's security and stability were a prerequisite for peace and stability in the region.³²

Expressing his grave concern over the unprecedented growth in Afghan narcotics production, the Minister for Foreign Affairs of the Russian Federation stressed the importance of adopting practical measures to launch a national reconciliation by reviving the work of the Shanghai Cooperation Organization – Afghanistan Contact Group and the Collective Security Treaty Organization. Highlighting the necessity of mutually beneficial cooperation based on a balance of interests, the Minister noted that Central Asian countries must respect all their obligations within the Shanghai Cooperation Organization and the Collective Security Treaty Organization. He added that both the Commonwealth of Independent States

²⁹ *Ibid.*, p. 6 (Kuwait); p. 8 (Poland); p. 9 (Russia); p. 10 (United States of America); p. 13 (United Kingdom); p. 19 (Plurinational State of Bolivia); p. 21 (Côte d'Ivoire); p. 26 (Kyrgyzstan); p. 28 (Tajikistan); pp. 32-33 (Belgium); and pp. 38-39 (Deputy Head of the Delegation of the European Union to the United Nations).

³⁰ *Ibid.*, p. 8 (Poland); p. 9 (Russian Federation); p. 18 (France); p. 27 (Tajikistan); p. 32 (Islamic Republic of Iran); and p. 36 (Turkey).

³¹ *Ibid.*, pp. 6-7.

³² *Ibid.*, pp. 7-8.

and the Eurasian Economic Community could contribute to the general efforts by opening broad and promising markets in Afghanistan.³³

The representative of France, noting the Council's recent visiting mission to Afghanistan earlier in January, underlined the high level of insecurity and violence in Afghanistan and the fragility of the humanitarian situation. Welcoming the presidential statement issued at the meeting ([S/PRST/2018/2](#)), which for the first time highlighted the interlinkages between Central Asia and Afghanistan, the speaker stated that it would be essential for Afghanistan to be able to benefit from its geographical location in the heart of Asia and hence increasing the connectivity between Afghanistan and Central Asia must be encouraged.³⁴

Several representatives of the countries of the Central Asian region discussed the situation on the ground, describing the ongoing regional initiatives and frameworks to enhance economic cooperation. The Minister for Foreign Affairs of Tajikistan said that the region today was facing pressing challenges of the expansion of international terrorism, the increase in extremism, transitional organized crime and drug trafficking and environmental issues such as climate change and desertification. On that note, he stressed that the current situation required more robust action and firm commitments for regional cooperation and partnerships. Noting the role of regional organizations, he called for strengthening cooperation between the United Nations institutions and regional organizations including the Collective Security Treaty Organization and the Shanghai Cooperation Organization.³⁵

The Minister of Foreign Affairs of Kyrgyzstan commended the efforts made within the framework of the Heart of Asia-Istanbul process and expressed support for initiatives aimed at establishing peace and national reconciliation in Afghanistan and acknowledged the regional readiness to stay actively involved in the process of building peace and stability in Afghanistan. Concerning the issues relating to the production and export of Afghan opium, he expressed support for the outcomes of the seventh ministerial-level Regional Economic Cooperation Conference on Afghanistan held in November 2017, and emphasized the importance of pursuing joint efforts to integrate Afghanistan's economy with those of other countries in the region by

³³ Ibid., pp. 9-10.

³⁴ Ibid., p. 17-18.

³⁵ Ibid., pp. 27-28.

expanding cooperation and improving regional infrastructure, trade, investment, transit and transport projects.³⁶

Speaking on the regional security initiatives such as the Kabul Process and the C5+Afghanistan cooperation framework, the Deputy Foreign Minister of Afghanistan emphasized the importance of the Afghan-led Heart of Asia-Istanbul Process in strengthening the regional cooperation between Afghanistan and Central Asian countries through various platforms including the Shanghai Cooperation Organization. Additionally, he highlighted the tireless work of the Afghan Government on economic cooperation through the Regional Economic Cooperation Conference and shed light on the nexus of security, economic growth and development through regional cooperation.³⁷

Case 2

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

On 18 July 2018, the Council held its 8314th meeting under the subitem entitled “African Union”, with a particular focus on sustainable financing mechanisms for the African Union-led peacekeeping operations. The Council heard briefings by the Special Representative of the Secretary-General and Head of the United Nations Office to the African Union and the African Union Commissioner for Peace and Security.³⁸ During the meeting, several speakers explicitly referred to Chapter VIII.³⁹

The Special Representative and Head of the United Nations Office to the African Union noted the importance of framing the issue of predictable and sustainable financing within the context of a common political strategy, agreed to by the two Councils and informed by joint analyses and assessments of conflict situations. He opined that the Council should view its support to African Union peace support operations as a means by which it can exercise its primary responsibility for

³⁶ *Ibid.*, pp. 25–26.

³⁷ *Ibid.*, pp. 29–30.

³⁸ [S/PV.8314](#), pp. 2–7.

³⁹ *Ibid.*, p. 4 (Special Representative of the Secretary-General and Head of the United Nations Office to the African Union); p. 5 (African Union Commissioner for Peace and Security); p. 11 (Kuwait); p. 13 (United States); p. 13 (Russian Federation); and p. 18 (France).

the maintenance of international peace and security through effective collaboration with regional organizations, in accordance with Chapter VIII of the Charter of the United Nations.⁴⁰

Several speakers also stressed the need to provide Africa-led peacekeeping operations with sustainable and predictable funding.⁴¹ The representative of China noted that as the African Union peacekeeping operations faced difficulties in human and financial resources, there was a need to actively explore innovative ways to resolve the funding issue.⁴² With respect to the African Union Military Observer Mission in Somalia in particular, the representative of the United Kingdom stated that the international community needed to step up in providing vital contributions to the regional peacekeeping mission in the short and medium terms.⁴³ The representative of France argued that in order to enhance African peace operations, there was a need to move concretely and swiftly towards their predictable and sustainable financing. He also stated that given the current situation, the African peace enforcement operations, which would complement United Nations peacekeeping operations, should enjoy sound and predictable funding, including through mandatory contributions from the United Nations.⁴⁴ The representative of Kazakhstan called on the Council to consider practical steps to develop a mechanism to ensure the sustainable and predictable joint financing of African Union peace operations and stressed that conflict prevention be prioritized.⁴⁵

The Deputy Foreign Minister of Sweden, welcoming the renewed momentum between the United Nations and the African Union, stated that the need for the flexible, predictable and sustainable funding of African Union peace operations was clear and noted positively the access to assessed United Nations contributions for African Union-led operations. She also noted the progress in the development of the compliance framework and stressed the need to enhance the United Nations-African

⁴⁰ Ibid., p. 4.

⁴¹ Ibid. p. 12 (Kuwait); 15 (China); p. 17 (United Kingdom); p. 18 (France); p. 19 (Kazakhstan); p. 4 (Special Representative of the Secretary-General and Head of the United Nations Office to the African Union).

⁴² Ibid., p. 15.

⁴³ Ibid., p. 17.

⁴⁴ Ibid., p. 18.

⁴⁵ Ibid., p. 19.

Union cooperation in conflict resolution and prevention.⁴⁶ The representative of Equatorial Guinea, also speaking on behalf of the other two non-permanent African members of the Security Council, Côte d'Ivoire and Ethiopia, highlighted the importance of improving operational cooperation between the United Nations and the African Union in conflict prevention and mediation, maintenance and peacebuilding. In that regard, he recalled resolution [2378 \(2017\)](#) in which the Council expressed its intention to continue to consider the adoption of practical measures necessary to establish a mechanism through which the African Union could direct peace support operations authorized by the Security Council. He further emphasized that the \$47 million raised by African Union Member States to the African Peace Fund showed that they were seriously committed to achieving the 25 per cent self-funding and that they expected a similar commitment from the United Nations, in line with resolutions [2320 \(2016\)](#) and [2378 \(2017\)](#).⁴⁷

The representative of the Netherlands pointed out that the report of the Secretary-General on strengthening the partnership between the United Nations and the African Union on issues of peace and security in Africa ([S/2018/678](#)) rightly observed that regional interest and proximity to the parties could also complicate matters. On the provision of financial support for African Union peacekeeping, she called for the Council to step up its efforts and added that sustainable, predictable, and flexible financing would enhance the effectiveness of African Union peacekeeping. She further expressed support for the Secretary-General's intention to explore financing options in greater technical detail with the General Assembly.⁴⁸

The representative of the Plurinational State of Bolivia voiced his support for the African Union's request for a predictable and flexible budget and for economic support for peace and security operations. He also regretted that the Council ignored the Intergovernmental Authority on Development's express request that targeted sanctions and arms embargo not be imposed when the dialogue in South Sudan was advancing. He also noted that it was essential to grant a greater leadership role to the African Union in decision-making on matters that concerned it.⁴⁹

⁴⁶ *Ibid.*, p. 6.

⁴⁷ *Ibid.*, pp. 7-8.

⁴⁸ *Ibid.*, p. 9.

⁴⁹ *Ibid.*, p. 11.

The representative of the United States clarified that the United States would not consider additional financial support through the United Nations for any future African Union-led operations authorized by the Security Council under Chapter VIII of the Charter of the United Nations until African Union peace organizations and operations demonstrably implemented benchmarks for financial transparency, conduct and discipline and human rights. While acknowledging the progress that the African Union had made towards developing compliance frameworks for international humanitarian law and human rights, the speaker urged the United Nations and the African Union to continue to prioritize the development and implementation of standards in order to achieve greater transparency and accountability in African Union peace support operations.⁵⁰

The representative of the Russian Federation stated that it was extremely important to maintain the current United Nations procedures for considering and approving the relevant budgetary applications to ensure transparency and accountability in the allocation and use of funds and that strengthening cooperation between the two organizations would inevitably mean additional responsibilities for the regional actors that they must be fully prepared for.⁵¹ The representative of Poland underlined the need to ensure the full compliance of African-led peace operations with United Nations rules and standards in terms of troop quality, training and equipment as well as accountability, conduct and discipline.⁵²

Case 3

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

At the 8340th meeting on 5 September 2018, the Council discussed the situation in Nicaragua for the first time under this item.⁵³ The Council heard briefings by the Chief of Staff to the Secretary-General of the Organization of American States and a former Secretary-General of the Ministry of Defence of Nicaragua and civil

⁵⁰ *Ibid.*, pp. 12-13.

⁵¹ *Ibid.*, pp. 13-14.

⁵² *Ibid.*, p. 16.

⁵³ For more information on this item, see part I, sect. 41 and part II, “Agenda”.

society leader. The representatives of Costa Rica, Nicaragua, and the Bolivarian Republic of Venezuela also participated in the meeting. During the meeting, two Council members explicitly invoked Chapter VIII.⁵⁴ In addition, one explicit reference to Article 52,⁵⁵ and one explicit reference to Article 54 were made.⁵⁶

While Council members largely diverged over the agenda item's relevance to the purpose and responsibility of the Security Council in the maintenance of international peace and security,⁵⁷ several speakers concurred on the importance of the role of regional organizations, particularly the Organization of American States in addressing the current situation and expressed support for or welcomed the Organization's efforts in Nicaragua.⁵⁸ The representative of the Russian Federation categorially opposed discussing the situation in Nicaragua. He stated that the United States Presidency of the Council had used a "regional rationale in order to shovel the Nicaraguan issue" onto the Council's agenda and called on Washington to "refrain from its efforts in the colonial tradition to influence the situation in Nicaragua".⁵⁹ The representative of Plurinational State of Bolivia echoed the view rejecting the holding of the Council meeting on the basis that Nicaragua did not constitute any kind of threat to the region or the world. He stated that it was "absurd" to draw attention to the internal situation of a Member State under the theme "regional and subregional cooperation" and added that none of the conditions were met when one considered the situation in Nicaragua in light of Article 54 of the Charter of the United Nations by virtue of which regional bodies should keep the Council informed of activities undertaken or being contemplated under regional arrangements for the maintenance of international peace and security.⁶⁰

The representative of Kuwait recalled the essential role that regional and subregional organizations played in dealing with regional issues before they escalated, in accordance with Article 52, which called for enabling them to deal with matters

⁵⁴ [S/PV.8340](#), p. 9 (Peru) and p. 16 (Equatorial Guinea).

⁵⁵ *Ibid.*, p. 7 (Kuwait).

⁵⁶ *Ibid.*, p. 17 (Plurinational State of Bolivia).

⁵⁷ For further details on the discussion concerning the powers of the Security Council, see part V, sect. I.

⁵⁸ [S/PV.8340](#), p. 7 (Kuwait); p. 8 (United Kingdom); p. 9 (Peru); p. 10 (France); pp. 11-12 (Netherlands); p. 13 (Poland); p. 14 (Kazakhstan); p. 15 (Sweden); p. 16 (Equatorial Guinea); p. 19 (United States); and p. 21 (Costa Rica).

⁵⁹ *Ibid.*, pp. 6-7.

⁶⁰ *Ibid.*, pp. 16-17.

relating to the maintenance of international peace and security.⁶¹ The representative of the United Kingdom acknowledged that the Council was made aware by the regional organization of its worry that this could begin to have effects throughout the region and stated that the Council should never reach a stage in which it could not hear from a regional organization about its concerns within the territory for which it is responsible.⁶²

The representative of Kazakhstan stated that the situation in Nicaragua did not fall under the mandate of the Council since it did not constitute a threat to international peace and security and suggested that the United Nations be involved only through the mediation efforts of the Secretary-General's good offices. He also highlighted that stronger engagement and respectful cooperation by regional organizations in resolving the situation would be a crucial step towards the normalization of the political situation in Nicaragua.⁶³

The representative of Equatorial Guinea recalled that Chapter VIII of the Charter defined the mechanisms and means necessary for interaction among the Council and regional and subregional organizations and stated that the situation in Nicaragua should be addressed not by including it on the programme of work of the Council but by encouraging the international community, particularly the Organization of American States and the Catholic Church, to continue its constructive mediation role to establish the necessary external conditions to facilitate consultations, dialogue and agreement to avert a deterioration of the situation and by calling on the Government of Nicaragua to open up to the international community for a resolution of the political crisis.⁶⁴

The representative of Peru stated that the holding of this meeting was relevant under Chapter VIII of the Charter, which provided that the Council be kept fully informed of the activities undertaken by regional organizations and noted that despite the efforts of Organization of American States, the Government of Nicaragua had thus far rejected the offer to engage in constructive dialogue and limited its cooperation with various entities of the inter-American and United Nations systems.⁶⁵

⁶¹ Ibid. p. 7.

⁶² Ibid., p. 8.

⁶³ Ibid., p. 14.

⁶⁴ Ibid., p. 16.

⁶⁵ Ibid., p. 9.

The representative of France stated that the Council had the responsibility to support and assist conflict-prevention diplomacy without ideology and in full respect of the principles of the Charter of the United Nations.⁶⁶ The representative of the Netherlands saw a key role for the Council to play in conflict prevention by addressing root causes, such as human rights violations. He added that the engagement of local and regional actors was essential to addressing the current crisis.⁶⁷ Noting that “one nation’s crisis becomes a region’s crisis – even a global crises”, the representative of the United States expressed her country’s full support of the efforts of the Organization of American States and applauded the Council for adding its powerful voice to those calling for an end to tyranny in Nicaragua.⁶⁸

⁶⁶ *Ibid.*, p. 10.

⁶⁷ *Ibid.*, p. 11.

⁶⁸ *Ibid.*, pp. 18-19.

II. Recognition of the efforts of regional arrangements in the pacific settlement of disputes

Note

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

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

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

Regarding the situation in Afghanistan, the Council reiterated the importance of advancing regional and interregional cooperation to promote long-term peace, security and stability and welcomed the joint efforts to enhance dialogue and collaboration and to advance shared goals of economic development across the region.⁶⁹ To that end, the Council reaffirmed its support to the Afghan-led regional efforts within the framework of the Heart of Asia-Istanbul Process on Regional Security and Cooperation for a Secure and Stable Afghanistan.⁷⁰ The Council also welcomed the ongoing efforts to foster trust and cooperation by the Organisation of Islamic Cooperation, the Shanghai Cooperation Organisation, the Collective Security Organization, the South Asian Association for Regional Cooperation, the Regional Economic Cooperation Conference on Afghanistan and the Conference on Interaction

⁶⁹ Resolution [2405 \(2018\)](#), tenth preambular paragraph.

⁷⁰ *Ibid.*, para. 40.

and Confidence Building Measures in Asia.⁷¹

Concerning the situation in Burundi, the Council welcomed and expressed support for the renewed commitment by the African Union and the East African Community, expressed at the 30th African Union summit and the 19th East African Community summit, to a peaceful resolution of the political situation in Burundi through an inclusive dialogue on the basis of the Arusha Agreement of 28 August 2000. The Council noted its deep concern over the slow progress in the political dialogue and called for all the Burundian stakeholders to participate actively and unconditionally in the process. The Council also emphasized the importance of all parties, notably the Government, to commit to the East African Community-led process and reach an agreement ahead of the 2020 elections.⁷² On that note, the Council called upon the African Union, the East African Community, the International Conference of the Great Lakes Region, the United Nations and the Guarantors of the Arusha Agreement to coordinate their efforts in assisting Burundian stakeholders in its implementation and noted with appreciation the readiness of the African Union to deploy the High-Level Committee of Heads of State to Burundi.⁷³ Finally, the Council reiterated its concern over the significant delays in the deployment of the African Union human rights observers and military experts and expressed support for the African Union call for the immediate signing of the Memorandum of Understanding relating to their activities and operations in Burundi.⁷⁴

In connection with the situation in the Central African Republic, the Council emphasized the important role and high-level commitment of the Economic Community of Central African States, the International Conference on the Great Lakes Region and the African Union and neighbouring countries that were part of the Panel of Facilitators of the African Initiative in the promotion of lasting peace and stability in the country.⁷⁵ The Council reaffirmed its support of the African Initiative for Peace and Reconciliation in the Central African Republic and its roadmap that was adopted by the ministerial conference held in Libreville on 17 July 2017 by the

⁷¹ Ibid.

⁷² [S/PRST/2018/7](#), second paragraph.

⁷³ Ibid., fourth paragraph.

⁷⁴ Ibid., fourteenth paragraph.

⁷⁵ Resolution [2448 \(2018\)](#), para. 5; and [S/PRST/2018/14](#), fifth paragraph.

Central African Republic Authorities, the Economic Community of Central African States, the International Conference on the Great Lakes Region, and the African Union.⁷⁶ The Council also welcomed the high-level ministerial meeting held on 27 September 2018 co-chaired by the Economic Community of Central African States, the African Union, the United Nations, and the Central African Republic and reiterated the need to strengthen coordination in support of the African Initiative under the leadership of the African Union.⁷⁷ The Council called on the African Union, the Economic Community of Central African States, the International Conference on the Great Lakes Region, the United Nations and the neighbouring countries to step up their coordination and efforts for the next steps in the implementation of the Libreville roadmap.⁷⁸

Regarding the situation in the Democratic Republic of the Congo, the Council encouraged the continuation of efforts by the Secretary-General of the United Nations, the African Union, the International Conference on the Great Lakes Region, and the Southern African Development Community in the restoration of peace and security in the Democratic Republic of the Congo and further encouraged the Government of the Democratic Republic of the Congo to closely cooperate with these and other international parties.⁷⁹ The Council called for continued and close coordination among the United Nations, the African Union, the International Conference on the Great Lakes Region, the Southern African Development Community, and other key regional actors to ensure the full implementation of the Comprehensive and Inclusive Political Agreement signed in Kinshasha on 31 December 2016 and the successful conclusion of the electoral process.⁸⁰ With regards to the electoral process, the Council welcomed the commitment of the Southern African Development Community, the African Union, the Organisation Internationale de la Francophonie, the European Union, and the United Nations in supporting the electoral process and their establishment of a joint team of experts, as well as the role of the International Conference on the Great Lakes Region.⁸¹ Finally, on the issue of

⁷⁶ Resolution [2448 \(2018\)](#), para. 2; and [S/PRST/2018/14](#), fourth paragraph.

⁷⁷ Resolution [2448 \(2018\)](#), para. 4.

⁷⁸ *Ibid.*, para. 5.

⁷⁹ Resolution [2409 \(2018\)](#), eighteenth preambular paragraph.

⁸⁰ *Ibid.*, para. 5.

⁸¹ *Ibid.*, para. 9.

human rights, the Council urged the Government of the Democratic Republic of the Congo to hold those responsible for violations of international humanitarian law and abuses of human rights, including those committed in the context of the electoral process, and stressed the importance of regional cooperation and the country's cooperation with the International Criminal Court, as well as the cooperation with the African Court of Human and People's Rights to this end.⁸²

With respect to the situation in Guinea-Bissau, the Council commended the continued mediation efforts of the Economic Community of West African States (ECOWAS) to promote the implementation of the roadmap entitled "Agreement on the resolution of the political crisis in Guinea-Bissau" as the primary framework for a peaceful resolution of the political crisis.⁸³ The Council stressed the need for cooperation between ECOWAS, the African Union, the Community of Portuguese-Speaking Countries (CPLP) and the European Union for the stabilization of the country in accordance with priority structural reforms established by the Government.⁸⁴ In that regard, the Council encouraged ECOWAS and CPLP to take the necessary steps towards organizing a meeting of the International Contact Group on Guinea-Bissau, in consultation with the United Nations, the European Union, and all stakeholders.⁸⁵ The Council also encouraged ECOWAS to continue the use of good offices and mediation in extending its political support to the authorities and political leaders and to closely coordinate with the United Nations, the African Union, the Community of Portuguese Speaking Countries, and the European Union.⁸⁶ In a similar vein, the Council further encouraged the African Union, the Community of Portuguese Speaking Countries, the European Union, and the United Nations to provide support to ECOWAS.⁸⁷

Concerning the situation in Mali, the Council encouraged regional partners to provide the necessary support for the implementation of the Agreement on Peace and Reconciliation in Mali.⁸⁸ Stressing the importance of inclusive, fair and transparent

⁸² Ibid., para. 11.

⁸³ Resolution [2404 \(2018\)](#), tenth preambular paragraph.

⁸⁴ Ibid., seventh, eighth and tenth preambular paragraph and paras. 12, 16, and 23.

⁸⁵ Ibid., para. 13. s

⁸⁶ Ibid., paras. 12 and 24.

⁸⁷ Ibid., para. 23.

⁸⁸ Resolution [2423 \(2018\)](#), para. 16.

elections in Mali, the Council called for the continuation of a constructive dialogue between the Government, the Opposition and all relevant stakeholders on the modalities of the presidential elections which was essential for the transparency and credibility of the electoral process. It also expressed support for the efforts currently deployed by the Special Representative of the Secretary-General in coordination with the African Union High-Representative for Mali and the Sahel and the ECOWAS representative to support such dialogue.⁸⁹ Regarding the mandate of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), the Council also requested the Secretary-General to continue to ensure enhanced cooperation and information sharing between MINUSMA, the United Nations Office for West Africa and the Sahel and regional and subregional organizations, including ECOWAS.⁹⁰

In connection with the item entitled “Peace consolidation in West Africa”, the Council expressed in its decisions full support for subregional and regional cooperation to address root causes and cross-border and cross-cutting threats to peace and security.⁹¹ The Council welcomed the peaceful general elections held in Liberia on 10 October and the runoff presidential elections, on 26 December 2017, and expressed appreciation for the efforts of international and regional facilitators including ECOWAS, the African Union, and the United Nations. The Council also commended the continued engagement of the international community in support of the commitments made in the Liberia Peacebuilding Plan.⁹² The Council expressed concern over the challenging security situation in West Africa and the Sahel, notably the threats with regard to Guinea-Bissau, and called upon political leaders to uphold the Conakry Accords. The Council also commended the continued engagement of ECOWAS in helping to resolve the political impasse.⁹³ Regarding security in West Africa and the Sahel, the Council commended the efforts of the African Union and ECOWAS in strengthening border security and regional cooperation.⁹⁴ The Council also welcomed the efforts of the African Union, the Economic Community of Central

⁸⁹ *Ibid.*, para. 23.

⁹⁰ *Ibid.*, para. 30.

⁹¹ [S/PRST/2018/3](#), third paragraph.

⁹² *Ibid.*, seventh paragraph.

⁹³ *Ibid.*, eighth paragraph.

⁹⁴ *Ibid.*, thirteenth paragraph.

African States, and ECOWAS to enhance subregional capacities to cooperate in the area of conflict prevention, particularly cooperation on early warning analyses and systems, mediation and good offices.⁹⁵ The Council welcomed the recent high-level United Nations- African Union mission to the Sahel and emphasized the need for an integrated gender perspective in the design and implementation of comprehensive strategies to address the root causes of the crisis.⁹⁶ The Council also welcomed the efforts by the United Nations Office for West Africa and the Sahel (UNOWAS) and ECOWAS to work towards the systematic involvement of women in initiatives to counter terrorism and prevent violent extremism.⁹⁷ The Council expressed its concern for increased tensions between pastoralists and farmers in the region and encouraged ECOWAS and its Member States, with the support of UNOWAS, to address these challenges in a coordinated and holistic manner.⁹⁸ Stressing the need for strengthening collective engagement across the Sahel region, in line with existing frameworks, the Council welcomed the strengthened cooperation between the United Nations and the African Union, in particular through the Joint United Nations-African Union Framework for Enhanced Partnership in Peace and Security and the implementation of the 2030 Agenda for Sustainable Development and Agenda 2063 and took note of the decision of the African Union Peace and Security Council to reactivate the Nouakchott Process and the review of the African Union Strategy for the Sahel.⁹⁹

With respect to the situation in Somalia, the Council made an explicit reference to Chapter VIII of the United Nations Charter twice in its decisions.¹⁰⁰ The Council stressed the need to enhance the predictability, sustainability and flexibility of the financing for African Union-led peace support operations under the Security Council's authority consistent with Chapter VIII of the Charter.¹⁰¹ The Council also requested close coordination between the African Union and the United Nations in supporting the implementation of the resolution, as well as close collaboration

⁹⁵ [S/PRST/2018/3](#), penultimate paragraph; and [S/PRST/2018/16](#), fourth paragraph.

⁹⁶ [S/PRST/2018/16](#), twelfth paragraph.

⁹⁷ *Ibid.*

⁹⁸ *Ibid.*, fifteenth paragraph.

⁹⁹ *Ibid.*, twentieth paragraph.

¹⁰⁰ Resolution [2431 \(2018\)](#), para. 32; and [S/PRST/2018/13](#), ninth paragraph.

¹⁰¹ [S/PRST/2018/13](#), ninth paragraph.

between the United Nations Support Office in Somalia (UNSOM) and the African Union Mission in Somalia (AMISOM) at all levels.¹⁰²

Concerning the situation in the Abyei Area, in decisions adopted in connection with the item entitled “Reports of the Secretary-General on the Sudan and South Sudan”, the Council commended the continued assistance provided to the parties by the African Union, the African Union High Level Implementation Panel and the Intergovernmental Authority on Development (IGAD) and encouraged the African Union High Level Implementation Panel and the Special Envoy of the Secretary-General to continue their coordination of efforts towards the full implementation of the Agreement on Temporary Arrangements for the Administration and Security of Abyei Area signed in Addis Ababa in 2011.¹⁰³ The Council expressed disappointment that few steps had been taken by parties to implement the Agreement and requested them to update the African Union High Level Implementation Panel on their steps taken towards the measures outlined in the resolution.¹⁰⁴ The Council also further encouraged the United Nations Interim Security Force for Abyei to coordinate with the African Union High Level Implementation Panel and the Special Envoy on reconciliation, community sensitization, and political peace process.¹⁰⁵

In connection with the situation in Darfur, the Council emphasized the work of the African Union in the stabilisation of Darfur as well as the importance of the work of the African Union High Level Implementation Panel. On that note, the Council encouraged the Government of Sudan, the United Nations- African Union Hybrid Operation in Darfur (UNAMID), and the United Nations Country Team to engage with the African Union Commission in support of the political process, security sector reform and the disarmament, demobilization and reintegration process.¹⁰⁶ The Council also encouraged all parties to the conflict to engage constructively with the African Union High Level Implementation Panel in the peace process and implement the African Union High Level Implementation Panel Roadmap in full.¹⁰⁷ Concerning conflict-related sexual violence, the Council urged the Government of Sudan, with the

¹⁰² Resolution [2431 \(2018\)](#), para. 25.

¹⁰³ Resolution [2416 \(2018\)](#), fifth preambular paragraph and para. 8.

¹⁰⁴ *Ibid.*, para. 6.

¹⁰⁵ Resolution [2445 \(2018\)](#), para. 9.

¹⁰⁶ Resolution [2429 \(2018\)](#), para. 23.

¹⁰⁷ *Ibid.*, para. 31.

support of the United Nations, in particular the Special Representative of the Secretary-General for Sexual Violence in Conflict, and the African Union, to develop a structured framework through which conflict-related sexual violence would be comprehensively addressed.¹⁰⁸

With respect to the conflict in South Sudan, the Council in its decisions welcomed the commitment and efforts of the IGAD, the Joint Monitoring Evaluation Commission, the African Union, the African Union Peace and Security Council, and the United Nations in engaging with South Sudanese leaders to address the current crisis.¹⁰⁹ The Council stressed that the IGAD High-Level Revitalizing Forum was a unique window of opportunity and a last chance for the parties to achieve sustainable peace and stability in South Sudan and called on South Sudanese parties to demonstrate the political will to peacefully resolve the conflict.¹¹⁰ The Council also highlighted that the African Union, IGAD and the Council had demanded that the parties that violated the “Agreement on Cessation of Hostilities, Protection of Civilians, and Humanitarian Access” be held accountable.¹¹¹ The Council also requested the Special Representative of the Secretary-General to exercise his or her good offices to lead the United Nations system in South Sudan in assisting the Joint Monitoring and Evaluation Commission, the African Union, IGAD and other actors, as well as the parties, with implementation of the Agreement and to promote peace and reconciliation.¹¹² On justice and impunity, the Council took note of the steps taken by the African Union in setting up the Hybrid Court for South Sudan, welcoming the African Union’s formal invitation for the United Nations to provide technical assistance. The Council requested the Secretary-General to continue to provide technical assistance to the Commission of the African Union for the setting up of the Court and establishing the Commission for Truth, Reconciliation, and Healing.¹¹³

¹⁰⁸ Ibid., para. 35.

¹⁰⁹ Resolution [2406 \(2018\)](#), sixth preambular paragraph.

¹¹⁰ Ibid., seventh preambular paragraph.

¹¹¹ Ibid., eighth preambular paragraph.

¹¹² Ibid., para. 13.

¹¹³ Ibid., para. 28.

With regard to the situation in Ukraine, the Council also expressed full support to the Organization for Security and Co-operation in Europe Special Monitoring Mission, calling on all parties to facilitate its work to fulfil its mandate.¹¹⁴

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

Table 1

Decisions concerning the pacific settlement of disputes by regional arrangements

<i>Item</i>	<i>Decision and date</i>	<i>Paragraphs</i>	<i>Regional organizations mentioned</i>
The situation in Afghanistan	Resolution 2405 (2018) 8 March 2018	Thirteenth preambular paragraph and para. 40	Collective Security Treaty Organization, Conference on Interaction and Confidence-Building Measures in Asia, Heart of Asia-Istanbul Process on Regional Security and Cooperation for a Secure and Stable Afghanistan, Regional Economic Cooperation Conference on Afghanistan, Organization of Islamic Cooperation, Shanghai Cooperation Organization (SCO), South Asian Association for Regional Cooperation
The situation in Burundi	S/PRST/2018/7 5 April 2018	Second and fourth paragraphs	African Union, East African Community (EAC), International Conference of the Great Lakes Region
The situation in the Central African Republic	Resolution 2399 (2018) 30 January 2018	Seventh preambular paragraph	African Union, Economic Community of Central African States (ECCAS), International Conference on the Great Lakes Region (ICGLR)
	S/PRST/2018/14 13 July 2018	Fifth paragraph	
	Resolution 2448 (2018) 13 December 2018	Twenty-fifth preambular paragraph and paras. 2, 4, and 5	African Union, Economic Community of Central African States (ECCAS), International Conference on the Great Lakes Region (ICGLR), European Union (EU)
The situation in the Democratic Republic of the Congo	Resolution 2409 (2018) 27 March 2018	Paras. 5, 9, and 11	African Union, International Conference on the Great Lakes Region, European Union (ICGLR), Southern African Development Community (SADC), International Organisation of la Francophonie, African Court of Human and People's Rights

¹¹⁴ [S/PRST/2018/12](#), fourth paragraph.

<i>Item</i>	<i>Decision and date</i>	<i>Paragraphs</i>	<i>Regional organizations mentioned</i>
The situation in Guinea-Bissau	Resolution 2404 (2018) 28 February 2018	Seventh and tenth preambular paragraphs and paras. 5, 12, 16, 18, 20, 23, 24, and 25	African Union, Economic Community of West African States (ECOWAS), Community of Portuguese-Speaking Countries (CPLP), European Union
The situation in Mali	Resolution 2423 (2018) 28 June 2018	Para. 23	African Union, ECOWAS
Peace consolidation in West Africa	S/PRST/2018/3 30 January 2018	Seventh and eighth paragraphs	African Union, Economic Community of West African States (ECOWAS)
	S/PRST/2018/16 10 August 2018	Fourth, twelfth, fourteenth, fifteenth and twentieth paragraphs	African Union, Economic Community of Central African States (ECCAS), Economic Community of West African States (ECOWAS)
The situation in Somalia	Resolution 2431 (2018) 30 July 2018	Para. 25	African Union
Reports of the Secretary-General on the Sudan and South Sudan	Resolution 2406 (2018) 15 March 2018	Sixth, seventh, and eighth preambular paragraphs and paras. 13 and 28	African Union, Intergovernmental Authority on Development, Joint Monitoring and Evaluation Commission
	Resolution 2416 (2018) 15 May 2018	Paras. 6 and 8	African Union
	Resolution 2429 (2018) 13 July 2018	Thirtieth preambular paragraph and paras. 23 and 31	African Union
	Resolution 2445 (2018) 15 November 2018	Fifth preambular paragraph and para. 9	African Union, Intergovernmental Authority on Development
Letter from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council (S/2014/136)	S/PRST/2018/12 6 June 2018	Fourth paragraph	Organization for Security and Cooperation in Europe (OSCE)

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

During the period under review, various Council members referred to the role of regional and subregional organizations in the pacific settlement of disputes. As

described below in cases 4 and 5, Council discussions focused, respectively, on the complementary relationship between the United Nations and the African Union in the context of the political crisis in Burundi, and the United Nations and the African Union support for the mediation role of Intergovernmental Authority on Development in mediating the conflict in South Sudan.

Case 4

The situation in Burundi

On 26 February 2018, the Council held its 8189th meeting in connection with the situation in Burundi, focusing on the report of the Secretary-General submitted pursuant to resolution [2303 \(2016\)](#). The Council heard briefings by the Special Envoy for Secretary-General for Burundi and the representative of Switzerland, in his capacity as Chair of the Burundi configuration of the Peacebuilding Commission. The briefers congratulated the East African Community on its efforts and mediation initiatives,¹¹⁵ underlining the East African Community-led dialogue process as an indispensable instrument to address the current situation in Burundi and called on the international community to remain strongly committed to the political process.¹¹⁶

The representative of Equatorial Guinea urged active participation of parties in the political dialogue, noting that the mediation efforts of regional and subregional organizations, such as the African Union and the East African Community, coupled with the constructive role of the United Nations should make up the bulwark of mechanisms for a lasting political solution. He voiced positive views on the initiatives of the East African Community-led inter-Burundian dialogue held in Arusha, affirming that the political dialogue was the only way out of the situation and reminded the Council members that the sovereignty and territorial integrity of Burundi must be fully respected.¹¹⁷

Expressing concern over the lack of direct and constructive talks between the Government and the opposition despite the progress in inter-Burundian dialogue, the representative of Kazakhstan called on the subregional leadership and guarantors of the Arusha Agreement to redouble their efforts towards revitalizing the East African Community-led mediation. He concluded by reiterating the importance of a regional approach in addressing the underlying causes of the situation in Burundi.¹¹⁸

The representative of Côte d'Ivoire regretted that no significant progress had been made at the fourth session of the East African Community-led inter-Burundian

¹¹⁵ [S/PV.8189](#), p. 3 (Special Envoy of the Secretary-General for Burundi) and p. 5 (Chair of the Burundi configuration of the Peacebuilding Commission (Switzerland))

¹¹⁶ *Ibid.*, p. 5 (Chair of the Burundi configuration of the Peacebuilding Commission (Switzerland))

¹¹⁷ *Ibid.*, p. 6.

¹¹⁸ *Ibid.*, pp. 6–7.

dialogue, held in Uganda between 27 November and 8 December 2017. He called on the international community to further support the efforts of the East African Community and the mediator and facilitator of the Inter-Burundian Dialogue to restore stability and national reconciliation in Burundi.¹¹⁹

The representative of Ethiopia highlighted that despite the efforts of the facilitator, former President Benjamin Mkapa of Tanzania, the peace process remained deadlocked. He reaffirmed the clear need to reinvigorate the peace process, highlighting the importance the Council's support of the East African Community led dialogue for creating the conditions for peaceful and democratic elections in 2020.¹²⁰

On 21 November 2018, the Council convened its 8408th meeting, focusing on the report of the Secretary-General submitted pursuant to resolution [2303 \(2016\)](#). The Council heard briefings by the Special Envoy for Secretary-General for Burundi and the representative of Switzerland, in his capacity as Chair of the Burundi configuration of the Peacebuilding Commission. Informing the Council that the Government of Burundi and the majority party did not attend the fifth inter-Burundian dialogue session, the Special Envoy noted that the East African Community, the African Union and the United Nations needed to re-evaluate their commitment to helping Burundi emerge from its crisis, especially in view of the elections scheduled for 2020, and welcomed the East African Community's forthcoming summit.¹²¹

Several Council members voiced concerns over the progress in the East African Community-led political dialogues in the midst of the country's political condition, as well as the Government's absence from the final round of talks, urging the Government to reconsider its view on the inter-Burundian Dialogue as obsolete.¹²² Some Council members also expressed support for the continued facilitation led by the East African Community,¹²³ and highlighted the significance of close coordination

¹¹⁹ *Ibid.*, pp. 7–8.

¹²⁰ *Ibid.*, p. 9.

¹²¹ [S/PV.8408](#), pp. 2–3.

¹²² *Ibid.*, p. 6 (France); p. 9 (Netherlands); p. 11 (Ethiopia); p. 13 (Kazakhstan); p. 15 (Peru); p. 15 (United Kingdom); p. 16 (United States); and p. 17 (Sweden).

¹²³ *Ibid.*, p. 6 (France); p. 8 (Plurinational State of Bolivia); p. 9 (Netherlands); p. 11 (Ethiopia); p. 12 (Côte d'Ivoire); p. 16 (United Kingdom); and p. 18 (United States);

with the African Union,¹²⁴ and the International Conference on the Great Lakes Region.¹²⁵

Welcoming President Nkurunziza's announcement that he would not stand for re-election in 2020, the representative of France noted that the recent situation still presented concerns and regretted the lack of participation of the Burundian authorities in the fifth session of the inter-Burundian dialogue held in Arusha in October 2018. He also echoed the view of the Secretary-General that the Council should work closely with the East African Community and the African Union to help Burundi hold fair, free and transparent elections in 2020 and reaffirmed that the Burundian issue should remain on the agenda of the Council.¹²⁶

The representative of the Russian Federation said that overall Burundi's internal political processes were moving towards stabilization and the issue of 2020 presidential and parliamentary elections was Burundi's internal affair. He pointed out that in advancing the inter-Burundian dialogue, ascribing responsibility to one side alone was counterproductive and affirmed his country's commitment to the principle of African solutions to African problems, calling on the African community to continue its active mediation efforts. He concluded his statement by urging Council members to focus on more serious issues; adding that the situation in Burundi did not merit keeping it on the Council's agenda.¹²⁷

The representative of the Netherlands described the outcome of the inter-Burundian dialogue session as disappointing despite the tireless efforts of the facilitator of East African Community and regretted the Government's absence in the dialogue.¹²⁸ The representative of Poland commended the efforts of the East African Community and the facilitator in enabling the intra-Burundian dialogue and affirmed Poland's belief that the Arusha Peace and Reconciliation Agreement should remain the main instrument for peace and stability, encouraging the African Union, the East African Community and the guarantors of the Arusha Agreement to remain engaged in supporting Burundi.¹²⁹

¹²⁴ Ibid., p. 10 (Poland); p. 13 (Kazakhstan); p. 14 (Kuwait); p. 18 (Sweden).

¹²⁵ Ibid., p. 19 (China).

¹²⁶ Ibid., pp. 6–7.

¹²⁷ [S/PV.8408](#), pp. 7–8.

¹²⁸ Ibid., p. 9.

¹²⁹ Ibid., p. 10.

Echoing the concern expressed by other Council members over the current political impasse, the representative of Ethiopia said that there should be engagement between the Government of Burundi and the international community based on a realistic strategy aimed at supporting strong institutions and creating a climate that was conducive to the conduct of peaceful elections. He also urged the Council to explore new avenues for re-engagement with Burundi, calling on the Secretary-General to be fully engaged in cooperation with the East African Community and the African Union.¹³⁰

The representative of Peru expressed hope that the Government would reconsider its position that the dialogue had become obsolete and had led to the Government's absence from the latest meeting.¹³¹ The representative of the United Kingdom reaffirmed its position that the East African Community-led inter-Burundian dialogue was the only viable option for free and fair elections in 2020. Sharing some Council members' concern at the progress, the representative encouraged the East African Community to redouble its efforts to remain engaged and continue to push for tangible inclusive dialogue.¹³²

The representative of China welcomed the efforts of regional and subregional organizations while noting that Burundi's ownership and leadership in handling its own affairs should be fully respected and that the international community should respect the choice of the Government and the people relating to the elections and the political process.¹³³

Case 5

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

On 13 July 2018, the Council held its 8310th meeting under the above-referenced item to discuss new sanctions on South Sudan and adopt resolution [2428 \(2018\)](#). The representatives of the United States of America, Ethiopia, and Equatorial Guinea spoke before the vote. As a penholder of the resolution, the representative of

¹³⁰ Ibid., pp. 10–11.

¹³¹ Ibid., p. 15.

¹³² Ibid., p. 16.

¹³³ Ibid., p. 19.

the United States opposed the claim that an arms embargo would undermine the peace process and explained that peace in South Sudan would not come by letting the parties get their hands on more weapons.¹³⁴

Noting that the decision on sanctions would have serious implications for the peace process, the representative of Ethiopia pointed out that taking such action without synchronizing its position with the Intergovernmental Authority on Development (IGAD) and the African Union would seriously undermine the peace process and not reflect well on the cooperation between the United Nations and regional organizations. He added that the IGAD Council of Ministers had made it clear that pursuing such punitive measures at this stage would not be helpful and that it was the view of the African Union and the IGAD that it was not the appropriate time for such measures, calling upon the Council members to heed the calls of the region.¹³⁵

The representative of Equatorial Guinea, explaining the abstention in the vote, said that the Council's imposition of sanctions at this time would be counterproductive and reflective of a clear lack of consideration for the States and regional organizations involved. He argued that pressure on the parties should be exerted by regional actors to establish a secure and lasting peace in South Sudan, with the support of the Council.¹³⁶

Following the adoption,¹³⁷ the representative of France said that the resolution did not intend to undermine IGAD-led negotiations but rather to protect civilian populations by limiting the flow of weapons towards South Sudan. He also welcomed the commitment of IGAD, calling on the South Sudanese parties to finalize the peace agreement as soon as possible.¹³⁸

The representative of Poland stated that the measures adopted by the Council were important means to advancing the peace process and expressed his appreciation

¹³⁴ [S/PV. 8310](#), p.3.

¹³⁵ *Ibid.*, pp. 3–4.

¹³⁶ *Ibid.*, pp. 4–5.

¹³⁷ *In favour*: Côte d'Ivoire, France, Netherlands, Kuwait, Peru, Poland, Sweden, United Kingdom, United States; *Against*: none; *Abstaining*: Plurinational State of Bolivia, China, Equatorial Guinea, Ethiopia, Kazakhstan, Russian Federation.

¹³⁸ *Ibid.*, p. 5.

for the regional efforts of African leaders and their leadership of the IGAD in elaborating a viable political solution to the conflict.¹³⁹

The representative of China said that the Council should play a constructive role in lending all possible support to the mediation efforts of IGAD, the African Union and the countries of the region. He added that the Council needed to listen to the legitimate regional organizations and countries in Africa and take a cautious stance when it came to imposing sanctions.¹⁴⁰

Explaining the abstention, the representative of the Plurinational State of Bolivia said that the only way to achieve stable and lasting peace in South Sudan was through a serious political process between the parties, which was exactly what the IGAD and the African Union had been developing over the past year. He further emphasized the importance of the regional capacity to resolve its conflicts and insisted that Council measures should be agreed on in principle with the relevant regional organizations.¹⁴¹

The representative of the Russian Federation outlined that the efforts of IGAD had led to a full-on negotiation platform in less than a month, regretted that the Council had taken a disappointing approach instead of listening to the regional position and hoped that despite the destructive step, IGAD's mediation would continue.¹⁴² The representative of Kazakhstan explained the abstention noting that the resolution did not reflect the positions and concerns of the countries of the region and the relevant regional organizations, IGAD and the African Union. He called on the Council to remain united in support of the efforts of the AU and IGAD despite the adoption, and to stand up for a greater role for regional organizations in the Council's work.¹⁴³

The representative of Kuwait said that the resolution just voted on would hopefully be an opportunity for the various parties in South Sudan to pursue talks.¹⁴⁴ The representative of Sweden said he shared a deep sense of frustration along with other Council members and that with continuing violence and mass atrocities, the

¹³⁹ Ibid., pp. 5-6.

¹⁴⁰ Ibid., p. 6.

¹⁴¹ Ibid., p. 7.

¹⁴² Ibid., pp. 7-8.

¹⁴³ Ibid., p. 8.

¹⁴⁴ Ibid., pp. 8-9.

international community could not stand by idly. He commended IGAD and the wider regional efforts towards a political solution supporting the Council's careful consideration on how to best support the regional effort.¹⁴⁵

During the 8356th meeting of the Council, on 18 September 2018, which focused on the report of the Secretary-General on South Sudan submitted pursuant to resolution [2406 \(2018\)](#), the Council heard briefings from the Under-Secretary-General for Peacekeeping Operations, the Special Envoy of the Secretary-General for the Sudan and South Sudan, the Intergovernmental Authority on Development Special Envoy for South Sudan as well as the Governance and Peace Manager for Community Empowerment for Progress Organization. The briefers highlighted the signing of the Revitalized Agreement on the Resolution of the Conflict in South Sudan and the importance of supporting IGAD efforts in the peace process.¹⁴⁶

The representative of the United States, acknowledging the revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan, expressed concerns about the sustainability of the Agreement due to past failures. In this connection, he urged IGAD and the African Union to intensify their involvement in monitoring progress on implementation and to hold the parties to account, expressing support for the continued engagement of the region to facilitate the implementation of the Agreement.¹⁴⁷

The representative of Ethiopia highlighted the indispensable role of IGAD, the African Union and the United Nations throughout the protracted High-level Revitalization Forum process and reiterated that maintaining unity of purpose among the organizations was necessary. He expressed hope that the Council would respond positively to the request from the IGAD Summit to support the full deployment of the Regional Protection Force and a review of its mandate to be in a better position to support the implementation of the revised Peace Agreement.¹⁴⁸

The representative of the Netherlands expressed appreciation for IGAD's signing of the Peace Agreement on 12 September and called upon all signatories to

¹⁴⁵ Ibid., pp. 8-9.

¹⁴⁶ [S/PV.8356](#), pp. 2-3 (Under-Secretary-General for Peacekeeping Operations; pp. 3-4 (Special Envoy of the Secretary-General for the Sudan and South Sudan); and pp. 5-6 (Intergovernmental Authority on Development Special Envoy for South Sudan)

¹⁴⁷ Ibid., pp. 8-9.

¹⁴⁸ Ibid., pp. 9-10.

ensure that the Agreement was respected and implemented. She also stressed the importance of the regional role in ensuring a political process with concrete results and stated that the targeted sanctions and arms embargo indicated the Council's resolve to end the violence and protect civilians.¹⁴⁹

The representative of Poland expressed concern that the Agreement was yet to have an impact on the situation of the people of South Sudan despite the positive developments. She nonetheless commended the role of IGAD, Ethiopia and Sudan.¹⁵⁰ The representative of Kazakhstan, hailing the Agreement as a great example of the cherished notion of African solutions for African problems, commended the concerted work of IGAD and the African Union, as well as the mediation efforts of Ethiopian, Sudanese and Ugandan leaders in securing the peace deal, and urged the Council to remain united in support of IGAD, the African Union and the parties in South Sudan in implementing the provisions of the Agreement.¹⁵¹

The representative of Côte d'Ivoire commended the tireless mediation efforts of the regional leaders, pointed out that it was essential for the authorities of South Sudan to receive technical and financial support from IGAD, the African Union, the United Nations and other partners and that measures needed to be taken to restore trust among the parties and create a climate conducive to constructive dialogue.¹⁵² The representative of Sweden encouraged the active engagement of the region to play a proactive role in monitoring the implementation of the Agreement and holding the parties accountable. He emphasized the need for continued support of the Council for these regional efforts, including those of IGAD and the African Union, to maintain the current momentum.¹⁵³

The representative of China said that the international community should continue to fully support the good offices and efforts by regional organizations and countries and realize the full potential of regional organizations, such as IGAD, and countries as the main channel for mediation. He stressed that as the primary institution for the maintenance of international peace and security, the Council should send out positive messages and play an important role in promoting the political peace process

¹⁴⁹ Ibid., p. 11.

¹⁵⁰ Ibid., p. 12.

¹⁵¹ Ibid., p. 13.

¹⁵² Ibid., p. 16.

¹⁵³ Ibid., pp. 18-19.

by working together.¹⁵⁴ The representative of the Plurinational State of Bolivia emphasized the importance of the Council in maintaining unity with the African Union and IGAD and coordinating its actions with those of the region.¹⁵⁵

The representative of the Russian Federation expressed readiness to consider substantive proposals by IGAD regarding the Regional Protection Force.¹⁵⁶

¹⁵⁴ [S/PV.8356](#), p. 19.

¹⁵⁵ *Ibid.*, pp. 20–21.

¹⁵⁶ *Ibid.*, pp. 21–22.

III. Peacekeeping operations led by regional arrangements

Note

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

A. Decisions concerning peacekeeping operations led by regional arrangements

During the period under review, the Council renewed the authorization of two peacekeeping operations led by regional arrangements, namely the European Union Force-Althea in Bosnia and Herzegovina,¹⁵⁷ and the African Union Mission in Somalia.¹⁵⁸ The Council also welcomed the Member States of West Africa and the Sahel in spearheading initiatives to address security challenges through the deployment of the Joint Force of the Group of Five for the Sahel and further welcomed the operationalization of support to the Joint Force through the technical agreement between the United Nations, the European Union and the G5 Sahel.¹⁵⁹

In addition, the Council's decisions in 2018 also took note of the work and called for relevant United Nations peace operations to cooperate with several other regionally-led military and police training missions, namely the North Atlantic Treaty Organization (NATO) Resolute Support Mission in Afghanistan,¹⁶⁰ the European Union Training Mission in the Central African Republic,¹⁶¹ the European Union

¹⁵⁷ Resolution [2443 \(2018\)](#), para. 3.

¹⁵⁸ Resolutions [2415 \(2018\)](#), para. 1; and [2431 \(2018\)](#), para. 5

¹⁵⁹ See for example, [S/PRST/2018/3](#), thirteenth and fourteenth paragraphs; [S/PRST/2018/16](#), fourteenth paragraph; and resolution [2423 \(2018\)](#), eighteenth preambular paragraph and paras. 48 and 49.

¹⁶⁰ See, for example, resolution [2405 \(2018\)](#), para. 6(f).

¹⁶¹ See, for example, resolutions [2399 \(2018\)](#), eighth preambular paragraph; and [2448 \(2018\)](#), paras. 18 and 40(b)(i).

Training Mission in Mali,¹⁶² and the ECOWAS Mission in Guinea-Bissau.¹⁶³ The NATO Force in Kosovo, established by resolution [1244 \(1999\)](#), continued to operate without any decision taken with respect to its mandate.

Table 2 lists the decisions by which the Council authorized peacekeeping missions led by regional organizations during the reporting period.

Table 2

Decisions by which the Security Council authorized peacekeeping operations led by regional organizations

<i>Item</i>	<i>Decision and date</i>	<i>Paragraphs</i>	<i>Peacekeeping operations</i>
The situation in Bosnia and Herzegovina	Resolution 2443 (2018) 6 November 2018	paras. 3-6	European Union Force (EUFOR-Althea)
	Resolution 2415 (2018) 15 May 2018	para. 1	African Union Mission in Somalia (AMISOM)
	Resolution 2431 (2018) 30 July 2018	paras. 5-8	AMISOM

European Union Force-Althea

During the review period, the Council renewed the authorization of the European Union Force-Althea (EUFOR-Althea) in Bosnia and Herzegovina for a period of 12 months.¹⁶⁴ The Council reiterated its authorization to Member States to take “all necessary measures” to effect the implementation of and to ensure compliance with annexes 1-A and 2 of the General Framework Agreement for Peace in Bosnia and Herzegovina, stressing the parties would be held equally responsible for compliance with those annexes and would be subject to such enforcement action by EUFOR-Althea and the NATO presence as might be necessary.¹⁶⁵ The Council also authorized Member States to take “all necessary measures”, at the request of either

¹⁶² See for example, resolution [2423 \(2018\)](#), para. 54.

¹⁶³ See for example, resolution [2404 \(2018\)](#), eighteenth preambular paragraph and para. 18.

¹⁶⁴ Resolution [2443 \(2018\)](#), paras. 3 and 4. For information on the establishment of EUFOR-Althea, see *Repertoire, Supplement 2004-2007*, chap. XII, part III.C.

¹⁶⁵ Resolution [2443 \(2018\)](#), para. 5.

EUFOR-Althea or the NATO Headquarters, in defence of the EUFOR-Althea or the NATO presence respectively, and to assist both organizations in carrying out their missions.¹⁶⁶

African Union Mission in Somalia

In 2018, the Council adopted resolutions [2408 \(2018\)](#) of 27 March, [2415 \(2018\)](#) of 15 May, [2431 \(2018\)](#) of 30 July and [2444 \(2018\)](#) of 14 November and issued a presidential statement on 7 June,¹⁶⁷ in connection with the African Union Mission in Somalia (AMISOM). The Council renewed twice in 2018 the authorization of the States members of the African Union to maintain the deployment of AMISOM, initially authorized in 2007.¹⁶⁸

By resolution [2431 \(2018\)](#), the Council added further elements to the existing mandate. In that regard, the Council maintained the primary strategic objectives of the Mission such as enabling the gradual handing over of security responsibilities from AMISOM to the Somali security forces, with the aim of Somali security institutions taking the lead by December 2021; reducing the threat posed by Al-Shabaab and other armed opposition groups, including through mitigating the threat posed by improvised explosive devices; and assisting the Somali security forces in providing security for the political process at all levels as well as stabilisation coordinated with the Community Recovery and Extension of State Authority and Accountability (CRESTA/A), reconciliation and peacebuilding in Somalia.¹⁶⁹

While reiterating the priority tasks, as defined by resolution [2372 \(2017\)](#), the Council also requested the African Union and the United Nations to conduct a joint Operational Readiness Assessment of AMISOM by 15 September 2018 to identify capacities and requirements within the authorised troop ceiling and to provide the baseline for a revised Concept of Operations with clear target dates for the

¹⁶⁶ *Ibid.*, para. 6.

¹⁶⁷ [S/PRST/2018/13](#). For information on the establishment of AMISOM, see *Repertoire, Supplement 2004-2007*, chap. XII, part III. C.

¹⁶⁸ Resolutions [2415 \(2018\)](#), para. 1 and [2431 \(2018\)](#), para. 5.

¹⁶⁹ Resolution [2431 \(2018\)](#), para. 7(a)-(c).

progressive transfer of security responsibility from AMISOM to the Somali security institutions and forces.¹⁷⁰

The Council also welcomed the intention of the Secretary-General to conduct a technical assessment of AMISOM by 31 January 2019, working closely with the African Union to review the Mission's reconfiguration in support of the transition plan.¹⁷¹ On that note, the Council expressed its intention to consider further uniformed personnel reductions with the aim of having the Somali security institutions leading security responsibility by December 2021.¹⁷²

In reference to Chapter VIII of the Charter, the Council stressed the need for enhanced predictability, sustainability and flexibility of the financing for African Union-led peace support operations authorized by the Security Council and encouraged the Secretary-General, the African Union and partners to continue efforts to explore earnest funding arrangements for AMISOM.¹⁷³

During the period under review, the Council reiterated its request that AMISOM support and assist the Federal Government of Somalia and the Federal Member States in the implementation of the charcoal ban and document and register military equipment captured as part of its offensive operations or in the course of carrying out their mandates.¹⁷⁴ The Council also called upon AMISOM to facilitate the Panel of Experts' regular access to charcoal exporting ports and share information with the Panel regarding Al-Shabaab activities.¹⁷⁵ Underlining the continued importance of AMISOM forces carrying out their mandate in full compliance with participating States' obligations under international law, the Council called upon AMISOM and the African Union to ensure monitoring of and prompt and thorough investigations into the violations of human rights and international humanitarian law.¹⁷⁶

¹⁷⁰ Ibid., para. 11. By resolution [2415 \(2018\)](#) of 15 May, the Council recalled its decision to reduce the level of uniformed AMISOM personnel to a maximum level of 20,626 by 30 October 2018 (para. 1). By resolution [2431 \(2018\)](#) of 30 July, the Council decided to extend the deadline for troop reduction to 28 February 2019, stressing no "further delay in the reduction of the level of uniformed AMISOM personnel" (para. 5).

¹⁷¹ Resolution [2431 \(2018\)](#), para. 23.

¹⁷² Ibid., para. 24.

¹⁷³ Ibid., para. 32.

¹⁷⁴ Ibid., para. 16 and resolution [2444 \(2018\)](#), para. 27 and 42. For more information on the sanctions measures concerning Somalia and Eritrea, see part VII, sect. III.

¹⁷⁵ Resolution [2444 \(2018\)](#), paras. 42 and 53.

¹⁷⁶ Resolution [2431 \(2018\)](#), para. 17.

Joint Force of the Group of Five for the Sahel

In its decisions in 2018, the Council welcomed and commended the initiatives of the countries in West Africa and the Sahel to address the security challenges in the region through the deployment of the Joint Force of the Group of Five for the Sahel, which was established in February 2017 by five Sahel states namely Burkina Faso, Chad, Mali, Mauritania and Niger.¹⁷⁷ Stressing the efforts of the Joint Force to counter the activities of terrorist groups and other organized criminal groups, the Council noted that the Joint Force would contribute to creating a more secure environment in the Sahel region and thus facilitate fulfilling the mandate of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) to stabilize Mali.¹⁷⁸ The Council also underlined that MINUSMA and the Joint Force, with their potential to be mutually beneficial instruments in restoring peace and stability in Mali and the Sahel region, would constitute a positive interaction between a United Nations peacekeeping operation and an African one.¹⁷⁹ The Council recalled the important role of UNOWAS in providing technical assistance to the Permanent Secretariat of the G-5 Sahel and encouraged the Economic Community of West African States and the G-5 Sahel to identify areas of complementarity in preventing conflict and sustaining peace.¹⁸⁰ In this connection, the Council requested the Secretary-General to continue to ensure adequate coordination, exchange of information and, if applicable, support between MINUSMA, the Malian Defence and Security Forces, the Joint Force, the French Forces and the European missions in Mali.¹⁸¹

The Council welcomed ongoing efforts by relevant partners to support the G-5 Sahel States in establishing and implementing a robust compliance framework to prevent, investigate, address and publicly report violations of human rights and international humanitarian law related to the Joint Force.¹⁸² The Council also

¹⁷⁷ See for example, [S/PRST/2018/3](#), thirteenth paragraph; and [S/PRST/2018/16](#), fourteenth paragraph.

¹⁷⁸ Resolution [2423 \(2018\)](#), para. 48

¹⁷⁹ *Ibid.*, eighteenth preambular paragraph.

¹⁸⁰ [S/PRST/2018/16](#), fourteenth paragraph.

¹⁸¹ Resolution [2423 \(2018\)](#), para. 41

¹⁸² [S/PRST/2018/3](#), fourteenth paragraph.

commended the signing of a technical agreement between the European Union, the United Nations and the G-5 Sahel to providing specified operational and logistical support through MINUSMA to the Joint Force.¹⁸³ In addition, the Council stressed that such support from MINUSMA, as per the conditions set by resolution [2391 \(2017\)](#), would allow the Joint Force to enhance its ability to deliver on its mandate.¹⁸⁴ The Council welcomed the European Union's contribution to support the Joint Force and called on donors to further contribute to guarantee full implementation and functionality of the technical agreement without further delay.¹⁸⁵

The Council also requested the Secretary-General to enhance the exchange of information between MINUSMA and the G-5 Sahel States through the provision of relevant intelligence.¹⁸⁶ The Council also requested MINUSMA to ensure that its support to the Joint Force was in strict compliance with the Human Rights Due Diligence Policy on United Nations support to non-United Nations security forces (HRDDP).¹⁸⁷ In this regard, the Council called upon the Joint Force to cooperate with the United Nations in implementing the HRDDP by ensuring that the relevant monitoring and reporting mechanisms were in place and functional.¹⁸⁸ The Council also recalled that the adherence to the compliance framework would be essential in ensuring the effectiveness and legitimacy of the Joint Force and requested the Secretary-General to report to the Council every three months on the coordination of support between MINUSMA, the Malian Defence and Security Forces, the French Forces and the European Union missions in Mali.¹⁸⁹

NATO Resolute Support Mission in Afghanistan

In connection with the situation in Afghanistan, the Council reiterated the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA) to closely coordinate and cooperate with the NATO Resolute Support Mission.¹⁹⁰

¹⁸³ Resolution [2423 \(2018\)](#), para. 49.

¹⁸⁴ *Ibid.*, para. 48.

¹⁸⁵ *Ibid.*, para. 49.

¹⁸⁶ *Ibid.*, para. 50.

¹⁸⁷ *Ibid.*, para. 52.

¹⁸⁸ *Ibid.*

¹⁸⁹ *Ibid.*, paras. 51 and 70(iii).

¹⁹⁰ Resolution [2405 \(2018\)](#), para. 5(f).

B. Discussions concerning peacekeeping operations led by regional arrangements

During the period under review, the Council discussed the role of regional peacekeeping operations such as EUFOR-Althea in Bosnia and Herzegovina,¹⁹¹ AMISOM in Somalia,¹⁹² the Joint Force of the G-5 Sahel,¹⁹³ and the NATO Resolute Support Mission in Afghanistan.¹⁹⁴ As illustrated in the case studies on the situation in Somalia (see case 6) and peace and security in Africa (see case 7), Council members and other speakers focused their remarks regarding regional operations on some of the following topics: the need for international and United Nations support and cooperation, the respect for the principle of national ownership and the need for conditions-based transition processes.

Case 6

The situation in Somalia

At the 8321st meeting of the Council held on 20 July 2018 in connection with the situation in Somalia, the Council adopted resolution [2431 \(2018\)](#) by which it extended the mandate of the African Union Mission in Somalia (AMISOM). Following the adoption, the representative of Ethiopia highlighted the importance of AMISOM's continued work in post-conflict recovery and peacebuilding, noting that despite the recent political and security gains, a lot remained to be done. In that regard, detailed planning and implementation were necessary in putting all phases of the security transition plan into motion. He also stressed the importance of cooperation and coordination between the United Nations Support Office in Somalia (UNSOM) and AMISOM and the Somali National Security Forces at all levels, including through improved consultations with AMISOM in the logistics support package.¹⁹⁵ Welcoming the decision, the representative of Somalia noted that despite

¹⁹¹ [S/PV.8248](#) and [S/PV.8392](#).

¹⁹² [S/PV.8165](#), [S/PV.8259](#), [S/PV.8280](#), [S/PV.8321](#), and [S/PV.8352](#).

¹⁹³ [S/PV.8266](#), [S/PV.8306](#), [S/PV.8402](#), [S/PV.8407](#), [S/PV.8433](#), and [S/PV.8435](#).

¹⁹⁴ [S/PV.8199](#), [S/PV.8354](#), [S/PV.8426](#), and [S/PV.8199](#).

¹⁹⁵ [S/PV.8321](#), pp. 2-3.

the recent improvement in the situation, UNSOM would need to provide an appropriate level of funding to fill the gaps in logistics and equipment for AMISOM, which was underfunded, understaffed and unequipped.¹⁹⁶

During the 8352nd meeting of the Council, held on 13 September 2018, in connection with the situation in Somalia, the Special Representative of the Secretary-General for Somalia and Head of UNSOM, as well as the Special Representative of the Chairperson of the African Union Commission for Somalia and Head of AMISOM made statements on the political, security and humanitarian challenges in Somalia and underlined the importance of AMISOM and its predictable funding during the transition period.¹⁹⁷ The Executive Director of the United Nations Entity for Gender Equality and the Empowerment of Women also made statement on the increasing political participation of women in Somalia, encouraging Council members to follow up on the AMISOM and UNSOM's implementation of mandates in relation to gender equality.¹⁹⁸

Some Council members commented on the importance of providing sustainable and predictable financing to AMISOM. The representative of the United Kingdom stated that AMISOM needed to reconfigure to support the practical requirements to transition. For that reason, he said that it was necessary to ensure that the transition was sustainably financed.¹⁹⁹ The representative of Ethiopia highlighted AMISOM's role in close cooperation with the Somali national security forces and the importance of predictable support for AMISOM to implement its mandate effectively.²⁰⁰ The representative of Sweden stated that by ensuring adequate, predictable and sustainable funding, the Council had to continue to address the challenges to AMISOM's efforts.²⁰¹ The representative of China called on the United Nations and the international community to consider providing stable, predictable and sustainable funding support to AMISOM and helping the troop-contributing countries

¹⁹⁶ Ibid., pp. 3-4.

¹⁹⁷ [S/PV.8352](#), pp. 2-6.

¹⁹⁸ Ibid., pp. 7-8.

¹⁹⁹ Ibid., p. 9.

²⁰⁰ Ibid., p. 11.

²⁰¹ Ibid., p. 15.

with capacity to combat terrorism and promote peace and stability in Somalia and the surrounding regions.²⁰²

Expressing deep concern at the fragility and deterioration of security and human rights situation in Somalia, the representative of Côte d'Ivoire stated that given the precarious security situation in Somalia, the continued presence of AMISOM troops was justified and should lead to the international community's financial and logistical support to allow AMISOM to effectively implement its mandate and the Somali Government to effectively implement the transition plan.²⁰³

Recalling the Council decision to postpone reducing the AMISOM troop ceiling until February 2019, the representative of France emphasized the continued importance of gradual, organized and conditioned drawdown of AMISOM. He further highlighted the importance of abiding by the new deadlines pursuant to resolution [2431 \(2018\)](#) and added that while AMISOM should be supported throughout the transition, the European Union could no longer finance the bonuses of AMISOM soldiers alone and new partners should contribute to the financing of the Mission.²⁰⁴

The representative of Kazakhstan said that there should not be a security vacuum in the transfer of security responsibilities from AMISOM to the national forces. He emphasized the critical importance of swift implementation of the national security architecture and the transition plan, with the coordinated support of the international partners.²⁰⁵

Case 7

Peace and security in Africa

On 15 November 2018, the Council held its 8402nd meeting to consider the report of the Secretary-General ([S/2018/1006](#)) on the Joint Force of the Group of Five for Sahel (G-5 Sahel), which was submitted to the Council further to resolution [2391 \(2017\)](#). The Council heard briefings by the Under-Secretary-General for Peacekeeping Operations, the Permanent Secretary of the Group of Five for the Sahel,

²⁰² Ibid., p. 18.

²⁰³ Ibid., p. 13.

²⁰⁴ Ibid., p. 16.

²⁰⁵ Ibid., p. 20.

the African Union High Representative for Mali and the Sahel, and the Deputy Secretary-General for Common Security and Defence Policy and Crisis Response at the European External Action Service.²⁰⁶

In their briefings, they voiced concerns about the security situation in the Sahel with the increase in terrorist attacks and called for the full operationalization of the Joint Force, echoing the prior calls by the Secretary-General to place the force under the mandate of Chapter VII of the Charter of the United Nations.²⁰⁷ Noting that only an operation with a regional mandate and more clearly defined roles and responsibilities would be effective in combating terrorism and transnational crimes in the Sahel, the Under-Secretary-General for Peacekeeping Operations encouraged the G-5 Sahel member States to agree on a common vision of the final status of the Joint Force.²⁰⁸ The permanent Secretary of the G-5 Sahel pointed out that the financing of the Joint Force was far from the pledged goal and therefore called for a greater level of tangible solidarity on the part of the international community.²⁰⁹

The African Union High Representative for Mali and the Sahel reiterated the African Union's strong commitment to the Joint Force and welcomed the Secretary-General's emphasis on the overriding need to establish a support group for Joint Force under Chapter VII of the Charter, enabling a direct United Nations financing.²¹⁰ The Deputy Secretary-General for Common Security and Defence Policy and Crisis Response at the European External Action Service reaffirmed the European Union's support for various political processes throughout the Sahel, particularly its support to the ongoing peace process in Mali and shed light on the European Union's coordination hub, which was established to facilitate and coordinate the financial support between the Joint Force and international donors.²¹¹

The representative of France stressed the importance of the G-5 Sahel States continuing the mobilization of the Joint Force to ensure its full operationalization as soon as possible and called for the implementation of the decision of the Heads of

²⁰⁶ [S/PV.8402](#), pp. 2-8.

²⁰⁷ [S/PV.8402](#), pp. 3-4 (Under-Secretary-General for Peacekeeping Operations), p. 5 (Permanent Secretary of the Group of Five for the Sahel), p. 6 (African Union High Representative for Mali and the Sahel).

²⁰⁸ *Ibid.*, pp. 2-3.

²⁰⁹ *Ibid.*, pp. 4-5.

²¹⁰ *Ibid.*, pp. 6-7.

²¹¹ *Ibid.*, pp. 7-8.

State of the G-5 Sahel to relocate the headquarters of the Joint Force to Bamako. He called on the international community and the Council to provide effective support corresponding to the level of the challenges, including the pledged financial contributions and additional resources to finance the technical support to enable the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) to provide logistical and operational support on the ground. The representative of France also expressed support to the Secretary-General's recommendations for enhancing multilateral support for the Joint Force by providing a robust mandate and implementing a logistics package.²¹²

The representative of the Russian Federation expected concrete plans for the continuation of joint operations to be announced soon and underlined the importance of speeding up the process of building military camps for the Joint Force.²¹³

The representative of Kazakhstan emphasized the need for predictable and long-term sustainable funding from the donor community to the G-5 Sahel countries and supported the recommendations of the Secretary-General regarding the need to revise support measures and the funding mechanism. He also noted the importance of ensuring the complementarity and coordination between the Joint Force and all security forces in the region, including MINUSMA, Operation Barkhane and regional frameworks, in particular the African Union-led Nouakchott process.²¹⁴

The representative of the United Kingdom called on the G-5 Sahel countries to expedite efforts to deploy all outstanding troops and fully establish the police component to address the growing transborder threat and urged all partners to make good on the financial commitments they made to the Joint Force as soon as possible.²¹⁵

Referring to the Secretary-General's report ([S/2018/1006](#)) and in connection with the progress in building up the G-5 Sahel Joint Force, the representative of Côte d'Ivoire urged the G-5 Sahel States to continue their dialogue with international partners with a view to strengthening the coordination of the multifaceted support for the Joint Force's operationalization. He also reaffirmed that the rapid deployment

²¹² Ibid., p. 9.

²¹³ Ibid., pp. 10-11.

²¹⁴ Ibid., pp. 11-12.

²¹⁵ Ibid., p. 13.

capabilities and familiarity with the social and cultural environment would constitute the Joint Force's comparative advantages.²¹⁶

The representatives of Ethiopia and the Plurinational State of Bolivia explicitly called for the Council to define the G-5 Sahel Joint Force under Chapter VII of the Charter. The representative of Ethiopia said that it would be important for the international community, including the Council, to take concrete action, as requested by President Ibrahim Keita of Mali and other representatives from the region, to place the Joint Force under a Chapter VII mandate to ensure continuous support and funding and expressed support for the African Union's work in reporting on the activities of the Joint Force.²¹⁷ The representative of the Plurinational State of Bolivia highlighted the Joint Force as a great and exemplary demonstration of the coordinated efforts of the African Union and the United Nations. He added that the refusal by some Council members to provide the Joint Force with a Chapter VII mandate made its deployment and operationalization even more difficult and called on the Security Council to take urgent and relevant steps in that regard.²¹⁸

By contrast, the representative of the United States reiterated the view that the Chapter VII authorization was not needed to accomplish the Joint Force's mission as the G-5 Sahel countries operated on existing agreements in place in their respective territories. He further noted that security responses alone would not solve every problem and added that MINUSMA's technical agreement with the Joint Force was the full extent of the role the United Nations should play outside of continued coordination and technical assistance on a voluntary basis.²¹⁹

The representative of Sweden said that while the operational and logistical support provided by MINUSMA to the G-5 Sahel states was important, this support should not affect MINUSMA's capacity to implement its own mandate.²²⁰

²¹⁶ *Ibid.*, pp. 13-14.

²¹⁷ *Ibid.*, p. 15.

²¹⁸ *Ibid.*, p. 24.

²¹⁹ *Ibid.*, pp. 17-18.

²²⁰ *Ibid.*, p. 16.

IV. Authorization of enforcement action by regional arrangements

Note

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

A. Decisions concerning the authorization of enforcement action by regional arrangements

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

With respect to the situation in Libya and acting under Chapter VII, the Council renewed its authorization for a period of 12 months for Member States “acting nationally or through regional organizations” to inspect vessels on high seas off the Libyan coast suspected of carrying arms and or related material to or from Libya, in violation of previous Council resolutions and use “all measures commensurate to the specific circumstances” for these inspections as set out in resolution [2292 \(2016\)](#).²²¹ Also acting under Chapter VII, in connection with migrant

²²¹ Resolution [2420 \(2018\)](#), para. 1. See also resolution [2292 \(2016\)](#), paras. 3 and 4.

smuggling, the Council renewed the authorization to Member States “acting nationally or through regional organizations” set out in paragraphs 7 to 10 of resolution [2240 \(2015\)](#) to inspect on the high seas off the coast of Libya vessels believed to be used for migrant smuggling and human trafficking from Libya, seize those that were confirmed as being used for those purposes and authorized Member States to use “all measures commensurate to the specific circumstances” in confronting migrant smugglers or human traffickers in carrying out the aforementioned activities.²²² In both circumstances, the Council requested the Secretary-General to report on the implementation of these measures within 11 months of the adoption of the resolutions.²²³ The Council also issued a presidential statement on 30 January 2018 in connection with the item entitled “Peace consolidation in West Africa”, reaffirming its condemnation of all instances of trafficking in persons in and encouraging further cooperation between the European Union, the African Union and the United Nations aimed at saving and protecting lives of migrants and refugees along routes and in particular inside Libya.²²⁴

In relation to the situation in Somalia, acting under Chapter VII, the Council renewed its call upon States and regional organizations to take part in the fight against piracy and armed robbery at sea off the coast of Somalia, by deploying naval vessels, arms, and military aircraft, by providing basing and logistical support for counter-piracy forces, and by seizing and disposing of boats, vessels, arms, and other related equipment used in the commission of piracy and armed robbery.²²⁵ The Council also renewed for a period of 13 months the authorization, as set out in resolution [2383 \(2017\)](#), granted to States and regional organizations cooperating with Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia.²²⁶ The Council requested States and regional organizations cooperating with Somali authorities to inform the Council and the Secretary-General on the progress of the authorizations outlined above within nine months of the adoption.²²⁷

²²² Resolution [2437 \(2018\)](#), para. 2.

²²³ Resolution [2420 \(2018\)](#), para. 2; and resolution [2437 \(2018\)](#), para. 3. See also resolution [2240 \(2015\)](#), paras. 17 and 18.

²²⁴ [S/PRST/2018/3](#), fifteenth paragraph.

²²⁵ Resolution [2442 \(2018\)](#), para. 12.

²²⁶ *Ibid.*, para. 14. See also resolution [2383 \(2017\)](#), para. 14.

²²⁷ Resolution [2442 \(2018\)](#), para. 32.

Concerning the situation in South Sudan and acting under Chapter VII, the Council maintained the force levels of the United Nations Mission in South Sudan (UNMISS), including its Regional Protection Force established by resolution [2304 \(2016\)](#).²²⁸ As part of the mandate of UNMISS, the Council reiterated the mandate to participate in and support the ceasefire and monitoring mandate of the Ceasefire and Transitional Security Arrangements Monitoring Mechanism as well as actively participate in and support the work of the Joint Monitoring and Evaluation Commission (JMEC).²²⁹ The Council also called upon all parties, including regional and subregional organizations to ensure cooperation with the Panel of Experts to provide information on illicit transfer of wealth from South Sudan.²³⁰ The Council also invited the JMEC to share relevant information with the Council, including its assessment on the parties' implementation of the relevant Agreements.²³¹

With regard to sanctions measures, the Council adopted several decisions either recognizing or requesting the support of regional and subregional organizations in their implementation with respect to the Central African Republic. In connection with the situation in the Central African Republic, and acting under Chapter VII of the Charter, the Council encouraged all Member States, particularly the Member States of the Economic Community of Central African States and the Central African Economic and Monetary Community, to utilize the advance notification and exemption procedures pursuant to the arms embargo to return arms and related materiel belonging to the Central African Republic Armed Forces.²³² The Council also emphasized the importance of regular consultations with concerned Member States and regional and subregional organizations by the Committee established pursuant to resolution [2127 \(2013\)](#) in order to ensure full implementation of the arms embargo, assets freeze and travel ban.²³³ Furthermore, addressing the illegal exploitation of natural resources, the Council welcomed measures taken by Member States of the International Conference on the Great Lakes Region to implement the

²²⁸ Resolution [2406 \(2018\)](#), para. 6. For further information relating to the mandate of the Regional Protection Force, see part X, sect. I.

²²⁹ Resolution [2406 \(2018\)](#), para. 7(d)(ii-iii).

²³⁰ Resolution [2428 \(2018\)](#), para. 21.

²³¹ *Ibid.*, para. 25.

²³² Resolution [2399 \(2018\)](#), para. 8.

²³³ *Ibid.*, para. 25.

Regional Initiative against Illegal Exploitation of Natural Resources as endorsed in the 2010 Lusaka Declaration.²³⁴ The Council reiterated its previous call on all parties including regional and subregional organizations to ensure cooperation with the Panel of Experts and the safety of its members and further urged the Central African Republic, its neighbouring States and other Member States of the International Conference on the Great Lakes Region to cooperate at the regional level to investigate and combat criminal networks and armed groups involved in the illegal exploitation and smuggling of natural resources including gold, diamonds and wildlife poaching and trafficking.²³⁵ With respect to the situation in Guinea-Bissau, the Council expressed support to the efforts of Economic Organization of West African States (ECOWAS) in ensuring a swift resolution of the crisis and took note of its decision of 4 February 2018 to impose sanctions against those obstructing the implementation of the Conakry Agreement.²³⁶

B. Discussions concerning the authorization of enforcement action and implementation of other Chapter VII measures by regional arrangements

During the period under review, various Council members referred to the authorization of enforcement action by regional arrangements. As described below, Council discussions focused on the relationship between the United Nations and the Economic Community of West African States (ECOWAS) in the context of the political crisis and the regional organizations' imposition of sanctions in Guinea-Bissau (see case 8) and the position of the African Union concerning the implementation of resolution [1593 \(2005\)](#) in which the Council, acting under Chapter VII, referred the situation in Darfur to the International Criminal Court (see case 9).

²³⁴ Ibid., para. 23.

²³⁵ Ibid., paras. 36 and 37.

²³⁶ Resolution [2404 \(2018\)](#), para. 5.

Case 8

The situation in Guinea-Bissau

On 14 February 2018, the Council held its 8182nd meeting to consider the report of the Secretary-General on developments in Guinea-Bissau and the activities of the United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS) further to resolution [2343 \(2017\)](#). The Council heard briefings by the Special Representative of the Secretary-General and Head of UNIOGBIS and the representative of Brazil in his capacity as Chair of the Guinea-Bissau configuration of the Peacebuilding Commission. The Special Representative informed the Council that at the regional level, on 4 February 2018, the Authority of Heads of State and Government of the Economic Community of West African States (ECOWAS), pursuant to its decision of 27 January, had imposed targeted sanctions on 19 individuals deemed to be obstructing the implementation of the Conakry Agreement. He further informed the Council that under his leadership the group of five regional and international partners, comprised of representatives of the African Union, the Community of Portuguese-speaking Countries, ECOWAS, the European Union and the United Nations, had continued to harmonize efforts and messaging at opportune moments with the aim of creating a stable and enabling environment for dialogue among political leaders. He emphasized the importance for the Security Council to continue to reaffirm the centrality of the Conakry Agreement and reiterate its full support for ECOWAS.²³⁷

Expressing concern about the situation of political impasse in Guinea-Bissau, the representative of Côte d'Ivoire said that the sanctions by ECOWAS were a strong signal of the organization to bring the country out of a persistent crisis. He stressed that sanctions measures, which specifically involved the suspension of the participation in the activities of ECOWAS of all persons concerned, a travel ban, the denial of visas, and the freezing of their assets, had to be applied with utmost rigor. The representative congratulated ECOWAS on taking these measures and looked forward to the effective endorsement by the African Union and invited the Council to

²³⁷ [S/PV.8182](#), pp. 2-3.

fully support ECOWAS in the interest of peace and national cohesion. He urged the Community of Portuguese-speaking Countries, the European Union and the United Nations to support ECOWAS for the effective implementation.²³⁸

The representative of Ethiopia joined in commending the role of the ECOWAS and remarked that the Council should reinforce the decision by ECOWAS and the African Union and convey a clear and united message to all the parties in this regard.²³⁹ The representative of the United States also applauded the efforts of holding those in power accountable and compelling them to do what was right for the people of Guinea-Bissau.²⁴⁰

The representative of France called on the Council to increase pressure on local actors, particularly President Vaz and direct the parties in Guinea-Bissau to shoulder their responsibilities. He added that at the Council, sanctions were imposed in 2012 by resolution [2048 \(2012\)](#), and additional measures could be taken in conjunction with those taken by ECOWAS.²⁴¹ The representative of the Netherlands highlighted the country's support and endorsement of ECOWAS mediation efforts and its imposition of sanctions and called on the Council to firmly support ECOWAS in taking the lead in maintaining peace and security in the region.²⁴²

Regarding the possibility of imposing similar measures based on the provisions of Security Council resolution [2048 \(2012\)](#), the representative of the Russian Federation pointed out that the main aim of the resolution was restoring constitutional order, which had been achieved in practical terms several years ago.²⁴³

On the same issue, the representative of Guinea-Bissau said that sanctions would be unlikely to defuse a crisis and could even be counterproductive.²⁴⁴

At its 8194th meeting on 28 February 2018, the Council discussed the mandate of the UNIOGBIS, adopting resolution [2404 \(2018\)](#). As the penholder, the representative of Côte d'Ivoire said that the text was balanced, reflected the realities on the ground and its crafting had enjoyed the full and comprehensive cooperation of

²³⁸ *Ibid.*, pp. 10-11.

²³⁹ *Ibid.*, p. 8.

²⁴⁰ *Ibid.*, p. 7.

²⁴¹ *Ibid.*, p. 9.

²⁴² *Ibid.*, p. 15.

²⁴³ *Ibid.*, p. 17.

²⁴⁴ *Ibid.*, pp. 18-19.

all. He also welcomed the decision of ECOWAS of 4 February to impose sanctions on those obstructing the implementation of the Conakry Agreement and commended international partners, including the United Nations, the African Union, ECOWAS, the European Union and the Community of Portuguese-speaking Countries for their concerted efforts.²⁴⁵

The representative of Equatorial-Guinea expressed the view that sanctions should not be the only way to unblock the current situation in the country, reminding the Council that there must be pragmatic and direct involvement to help the political actors reach a compromise solution towards the preparations for upcoming legislative elections. In this connection, he called on the Council members to maintain close contact with the political actors of Guinea-Bissau with a view to finding a committed solution.²⁴⁶

The representative of the United States noted that the bold move by ECOWAS to impose targeted sanctions on those impeding the process was based on a desire to induce the political actors to become part of the solution. Citing the Gambia as an example, she highlighted ECOWAS as an example for regional organizations in its willingness to take challenging steps.²⁴⁷

Stressing that the acknowledgment in resolution [2404 \(2018\)](#) of instances of restrictions imposed by ECOWAS did not signify the approval by the Council, the representative of the Russian Federation highlighted that the only legitimate international sanctions were those imposed by the Security Council, in line with Chapter VII of the Charter of the United Nations. He also objected to any attempt, through the Council, to introduce wording that would distort that fundamental principle in international law or use it to legitimize unilateral restrictions, regardless of any noble intentions that might be advanced. He concluded that unilateral sanctions, especially those imposed in addition to measures already agreed by the Council, did not lead anywhere and that they only served to further escalate the crisis, instead of resolving it.²⁴⁸

²⁴⁵ [S/PV.8194](#), p. 2.

²⁴⁶ *Ibid.*, pp. 3-4.

²⁴⁷ *Ibid.*, p. 4.

²⁴⁸ *Ibid.*, p. 4.

Case 9

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

The Council held its 8290th meeting on 20 June 2018, on the reports of the Secretary-General on the Sudan and South Sudan, focusing on the International Criminal Court and the Court's investigation into alleged crimes in the western Darfur region of the Sudan. During the meeting, the representative of Ethiopia recalled the African Union's position to suspend the proceedings against the President of the Sudan, Omar Al-Bashir, and urged the Security Council to withdraw the referral of the case. Noting that the continuation of the Council referral would only damage the Council's credibility, he explained that the level of intercommunal violence had once again plummeted, which had been confirmed by the joint strategic review of the African Union and the United Nations.²⁴⁹

The representative of Peru expressed a renewed support for the work of the Office of the Prosecutor and regretted that some States parties to the Rome Statute had not lived up to their obligation to cooperate with the Court. He also welcomed the initiative of New Zealand of December 2016 to address the non-compliance with the Court's orders.²⁵⁰

The representative of China called on the Council and the International Criminal Court to fully respect the sovereignty of the Sudan, to address the legitimate concerns of the African Union and the Sudanese Government and fully respect the views of the African Union and the League of Arab States, which could not be ignored.²⁵¹

The representative of the Plurinational State of Bolivia voiced support for the work of the International Criminal Court and urged the Court to join in the efforts of the international community, particularly regional organizations, to strengthen political processes in the Sudan, particularly those related to the Doha Document for Peace in Darfur. He underlined that, as indicated in resolution [1593 \(2005\)](#), cooperation and coordination between the Court and the African Union were crucial

²⁴⁹ [S/PV.8290](#), p. 7.

²⁵⁰ *Ibid.*, p. 8.

²⁵¹ *Ibid.*, p. 9.

and the commitment of the regional organization to fighting impunity was undeniable, as set out in its Constitutive Act. He called for the establishment of a constructive dialogue between the African Union and the Court to facilitate the necessary work and strengthen trust.²⁵²

Adhering to the position of the African Union regarding the International Criminal Court's action concerning Darfur, the representative of Equatorial Guinea reaffirmed that the Court had no jurisdiction to charge a President of the Republic, in full discharge of his duties. He joined the repeated request of the African Union for the suspension of proceedings against the President of the Sudan, and the withdrawal of the referral of the case.²⁵³

The representative of Kuwait, in his capacity as the Arab member in the Security Council, reiterated that the Arab position underscored the need to respect the sovereignty, territorial integrity and independence of the Sudan. In this connection, he recalled the 514th resolution adopted at the twenty-second Arab Summit in Sirte in 2010, representing the Arab position on the International Criminal Court's proceedings against the President of the Republic of the Sudan, rejecting the politicization of the principles of international justice and their use to challenge the sovereignty, unity and stability of States under the guise of international criminal justice.²⁵⁴ Highlighting the importance of coherence and harmony, he also noted that the decision of the Court had not gained the support of regional organizations to which the Sudan was party, such as the League of Arab States, the African Union and the Organization of Islamic Cooperation, all of which were organizations capable of international action, as set forth in Chapter VIII of the Charter.²⁵⁵

The representative of Kazakhstan, said that as a member-observer of the African Union, Kazakhstan underscored the critical role of the African Union in resolving the crisis in Darfur and its return to peace and justice and suggested the Court take into consideration the unified position of the African Union and establish dialogue with the

²⁵² Ibid., p. 10.

²⁵³ Ibid. pp. 11-12.

²⁵⁴ Letter dated 19 April 2010 from the Permanent Observer of the League of Arab States to the United Nations addressed to the President of the Security Council ([S/2010/204](#)), pp. 40-42.

²⁵⁵ [S/PV.8290](#), p. 12.

Open-ended Ministerial Committee of Ministers for Foreign Affairs on the International Criminal Court.²⁵⁶

²⁵⁶ Ibid., p. 14.

V. Reporting by regional arrangements on their activities in the maintenance of international peace and security

Note

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

A. Decisions concerning reporting by regional arrangements

During the period under review, the Council made no explicit reference to Article 54 of the Charter in its decisions. The Council did, however, request reporting from regional organizations, particularly the African Union, either directly or through the Secretary-General, on issues such as cooperation on peace and security between the United Nations and the African Union, and particularly with respect to peace support operations, such as the African Union Mission in Somalia (AMISOM), the Joint Force of the Group of Five for the Sahel (G-5 Sahel) in Mali and support for the establishment of transitional justice mechanisms in South Sudan, as described in further detail below.

With regard to the situation in Mali, the Council requested the Secretary-General to report on the coordination, exchange of information and mutual operational and logistical support between the Joint Force, the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), the Malian Defence and Security Forces, the French Forces and the European Union missions in Mali every three months after the adoption of resolution [2423 \(2018\)](#) on 28 June 2018.²⁵⁷

On Somalia, by resolution [2442 \(2018\)](#), the Council requested States and regional organizations to inform the Security Council and the Secretary-General in nine months from the adoption of the resolution on the progress of actions undertaken

²⁵⁷ Resolution [2423 \(2018\)](#), para. 70 (iii).

in the exercise of the authorizations provided by the resolution in the fight against piracy and armed conflict.²⁵⁸ The Council also requested the African Union to keep the Security Council regularly informed on the implementation of AMISOM's mandate, including its reconfiguration in support of the transition plan.²⁵⁹ In that regard, the Council requested the African Union to report to the Council through the provision of oral updates and no fewer than three written reports, every 120 days with the first report no later than 15 November 2018.²⁶⁰ The Council further requested the first written report to contain a reconfiguration plan detailing the modalities of the reduction in the level of uniformed personnel.²⁶¹

In connection with the item entitled "Reports of the Secretary-General on the Sudan and South Sudan", the Council requested the Secretary-General, by resolution [2418 \(2018\)](#), in coordination with the Ceasefire and Transitional Security Arrangements Monitoring Mechanism, to report by 30 June 2018 whether any fighting had taken place since the adoption of the resolution on 31 May and to report on whether the parties had come to a viable political agreement.²⁶² The Council also requested the Secretary-General to report, through his regular 90-day reports, on the technical assistance provided for the establishment of the Hybrid Court for South Sudan.²⁶³ The Council invited the African Union to share information on progress made in the establishment of the Hybrid Court for South Sudan and expressed its intention to assess the work that had been done in the establishment of the Hybrid Court upon receipt of the Secretary-General's report.²⁶⁴

On the situation in Darfur, the Council requested the Secretary-General and invited the Chairperson of the African Union Commission, to provide detailed reporting on the progress made towards achieving the benchmarks and indicators identified in the Secretary-General's report of 12 October 2018 ([S/2018/912](#)),

²⁵⁸ Resolution [2442 \(2018\)](#), para. 32. For more information on the authorization of enforcement action by regional organizations in Somalia, see sect. IV.A pp. 57-58 above.

²⁵⁹ Resolution [2431 \(2018\)](#), para. 9.

²⁶⁰ Ibid.

²⁶¹ Ibid.

²⁶² Resolution [2418 \(2018\)](#), para. 3.

²⁶³ Resolution [2406 \(2018\)](#), para. 33.

²⁶⁴ Ibid., para. 34.

concerning the operations of the African Union-United Nations Hybrid Operation in Darfur in the regular 90-day reports.²⁶⁵

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

Table 3

Decisions concerning reporting of activities by regional arrangements

	<i>Item</i>	<i>Decisions</i>	<i>Paragraphs</i>	<i>Reporting from</i>
Country and region-specific items	The situation in Mali	Resolution 2423 (2018) 28 June 2018	para. 70 (iii)	Secretary-General
	The situation in Somalia	Resolution 2431 (2018) 30 July 2018	para. 9	African Union, through the Secretary-General
		Resolution 2442 (2018) 6 November 2018	para. 32	States and regional organizations cooperating with Somali authorities
	Reports of the Secretary-General on the Sudan and South Sudan	Resolution 2418 (2018) 31 May 2018	para. 3	Secretary-General in coordination with the Ceasefire and Transitional Security Arrangements Monitoring Mechanism
S/PRST/2018/19 11 December 2018		seventh paragraph	Secretary-General and the Chairperson of the African Union Commission	

B. Discussion concerning reporting by regional arrangements

During the 8314th meeting of the Council held on 18 July 2018, under the item entitled “Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security”, in connection with the African Union, the Special Representative of the Secretary-General and Head of the United Nations Office to the African Union welcomed, with regard to the conditions outlined in resolution [2378 \(2017\)](#), the progress made by the African Union on the operationalization of the Peace Fund, including the development of a compliance framework and the development of a reporting framework.²⁶⁶ The Deputy Foreign Minister of Sweden welcomed the agreement between the United Nations and the

²⁶⁵ [S/PRST/2018/19](#), seventh paragraph.

²⁶⁶ [S/PV.8314](#), p. 4.

African Union on fiduciary reporting as an important and concrete step in the right direction, enhancing the two organizations' cooperation concerning peace operation.²⁶⁷ The representative of the United Kingdom, highlighting the African Union's knowledge of the region as invaluable, encouraged more interaction between the Council and the African Union Peace and Security Council, including on reporting, so that the views of the African Union could be adequately considered.²⁶⁸ The representative of Kazakhstan stressed that further technical work was needed for the United Nations and the African Union to develop the modalities for joint analysis, planning and assessment, as well as reporting to the relevant intergovernmental bodies.²⁶⁹

At the Council's 8407th meeting, held on 20 November 2018 under the item entitled "Peace and security in Africa", the representative of Kazakhstan emphasized the need to capitalize on the Joint United Nations-African Union Framework for an Enhanced Partnership in Peace and Security to improve the effectiveness of peace operations in Africa. He also noted that further technical work was needed to develop the modalities of reporting to the relevant intergovernmental bodies.²⁷⁰ The representative of Norway said that the strategic partnership between the United Nations and the African Union had to be further strengthened as well with regard to financing, and elaborated that the strengthened partnership should be based on transparent financial reporting.²⁷¹ The representative of Guatemala said that the ability of the United Nations, particularly the Security Council, to maintain international peace and security was strengthened through the African Union's peace support operations, which highlighted the importance for both organizations to work closely in the field of peace and security, including joint cooperation, operational evaluation and joint reporting, when appropriate.²⁷² The representative of Rwanda, reiterating Rwanda's support of the United Nations-African Union partnership framework, recognized the importance of close coordination and cooperation, based on strategic

²⁶⁷ *Ibid.*, p. 6.

²⁶⁸ *Ibid.*, p. 17.

²⁶⁹ *Ibid.*, p. 19.

²⁷⁰ [S/PV.8407](#), p. 10.

²⁷¹ *Ibid.*, p. 34.

²⁷² *Ibid.*, p. 45.

assessment, planning and reporting to handle conflict in a timely manner.²⁷³ The representative of the Republic of Korea highlighted the need to provide predictable, flexible and sustainable financing for African Union-led peace operations and welcomed the progress that the African Union, in close cooperation with the United Nations, had made in developing compliance and reporting frameworks.²⁷⁴

At the 8414th meeting held on 6 December 2018, the representative of Poland said that the key areas the Council should focus on when drafting the framework for the next phase of the United Nations and African Union were compliance, reporting, accountability and sustainability.²⁷⁵ In relation to the exceptional circumstances in which the Security Council could and had authorized Member States and regional organizations to use force to achieve peace, the representative of Brazil emphasized the need to remain vigilant so as to avoid causing unnecessary harm to civilian populations, to monitor the situation and to require periodic reporting. In this connection, he welcomed the initiatives such as resolution [2391 \(2017\)](#), which called for the Group of Five for the Sahel States (G-5 Sahel) to uphold international law, including international human rights law and international humanitarian law, as well as to take into account a gender perspective in all G-5 Sahel Joint Force operations.²⁷⁶

²⁷³ Ibid., p. 49.

²⁷⁴ Ibid., p. 60.

²⁷⁵ [S/PV.8414](#), p. 26.

²⁷⁶ Ibid., p. 62.