



## *Repertoire of the Practice of the Security Council*

**26<sup>th</sup> Supplement**

**2023**

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

---

## **Part IV**

## **Relations with other United Nations organs**

Contents

Introductory note.....	3
I. Relations with the General Assembly.....	5
Note .....	5
A. Election by the General Assembly of the non-permanent members of the Security Council .....	6
B. Recommendations made by the General Assembly to the Security Council under Articles 10 and 11 of the Charter .....	7
C. Practice in relation to Article 12 of the Charter.....	10
D. Practice in relation to provisions of the Charter involving recommendations made by the Security Council to the General Assembly .....	17
E. Election of members of the International Court of Justice .....	23
F. Annual and special reports of the Security Council to the General Assembly .....	24
G. Relations with subsidiary organs established by the General Assembly .....	30
H. Other Security Council practice bearing on relations with the General Assembly.	38
II. Relations with the Economic and Social Council .....	45
Note .....	46
A. Discussions concerning the relations with the Economic and Social Council.....	46
B. Communications concerning relations with the Economic and Social Council.....	51
III. Relations with the International Court of Justice.....	53
Note .....	53
A. Discussions concerning relations with the International Court of Justice .....	54
B. Communications concerning relations with the International Court of Justice .....	59

## **Introductory note**

Part IV of the present supplement covers the practice of the Security Council with regard to Articles 4 to 6, 10 to 12, 15 (1), 20, 23, 24 (3), 65, 93, 94, 96 and 97 of the Charter of the United Nations concerning the relations of the Council with other principal organs of the United Nations, namely, the General Assembly, the Economic and Social Council and the International Court of Justice. Material relating to the relations of the Council with the Secretariat is featured in part II, section V, which deals with the administrative functions and powers of the Secretary-General in connection with meetings of the Council pursuant to rules 21 to 26 of its provisional rules of procedure. The Trusteeship Council continued to be inactive during the period under review.<sup>1</sup>

During the period under review, the General Assembly continued to address recommendations to the Council regarding the general principles of cooperation in the maintenance of international peace and security. The Council and the Assembly, in parallel and within the limitations imposed by the Charter, considered the situations of human rights in the Democratic People's Republic of Korea and in the Syrian Arab Republic. In addition, on 1 September, the General Assembly adopted resolution [77/335](#) on the revitalization of its work, which included provisions related to the selection and appointment of the Secretary-General, the annual report of the Council, the special reports by the Council submitted pursuant to Assembly resolution [76/262](#) on the standing mandate for an Assembly debate when a veto was cast in the Council, and the interaction between the Assembly and the Council more broadly.

Pursuant to General Assembly resolution [76/262](#), the General Assembly held meetings following vetoes cast on draft resolutions in connection with the following items: "The situation in Mali", "The situation in the Middle East" and "The situation in the Middle East, including the Palestinian Question". The Council submitted a total of six special reports on the use of the veto to the Assembly pursuant to the resolution.

In addition, the two organs collaborated on the election of five members of the International Court of Justice and the appointment of a judge to fill a vacancy on the roster of the International Residual Mechanism for Criminal Tribunals, consistent with

---

<sup>1</sup> The Trusteeship Council completed its mandate under the Charter in 1994 and suspended its operations on 1 November 1994. For more information see *Repertoire, Supplement 1993-1995*, chap. VI, part III.

the applicable provisions of the statute of the Mechanism, the provisional rules of procedure of the Council and the rules of procedure of the General Assembly.

In 2023, the President of the Security Council participated in and delivered statements at meetings and events of the General Assembly. On 30 June, the President of the Council for the month (United Arab Emirates) participated in the plenary meeting of the Assembly to introduce the annual report of the Council. On 29 November, the President (China), at the invitation of the Committee on the Exercise of the Inalienable Rights of the Palestinian People of the General Assembly, delivered a statement at the high-level special meeting of the Assembly on the International Day of Solidarity with the Palestinian People. In addition, on 14 February, the Council heard a briefing by the President of the General Assembly, as well as the Co-Chair of the International Law Commission Study Group on sea level rise, during a high-level open debate held under the item entitled “Threats to international peace and security” and the subitem entitled “Sea-level rise: implications for international peace and security”. The Assembly adopted several resolutions in which it referred to its relationship with the Council, and the Council, for its part, continued to refer to various Assembly resolutions in its decisions. In addition, Council members continued to discuss the relations between the Council and the subsidiary organs of the Assembly, in particular the Human Rights Council, the Special Committee on Peacekeeping Operations and the International Law Commission.

During the period under review, the Security Council did not address any requests for information or assistance to the Economic and Social Council, nor did it make any recommendations or decide on measures with regard to the judgments rendered by the International Court of Justice or request the Court to give an advisory opinion on any legal question. The President of the Court gave a briefing to the Council at an open debate on 12 January, under the item entitled “The promotion and strengthening of the rule of law in the maintenance of international peace and security” and the subitem entitled “The rule of law among nations”, as well as at a private meeting held on 27 October, under the item entitled “Briefing by the President of the International Court of Justice”.

## **I. Relations with the General Assembly**

### **Note**

Section I is focuses on various aspects of the relationship between the Council and the General Assembly in accordance with Articles 4 to 6, 10 to 12, 15 (1), 20, 23, 24 (3), 93, 94, 96 and 97 of the Charter of the United Nations, rules 40,<sup>2</sup> 60 and 61 of the provisional rules of procedure of the Council and Articles 4, 8, 10 to 12 and 14 of the Statute of the International Court of Justice.

Section I is divided into eight subsections. Subsection A deals with the election by the General Assembly of the non-permanent members of the Council, in accordance with Article 23 of the Charter. Subsections B and C concern the functions and powers of the Assembly vis-à-vis Articles 10 to 12, with a particular focus on the practice and authority of the Assembly to make recommendations to the Council. Subsection D covers instances in which a decision by the Council must be taken prior to that of the Assembly under Articles 4 to 6, 93 and 97, such as the admission of new Members or the appointment of the Secretary-General and of judges to the International Residual Mechanism for Criminal Tribunals. Subsection E concerns the practices for the election of members of the International Court of Justice, requiring concurrent action by the Council and the Assembly. Subsection F covers the annual and special reports of the Council to the Assembly, in accordance with Articles 15 and 24 (3). Subsection G concerns Council relations with the subsidiary organs established by the Assembly that have played a part in the work of the Council during 2023. Subsection H features other Council practice bearing on relations with the Assembly.

---

<sup>2</sup> Rule 40 of the provisional rules of procedure is also covered in part II, sect. VIII.

## **A. Election by the General Assembly of the non-permanent members of the Security Council**

### *Article 23*

*1. The Security Council shall consist of fifteen Members of the United Nations. The Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America shall be permanent members of the Security Council. The General Assembly shall elect ten other Members of the United Nations to be non-permanent members of the Security Council, due regard being specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution.*

*2. The non-permanent members of the Security Council shall be elected for a term of two years. In the first election of the non-permanent members after the increase of the membership of the Security Council from eleven to fifteen, two of the four additional members shall be chosen for a term of one year. A retiring member shall not be eligible for immediate re-election.*

*3. Each member of the Security Council shall have one representative.*

During the period under review, at its seventy-seventh regular session, the General Assembly elected five non-permanent members to the Council, in accordance with Article 23 of the Charter, to replace those whose terms of office were to expire on 31 December 2023 (see table 1).

Table 1

### **Election by the General Assembly of non-permanent members of the Security Council**

<i>Term</i>	<i>General Assembly decision</i>	<i>Plenary meeting record and date</i>	<i>Members elected for the term</i>
2024-2025	77/421	<a href="#">A/77/PV.75</a> and <a href="#">A/77/PV.75 (Resumption 1)</a> 6 June 2023	Algeria, Guyana, Republic of Korea, Sierra Leone, Slovenia

**B. Recommendations made by the General Assembly to the Security Council under Articles 10 and 11 of the Charter**

*Article 10*

*The General Assembly may discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter, and except as provided in Article 12, may make recommendations to the Members of the United Nations or to the Security Council or to both on any such questions or matters.*

*Article 11*

*1. The General Assembly may consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members or to the Security Council or to both.*

*2. The General Assembly may discuss any questions relating to the maintenance of international peace and security brought before it by any Member of the United Nations, or by the Security Council or by a state which is not a Member of the United Nations in accordance with Article 35, paragraph 2, and, except as provided in Article 12, may make recommendations with regard to any such questions to the state or states concerned or to the Security Council or to both. Any such question on which action is necessary shall be referred to the Security Council by the General Assembly either before or after discussion.*

*3. The General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security.*

*4. The powers of the General Assembly set forth in this Article shall not limit the general scope of Article 10.*

During the period under review, the General Assembly addressed recommendations to the Council regarding the general principles of cooperation in the maintenance of international peace and security. Several of these recommendations concerned the powers and functions of the Council under Articles 10 and 11 (1) of the Charter. The relevant provisions of the resolutions of the Assembly are set out in table 2. In addition, in Assembly resolution [78/56](#), adopted under the item entitled “United

Nations Regional Centre for Peace and Disarmament in Africa”, Member States continued to explicitly recall the provisions of Article 11 (1), in which it is stipulated that a function of the Assembly is to consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and arms limitation.<sup>3</sup>

In connection with Article 11 (2) of the Charter, the General Assembly made recommendations to the Council with regard to specific questions relating to the maintenance of international peace and security or requesting action by the Council concerning those questions. In its recommendations, in reference to matters of which the Council was already seized, the Assembly continued to call upon the Council to ensure accountability, including by considering a referral of the situation in the Democratic People’s Republic of Korea to the International Criminal Court and further sanctions to effectively target those who appeared to be most responsible for human rights violations. The Assembly welcomed the resumption of the Council discussion on the situation in the Democratic People’s Republic of Korea, including the human rights situation. Concerning the situation of human rights in the Syrian Arab Republic, the Assembly deplored the non-renewal of the Security Council authorization of cross-border humanitarian assistance to the Syrian Arab Republic, and in particular the veto cast on 11 July 2023 by the Russian Federation.<sup>4</sup> The Assembly continued to encourage the Council to take appropriate action to ensure full accountability for violations of international humanitarian law or violations and abuses of human rights law, noting the important role that the International Criminal Court could play in this regard in accordance with complementarity. The relevant provisions of the Assembly resolutions are set out in table 3.

In 2023, the General Assembly did not draw the attention of the Council to any situations likely to endanger international peace and security pursuant to Article 11 (3) of the Charter.<sup>5</sup>

Table 2

---

<sup>3</sup> General Assembly resolution [78/56](#), first preambular paragraph.

<sup>4</sup> General Assembly resolution [78/222](#), para. 14. For more information, see part I, sect. 21.

<sup>5</sup> For information on other referrals to the Security Council, see part VI, sect. I.



## **Recommendations to the Security Council in resolutions of the General Assembly regarding the general principles of cooperation in the maintenance of international peace and security, 2023**

*General Assembly*     *Provisions*  
*resolution and date*

### **Report of the International Criminal Court**

<a href="#">78/6</a> 2 November	Encourages further dialogue between the United Nations and the International Criminal Court, and welcomes in this regard the increased interaction of the Security Council with the Court under various formats, including the holding of open debates on peace and justice and working methods, with a special focus on the role of the Court (para. 20)
------------------------------------	---

### **Comprehensive review of special political missions**

<a href="#">78/79</a> 11 December	Encourages stronger coordination, coherence and cooperation of the Security Council and the General Assembly with the Peacebuilding Commission, and invites the Security Council to continue to regularly request, deliberate and draw upon the specific, strategic and targeted advice of the Commission, including to assist with the longer-term perspective required for sustaining peace being reflected in the formation, review and drawdown of peacekeeping operations and special political missions mandates, in line with General Assembly resolution 70/262 and Security Council resolution 2282 (2016) (para. 4)
--------------------------------------	---

### **Terrorism and human rights**

<a href="#">78/210</a> 22 December	Encourages the Security Council, the Counter-Terrorism Committee and the Counter-Terrorism Committee Executive Directorate to strengthen, within their mandates, the links, cooperation and dialogue with relevant human rights bodies, giving due regard to the promotion and protection of human rights and the rule of law in their ongoing work relating to counter-terrorism (para. 35)
---------------------------------------	--

Table 3

## **Recommendations to the Security Council in resolutions of the General Assembly with regard to specific questions relating to the maintenance of international peace and security, 2023**

*General Assembly*     *Provisions*  
*resolution and date*

### **Situation of human rights in the Democratic People's Republic of Korea**

<a href="#">78/218</a> 19 December	Encourages the Security Council to continue its consideration of the relevant conclusions and recommendations of the commission of inquiry and take appropriate action to ensure accountability, including through consideration of referral of the situation in the Democratic People's Republic of Korea to the International Criminal Court and consideration of further sanctions in order to target effectively those who appear to be most responsible for human rights violations that the commission has said may constitute crimes against humanity (para. 12)
---------------------------------------	---

### **Situation of human rights in the Syrian Arab Republic**

<a href="#">78/222</a> 19 December	Emphasizes the need to ensure that all those responsible for violations of international humanitarian law or violations and abuses of human rights law are held to account through appropriate, fair and independent domestic or international criminal justice mechanisms, stresses the need to pursue practical steps towards this goal, for that reason encourages the Security Council to take appropriate action to ensure full accountability, noting the important role that the International Criminal Court can play in this regard in accordance with complementarity, and urges the Syrian authorities to share further information regarding reports of extrajudicial executions and other serious violations throughout the country to advance accountability efforts (para. 32)
---------------------------------------	---

Concerning the deliberations in the Council, during the period under review, no explicit references were made to Articles 10 or 11 of the Charter. Nonetheless, at a meeting held on 6 February under the item entitled “Maintenance of peace and security of Ukraine”, the representative of Ecuador stated that his country had demanded, through Assembly resolution [ES-11/2](#) on the humanitarian consequences of the aggression against Ukraine, that civilians, objects vital to their survival and the infrastructure necessary for the provision of essential services be fully protected.<sup>6</sup> He added that, one year later, it remained incumbent on the Council and its members to continue to comply with and ensure others’ compliance with those provisions. Moreover, at a meeting held on 20 February under the item entitled “Non-proliferation/Democratic People’s Republic of Korea”, the representative of Ecuador made a statement relevant to the application and interpretation of Article 11 of the Charter.<sup>7</sup> Specifically, the representative of Ecuador recalled that the General Assembly, at its meeting held on 8 June 2022 pursuant to Assembly resolution [76/262](#),<sup>8</sup> had sent a message of concern to the Council with regards to the launching of ballistic missiles by the Democratic People’s Republic of Korea and had encouraged the Council to prevent the lack of response to continued violations of international law and its own provisions from affecting its credibility. Additionally, Member States frequently addressed Assembly resolution [76/262](#) in meetings of the Council. Related discussions are covered in section I.C below.

### **C. Practice in relation to Article 12 of the Charter**

#### *Article 12*

*1. While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests.*

---

<sup>6</sup> See [S/PV.9254](#).

<sup>7</sup> See [S/PV.9264](#).

<sup>8</sup> The meeting was held in connection with a special report of the Council ([A/76/853](#)) to discuss the situation as to which the veto was cast by two permanent members at a meeting of the Council held on 26 May 2022 under the item entitled “Non-proliferation/Democratic People’s Republic of Korea” ([S/PV.9048](#)). See [A/76/PV.77](#); see also *Repertoire, Supplement 2022*, part IV, sect. I.F.

*2. The Secretary-General, with the consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and shall similarly notify the General Assembly, or the Members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.*

Subsection C covers the practice of the Council in relation to Article 12 of the Charter. Article 12 (1) limits the authority of the General Assembly with regard to any dispute or situation in respect of which the Council is exercising its functions under the Charter. Article 14 provides further that subject to the provisions of Article 12, the Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the provisions of the Charter setting forth the purposes and principles of the United Nations.

During the period under review, no explicit reference was made to Article 12 (1) of the Charter in decisions or during deliberations of the Council, nor did the Council request the General Assembly to make a recommendation with regard to any dispute or situation. Nonetheless, numerous speakers expressed views regarding the mandate and role of the Assembly and the Council at an open debate held on 12 January under the item entitled “Promotion and strengthening of the rule of law in the maintenance of international peace and security” (see case 1).

Many speakers also referred to the eleventh emergency special session of the General Assembly and the resolutions on Ukraine adopted by the Assembly in this context at several other meetings held in connection with various agenda items.<sup>9</sup> For example, on 24 February, at a meeting held under the item entitled “Maintenance of peace and security of Ukraine”, the High Representative of the European Union for Foreign Affairs and Security Policy stressed that there was a growing clamor for peace at

---

<sup>9</sup> See, for example, under the item entitled “Maintenance of international peace and security”, [S/PV.9421 \(Resumption 1\)](#) (Croatia, Ireland); under the item entitled “Maintenance of peace and security of Ukraine”, [S/PV.9254](#) (Ecuador), [S/PV.9269](#) (United States, Ecuador, Switzerland, Japan, France, Ghana, Brazil, European Union, Romania, Germany, Latvia, Netherlands, Spain, Croatia, Estonia); [S/PV.9286](#) (United States, Albania, Ecuador, France, Switzerland, Brazil, Ukraine); [S/PV.9321](#) (France, Ecuador, European Union, Romania, Denmark) and [S/PV.9380](#) (United States, Ghana, Ecuador); under the item entitled “Threats to international peace and security”, [S/PV.9266](#) (United States, Albania); under the item entitled “Cooperation between the United Nations and regional and subregional organizations”, [S/PV.9268](#) (Ecuador).

the United Nations, which was a clear message that the Assembly had sent from its emergency special session.<sup>10</sup> He added that, while the Council had been blocked, the Assembly had made it clear in its resolution [ES-11/6](#), adopted by an overwhelming majority of Member States, that the world condemned the aggression, that the Russian Federation had to withdraw its troops and that the world wanted and needed a just peace, based on international law and the Charter. At a meeting held on 20 September under the item entitled “Maintenance of international peace and security”,<sup>11</sup> the Minister for Foreign and European Affairs of Croatia noted that while the Council would remain a casualty for as long as the war raged in Ukraine, the Assembly had responded responsibly and without hesitation by holding a special session and offering a clear platform for the world’s condemnation.<sup>12</sup> He added, however, that for the multilateral system to be efficient, fully functional United Nations organs, dedicated to their respective mandates and their mutual cooperation, were needed. The Minister for the Environment, Climate, Communications and Transport of Ireland stated that it was encouraging that the Assembly had taken action where the Council had failed and pointed out that there had been six Assembly resolutions in reaction to the invasion of the Russian Federation. Further information on the emergency special session of the Assembly is provided in section I.H.

Participants further addressed the role of the General Assembly in the context of resolution [76/262](#) concerning the standing mandate for a General Assembly debate when a veto is cast in the Security Council, also referred to as the veto initiative, during meetings held in connection with various thematic agenda items. On 26 January, at a meeting held under the item entitled “Peacebuilding and sustaining peace” and the subitem entitled “Investment in people to enhance resilience against complex challenges”,<sup>13</sup> the representative of Liechtenstein highlighted the added value created by Assembly resolution [76/262](#), which mandated the Assembly to step in when the Council was blocked by the use of the veto.<sup>14</sup> On 3 May, at a meeting held under the same item and the subitem entitled “Futureproofing trust for sustaining peace”,<sup>15</sup> the representative of Portugal stated that the veto initiative showed the interest among the wider

---

<sup>10</sup> See [S/PV.9269](#).

<sup>11</sup> See [S/PV.9421](#), [S/PV.9421 \(Resumption 1\)](#) and [S/PV.9421 \(Resumption 2\)](#).

<sup>12</sup> See [S/PV.9421 \(Resumption 1\)](#).

<sup>13</sup> See [S/PV.9250](#) and [S/PV.9250 \(Resumption 1\)](#).

<sup>14</sup> See [S/PV.9250 \(Resumption 1\)](#).

<sup>15</sup> See [S/PV.9315](#) and [S/PV.9315 \(Resumption 1\)](#).

membership in ensuring further accountability on the use of the veto and reinforcing the role of the Assembly.<sup>16</sup> At a meeting held on 14 February under the item entitled “Threats to international peace and security” and the subitem entitled “Sea-level rise: implications for international peace and security”,<sup>17</sup> the representative of Liechtenstein pointed out that a draft resolution on climate and security had been blocked in the past by the use of the veto, despite the overwhelming support of the United Nations membership.<sup>18</sup> He added that, as a result of the adoption of resolution [76/262](#), the Assembly now had another tool to hold the veto-wielding Council member accountable and make its position clear on this most important of issues. On 5 September, at the annual open debate on working methods held under the item entitled “Implementation of the note by the President of the Security Council ([S/2017/507](#))”, several delegations discussed the role of resolution [76/262](#) in strengthening the accountability of the Council.<sup>19</sup> The representatives of Mexico, Poland and Bangladesh pointed out that the resolution allowed Member States to discuss and opine on the use of the veto and the Council’s actions, as well as its inaction.<sup>20</sup> The representative of Poland also stated that the full implementation of that initiative and enhanced cooperation between the Council and the General Assembly represented much-needed progress that would lead to an improvement in the Council’s work.

In addition, on 20 September, at a meeting held under the item entitled “Maintenance of international peace and security” and the subitem entitled “Upholding the purposes and principles of the UN Charter through effective multilateralism: maintenance of peace and security of Ukraine”,<sup>21</sup> the Minister for Foreign Affairs of the Russian Federation stated that since the General Assembly was reviewing the use of the veto, it should also examine why many Council resolutions, such as those on Palestine, the Middle East, the Joint Comprehensive Plan of Action and Ukraine, remained unimplemented.<sup>22</sup> The President of Estonia and the Minister for Foreign Affairs, Education and Sport of Liechtenstein pointed out that the Council was unable to play its

---

<sup>16</sup> See [S/PV.9315](#).

<sup>17</sup> See [S/PV.9260](#) and [S/PV.9260 \(Resumption 1\)](#).

<sup>18</sup> See [S/PV.9260](#).

<sup>19</sup> See, for example, [S/PV.9410](#) (United Kingdom, Denmark, on behalf of the Nordic and Baltic States, Mexico); [S/PV.9410 \(Resumption 1\)](#) (Spain, Greece, Australia).

<sup>20</sup> See [S/PV.9410](#) (Mexico); [S/PV.9410 \(Resumption 1\)](#) (Poland, Bangladesh).

<sup>21</sup> See [S/PV.9421](#), [S/PV.9421 \(Resumption 1\)](#) and [S/PV.9421 \(Resumption 2\)](#).

<sup>22</sup> See [S/PV.9421](#).

leadership role and fulfil its mandate.<sup>23</sup> They expressed support for strengthening the power of the Assembly and stressed that the veto initiative had been a first step, with the President of Estonia emphasizing that more had to be done and the Minister for Foreign Affairs, Education and Sport of Liechtenstein stating that the Assembly had proven its ability to take up the Council's role.

Member States also discussed the activities and scope of action of the General Assembly at Council meetings held under the item entitled "The situation in the Middle East, including the Palestinian question". At a meeting held on 18 October, the representative of the Russian Federation stated that, assuming the Council had not been able to come up with an appropriate response to the humanitarian disaster in Gaza and the high risks of conflict spillover, his country would initiate the resumption of the tenth emergency special session of the Assembly.<sup>24</sup> In this context, the representative of Pakistan expressed his expectation that the Assembly would address the conflict in Gaza.<sup>25</sup> At a meeting held on 30 October, several Member States referred to Assembly resolution [ES-10/21](#) of 26 October, with the representative of Gabon and the Permanent Observer of the State of Palestine calling for its implementation.<sup>26</sup> The representative of France emphasized that, following the adoption of resolution [ES-10/21](#), the Council had to be able to fully resume its responsibilities and reach a just decision. Council members continued to refer to resolutions adopted under the tenth emergency special session of the Assembly in subsequent meetings under the same agenda item.<sup>27</sup> Further information on the emergency special session of the Assembly is provided in section I.H.

Under Article 12 (2), the Secretary-General is required to notify the General Assembly of the matters relating to the maintenance of international peace and security being dealt with by the Council or with which the Council has ceased to deal. During the period under review, in accordance with that provision, the Secretary-General continued to notify the Assembly of the matters relating to the maintenance of international peace and security that were being dealt with by the Security Council or with which the Council

---

<sup>23</sup> See [S/PV.9421 \(Resumption 1\)](#).

<sup>24</sup> See [S/PV.9443](#).

<sup>25</sup> Ibid. See also under the item entitled "Maintenance of international peace and security", [S/PV.9448](#).

<sup>26</sup> See, for example, [S/PV.9462](#) (Minister for Foreign Affairs of Brazil, China, United States, Gabon, France, Russian Federation, Ghana, Permanent Observer of the Observer State of Palestine, Jordan).

<sup>27</sup> See, for example, [S/PV.9479](#) (Brazil, China); [S/PV.9513](#) (Gabon); and [S/PV.9520](#) (United Arab Emirates), Russian Federation, Permanent Observer of the Observer State of Palestine, Egypt).

had ceased to deal.<sup>28</sup> The notification was based on the summary statements of matters of which the Council was seized and the stage reached in their consideration, which were circulated weekly to Council members in accordance with rule 11 of its provisional rules of procedure.<sup>29</sup> The consent of the Council, required by Article 12 (2), is obtained through the circulation of the draft notification by the Secretary-General to the members of the Council. Following receipt of the notification, the General Assembly formally takes note of it.<sup>30</sup>

### **Case 1**

#### **The promotion and strengthening of the rule of law in the maintenance of international peace and security**

On 12 January, at the initiative of Japan, which held the presidency for the month,<sup>31</sup> the Council held a high-level open debate under the item entitled “The promotion and strengthening of the rule of law in the maintenance of international peace and security” and the subitem entitled “The rule of law among nations”.<sup>32</sup> Following the briefings by the Secretary-General, the President of the International Court of Justice and a professor of public international law at the University of Oxford, several speakers discussed the actions and role of the General Assembly in instances where the Council failed to act.<sup>33</sup>

The representative of Singapore stressed that the Assembly must continue to enhance its ability to contribute to the implementation of the obligations under the Charter and international law.<sup>34</sup> By doing so, the Assembly could contribute materially to the maintenance of international peace and security, particularly when the Council was unable to act. The representative of Austria, on behalf of the Group of Friends of the Rule of Law, said that the United Nations must not give up if the Council could not deliver, as

---

<sup>28</sup> See [A/78/300](#).

<sup>29</sup> For more information on matters of which the Council was seized, see part II, sect. II.B.

<sup>30</sup> See General Assembly decision [77/560](#) of 30 June 2023, in which the Assembly took note of the notification by the Secretary-General under Article 12 (2) dated 1 September 2022 ([A/77/300](#)); see also *Repertoire, Supplement 2022*, part IV, sect. I.C. As at 31 December 2023, the Assembly had not yet taken note of the notification by the Secretary-General under Article 12 (2) dated 1 September 2023 ([A/78/300](#)).

<sup>31</sup> A concept note was circulated by a letter dated 3 January ([S/2023/1](#)).

<sup>32</sup> See [S/PV.9241](#) and [S/PV.9241 \(Resumption 1\)](#).

<sup>33</sup> For more information on the briefings, see part I, sect. 33.

<sup>34</sup> See [S/PV.9241 \(Resumption 1\)](#).



seen in the Assembly most recently, when members resorted to the “Uniting for peace” resolution,<sup>35</sup> last resorted to in February 2022. He added that the time might be right to consider further means of strengthening adherence to the Charter, reflecting better its legally binding nature, and suggested to perhaps explore possible ways to more effectively, consistently and directly respond to grave violations of the Charter when the Council did not act. In a similar vein, the representative of Uruguay stated that the United Nations must not fail to act when the Council could not act. This was seen in the implementation of the “Uniting for peace” resolutions since February 2022 and the adoption of a set of resolutions by the vast majority of the Assembly. The representative of the Republic of Korea asserted that, if the Council failed to fulfill its primary responsibility owing to the exercise of veto powers, the Assembly should be able to swiftly act with its recommendation power under the “Uniting for peace” resolution. The representative of Türkiye was of the view that, when national systems failed, the international community, and particularly the Council, had to step up to promote and ensure the rule of law. In instances where the Council had failed, the General Assembly had sought out alternatives, and it should continue to do so in line with its own responsibilities.

Several delegations addressed the actions and role of the General Assembly in relation to the conflict in Ukraine. The representative of Liechtenstein stated that the Council had the obligation to act in response to instances of aggression. In the case of Ukraine, the Council had delegated its responsibility for the maintenance of international peace and security to the Assembly, as it was unable to make any meaningful decision owing to the veto power. The representative of Singapore stressed that the adoption of resolutions in the Assembly condemning the Russian Federation’s invasion and annexation was a clear demonstration that Member States wanted a multilateral system based on the Charter and international law. It was disappointing but not surprising that the Council had been unable to discharge its primary responsibility for the maintenance of international peace and security, and it was therefore important that every Member State and every principal organ of the United Nations did their part. The representatives of Denmark, on behalf of the Nordic countries, and Australia expressed their support for Assembly resolutions adopted in relation to the conflict in Ukraine.

---

<sup>35</sup> General Assembly resolution [377 \(V\)](#).



Multiple speakers also expressed support for General Assembly resolution [76/262](#) and stressed that the initiative increased accountability and transparency in the work of the Council, as well as scrutiny of the use of the veto.<sup>36</sup> The representative of Liechtenstein asserted that the Assembly must step in when Council action was blocked by the veto, as it had done successfully on various occasions in the past year.<sup>37</sup> She considered the adoption of resolution [76/262](#) as an essential step towards strengthening the Assembly's role and was of the view that it had increased the accountability and transparency of the work of the United Nations, including through its impact on the use of the veto itself. The representative of Mexico encouraged Member States not to underestimate the impact of collective participation in situations that threaten international peace and security. The representative of the Maldives pointed out that her delegation had co-sponsored the "veto initiative" to show support for increasing the substantial role and moral authority of the Assembly to ensure that there was increased transparency in the work of the Council.

#### **D. Practice in relation to provisions of the Charter involving recommendations made by the Security Council to the General Assembly**

##### *Article 4*

*1. Membership in the United Nations is open to all other peace loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.*

*2. The admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council.*

##### *Article 5*

*A member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council. The exercise of these rights and privileges may be restored by the Security Council.*

---

<sup>36</sup> See [S/PV.9241](#) (Malta) and [S/PV.9241 \(Resumption 1\)](#) (Liechtenstein, Denmark, on behalf of the Nordic countries, Mexico, Maldives).

<sup>37</sup> See [S/PV.9241 \(Resumption 1\)](#).

*Article 6*

*A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council.*

*Article 93, paragraph 2*

*A state which is not a Member of the United Nations may become a party to the Statute of the International Court of Justice on conditions to be determined in each case by the General Assembly upon the recommendation of the Security Council.*

*Article 97*

*The Secretariat shall comprise a Secretary-General and such staff as the Organization may require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organization.*

*Rule 60*

*The Security Council shall decide whether in its judgement the applicant is a peace-loving State and is able and willing to carry out the obligations contained in the Charter and, accordingly, whether to recommend the applicant State for membership.*

*If the Security Council recommends the applicant State for membership, it shall forward to the General Assembly the recommendation with a complete record of the discussion.*

*If the Security Council does not recommend the applicant State for membership or postpones the consideration of the application, it shall submit a special report to the General Assembly with a complete record of the discussion.*

*In order to ensure the consideration of its recommendation at the next session of the General Assembly following the receipt of the application, the Security Council shall make its recommendation not less than twenty-five days in advance of a regular session of the General Assembly, nor less than four days in advance of a special session...*

The Charter provides for joint decision-making by the Council and the General Assembly in relation to a number of matters but requires a decision by the Council to be taken first. This is the case with respect to the admission, suspension or expulsion of Members (Articles 4 to 6), the appointment of the Secretary-General (Article 97) and the conditions under which a State that is not a Member of the United Nations may become a party to the Statute of the International Court of Justice (Article 93 (2)).<sup>38</sup> In addition, the statute of the International Residual Mechanism for Criminal Tribunals provides that the judges of the Mechanism shall be elected by the Assembly from a list submitted by the Council.<sup>39</sup>

During the period under review, no questions arose concerning the conditions of accession to the Statute of the International Court of Justice. There was no reference to Articles 4, 5 or 6 in decisions of the Council, no activity with regard to the admission of new Members or the suspension or expulsion of any Member State, and no action with regard to the selection and appointment of the Secretary-General. With regard to the International Residual Mechanism for Criminal Tribunals, the Council and the General Assembly collaborated on the appointment of a judge to fill a vacancy on the roster of the Mechanism.

### **Membership in the United Nations: references to Articles 4 and 6**

The admission of a State to membership in the United Nations and the suspension or expulsion of a Member State from the Organization are effected by the General Assembly upon the recommendation of the Council (Articles 4 (2), 5 and 6 of the Charter). In accordance with rule 60 of its provisional rules of procedure, the Council submits to the Assembly, within specified time limits, its recommendations concerning each application for membership together with a record of its discussions in relation to the application.

During the period under review, the Council did not recommend the admission of any State for membership in the United Nations. It made no negative recommendations, which would have required the submission of a special report to the General Assembly.

---

<sup>38</sup> Articles 4 (3) and 69 of the Statute of the International Court of Justice provides for the Council to make recommendations to the General Assembly regarding the conditions under which a State which is a party to the Statute but is not a Member of the United Nations may participate in electing members of the Court, and in making amendments to the Statute.

<sup>39</sup> See article 10 of the statute of the Mechanism (resolution [1966 \(2010\)](#), annex 1).

In addition, the Council did not recommend the suspension or expulsion of any Member State. Nonetheless, consistent with previous years, at meetings held under the item entitled “The situation in the Middle East, including the Palestinian question”, participants expressed support for the admission of the State of Palestine as a full Member of the Organization.<sup>40</sup> At a meeting held on 25 April under the same item, the Minister for Foreign Affairs of the State of Palestine questioned why the Council, which had been calling for a two-State solution for decades, would not recommend the membership of the State of Palestine to the Assembly, opining that the Assembly would agree once that recommendation was made in the Council.<sup>41</sup>

In addition, one communication circulated as a document of the Council during the reporting period contained references relevant to the role of the Council in relation to the admission of States for membership in the United Nations. By a letter dated 6 January, the representative of Ukraine conveyed a statement from the Ministry of Foreign Affairs of Ukraine on the “illegitimacy of the presence of the Russian Federation in the Security Council and in the United Nations as a whole” to the Secretary-General.<sup>42</sup> In the statement, Ukraine emphasized that, in December 1991, the appeal of the Russian Federation regarding the intention to continue the membership of the Union of Soviet Socialist Republics in the United Nations had to be properly considered by the Council and the Assembly in accordance with Article 4 of the Charter, which provided that the admission of peace-loving States to membership in the United Nations was effected by a decision of the Assembly upon the recommendation of the Council. Therefore, the Russian Federation had never gone through the legal procedure to be admitted to membership in the United Nations and illegally occupied the seat of the Union of Soviet Socialist Republics in the Council. According to the statement, the Russian Federation ought to follow the same international legal path for admission to membership in the United Nations as other countries, and only after fulfilling the conditions for membership in the United Nations contained in Article 4 (1) could the Russian Federation be admitted

---

<sup>40</sup> See, for example, [S/PV.9309](#) (Lebanon, on behalf of the Group of Arab States, Algeria, Cuba) and [S/PV.9309 \(Resumption 1\)](#) (Bolivarian Republic of Venezuela, Malaysia); [S/PV.9387](#) (Cuba) and [S/PV.9387 \(Resumption 1\)](#) (Yemen, on behalf of the Group of Arab States, Indonesia); [S/PV.9425](#) (China, Russian Federation); [S/PV.9451 \(Resumption 1\)](#) (Cuba, Bolivia); [S/PV.9489](#) (China, Egypt, Saudi Arabia); and [S/PV.9498](#) (Qatar, on behalf of the Gulf Cooperation Council).

<sup>41</sup> See [S/PV.9309](#).

<sup>42</sup> See [S/2023/24](#). For similar references to Article 4 made by the representatives of Ukraine in Council meetings, see [S/PV.9315](#), [S/PV.9448](#) and [S/PV.9470](#).

to membership by a decision of the Assembly upon the recommendation of the Council, as provided for in Article 4 (2).

### **Procedure for the selection and appointment of the Secretary-General**

On 1 September, the General Assembly adopted resolution [77/335](#) on the revitalization of the work of the General Assembly.<sup>43</sup> By the resolution, the Assembly recommended that the President of the Assembly and the President of the Council continue the practice of circulating joint letters on the selection and appointment process of the Secretary-General, including outlining national events, and consider concluding in sufficient time to allow the Secretary-General-designate to prepare for their term in office.<sup>44</sup> The Assembly also decided that, in order to be circulated in a joint letter by the President of the Assembly and the President of the Council pursuant to the process established in Assembly resolution [69/321](#), nominations of candidates had to be submitted by at least one Member State, in accordance with paragraph 56 of Assembly resolution [75/325](#).<sup>45</sup> The Assembly further decided to assess during its seventy-ninth session of the Assembly the selection and appointment process of the Secretary-General, to consolidate the advances gained in the relevant Assembly resolutions and to explore possible steps to improve future processes, including the collaboration between the Assembly and the Council, consistent with Article 97 of the Charter.<sup>46</sup> Other provisions of Assembly resolution [77/335](#) that are of relevance to the relations between the Council and the Assembly are covered in section I.F and I.H.

### **Appointment of judges to the International Residual Mechanism for Criminal Tribunals**

By its resolution [1966 \(2010\)](#) of 22 December 2010, the Council established the International Residual Mechanism for Criminal Tribunals to carry out residual functions of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International

---

<sup>43</sup> General Assembly resolution [77/335](#) (see [A/77/49 \(Vol. III\)](#)).

<sup>44</sup> *Ibid.*, para. 60.

<sup>45</sup> *Ibid.*, para. 62.

<sup>46</sup> *Ibid.*, para. 65.

Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994.<sup>47</sup> According to article 10 of the statute of the Mechanism, the judges of the Mechanism are elected by the General Assembly from a list submitted by the Council. In the event of a vacancy in the roster of judges of the Mechanism, the Secretary-General appoints judges after consultation with the Presidents of the Council and of the Assembly, for the remainder of the term of office concerned.<sup>48</sup>

During the period under review, following the death of one of the judges of the Mechanism, and pursuant to article 10 (2) of the statute of the Mechanism, the Council took note of the intention of the Secretary-General to appoint the judge nominated to fill the vacancy for the remainder of the respective term of office.<sup>49</sup> The General Assembly subsequently concurred with the intention of the Secretary-General to appoint the judge, and the Secretary-General proceeded to appoint the judge of the Mechanism with immediate effect until 30 June 2024.<sup>50</sup>

For further details on the actions taken by the Secretary-General, the Council and the General Assembly, see table 4 below.<sup>51</sup>

Table 4

**Action taken by the Security Council and the General Assembly concerning judges of the International Residual Mechanism for Criminal Tribunals, 2023**

<i>Letter from the Secretary-General</i>	<i>Letter from the President of the Security Council</i>	<i>Council resolution and date</i>	<i>Transmittal to the General Assembly</i>	<i>Assembly decision or resolution and date</i>
<a href="#">S/2023/347</a> , transmitting the nomination of a judge to fill one vacancy on the roster of judges of the Mechanism	<a href="#">S/2023/348</a> , taking note of the intention of the Secretary-General to appoint the judge nominated to fill the vacancy			
<a href="#">S/2023/386</a> , transmitting a letter from the President of the Assembly concurring with the appointment of the nominated judge				

<sup>47</sup> Resolution [1966 \(2010\)](#), para. 1.

<sup>48</sup> Ibid., annex 1.

<sup>49</sup> See [S/2023/348](#).

<sup>50</sup> See [S/2023/386](#).

<sup>51</sup> For more information concerning the Mechanism, see part I, sect. 25.

## **E. Election of members of the International Court of Justice**

### *Rule 40*

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

### *Rule 61*

*Any meeting of the Security Council held in pursuance of the Statute of the International Court of Justice for the purpose of the election of members of the Court shall continue until as many candidates as are required for all the seats to be filled have obtained in one or more ballots an absolute majority of votes.*

The election of members of the International Court of Justice requires action by the Council in conjunction with the General Assembly, with the two organs proceeding independently of one another. The procedure for the election is set out in rules 40,<sup>52</sup> and 61 of the provisional rules of procedure of the Council, Articles 4, 8, 10 to 12, 14 and 15 of the Statute of the International Court of Justice;<sup>53</sup> and rules 150 and 151 of the rules of procedure of the Assembly.<sup>54</sup>

During the period under review, the Council held an election to fill the seats of the five members of the International Court of Justice whose terms of office would expire on 5 February 2024. In accordance with Article 7 of the Statute of the Court, the Secretary-General transmitted a note to the Council and the General Assembly containing a list of nominations submitted by national groups, followed by another note containing the curricula vitae of the nominated judges.<sup>55</sup> The Secretary-General also transmitted to the

---

<sup>52</sup> Rule 40 of the provisional rules of procedure is also covered in part II, sect. IX.

<sup>53</sup> Articles 4, 10-12, 14 and 15 of the Statute of the International Court of Justice establish the procedure for the following: (a) the nomination of the judges by the national groups in the Permanent Court of Arbitration, (b) the majority necessary for the election of judges, (c) the number of meetings to be held for the purpose of the election of judges, (d) the holding of the joint conference in the event of more than three meetings of the Council and the General Assembly, (e) the procedure for the filling of vacancies and (f) the term of office applied to elected judges filling out a vacancy. Article 8 provides that the two organs proceed independently.

<sup>54</sup> Rules 150 and 151 of the General Assembly provide that the election of the members of the International Court of Justice take place in accordance with the Statute of the Court and that any meeting of the Assembly held in pursuance of the Statute of the Court for the purpose of electing members of the Court continue until as many candidates as are required for all the seats to be filled have obtained in one or more ballots an absolute majority of votes.

<sup>55</sup> [S/2023/446](#) and [S/2023/447](#).



Council and the Assembly a memorandum in which he set out the procedure for the election of the judges.<sup>56</sup> The Council and the Assembly proceeded with the concurrent votes on 9 November 2023.<sup>57</sup> While the ballot was conclusive in the Assembly in the first round, it was inconclusive in the Council as more than five candidates received the absolute majority of votes required at the Council during the first four rounds. In the fifth round of the ballot, five candidates obtained the required majority of votes in the Council. As a result, both the Council and the Assembly had agreed on the same candidates, and the jurists Bogdan-Lucian Aurescu (Romania), Hilary Charlesworth (Australia), Sarah Hull Cleveland (United States), Juan Manuel Gómez Robledo Verduzco (Mexico) and Dire Tladi (South Africa) were elected as members of the Court for a nine-year term of office beginning on 6 February 2024.

For details regarding the election of the new members of the Court, see table 5.

Table 5

**Concurrent election of members of the International Court of Justice to fill expiring vacancies, 2023**

<i>Notes by the Secretary-General</i>	<i>Council meeting for the election</i>	<i>General Assembly plenary meeting for the election</i>
<a href="#">A/78/97-S/2023/445</a>	<a href="#">S/PV.9471</a>	<a href="#">A/78/PV.31</a>
<a href="#">A/78/98-S/2023/446</a>		
<a href="#">A/78/99-S/2023/447</a>		

**F. Annual and special reports of the Security Council to the General Assembly**

*Article 15, paragraph 1*

*The General Assembly shall receive and consider annual and special reports from the Security Council; these reports shall include an account of the measures that the Security Council has decided upon or taken to maintain international peace and security.*

*Article 24, paragraph 3*

*The Security Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration.*

<sup>56</sup> [S/2023/445](#).

<sup>57</sup> See [S/PV.9471](#) and [A/78/PV.31](#).



*Rule 60, paragraph 3*

*If the Security Council does not recommend the applicant State for membership or postpones the consideration of the application, it shall submit a special report to the General Assembly with a complete record of the discussion.*

During 2023, the Council maintained its practice of submitting annual reports to the General Assembly pursuant to Article 24 (3) of the Charter. The annual report submitted to the Assembly covered the period from 1 January to 31 December 2022.<sup>58</sup> The note by the President of the Security Council dated 30 August 2017 provides that the report would consist of an introduction, containing an agreed concise summary prepared on behalf of the Council under the coordination of the President of the Council for the month of July.<sup>59</sup> However, in accordance with the same note, in the case of the member holding the presidency for the month of July ending its tenure on the Council that year, that task devolves on the member of the Council next in English alphabetical order and who will not be leaving the Council at the end of that calendar year. In 2023, the introduction of the annual report for 2022 was therefore prepared by the delegation of Brazil, as the member of the Council which had held the presidency of the Council for the month of July 2022. In accordance with the note by the President dated 27 December 2019,<sup>60</sup> the report was adopted on 30 May 2023. The procedure and content of the annual report were discussed in connection with the annual open debate on working methods held under the item entitled “Implementation of the note by the President of the Security Council ([S/2017/507](#))” (see case 2).

The Council considered and adopted its draft annual report, without a vote, at a meeting held on 30 May.<sup>61</sup> The General Assembly considered the annual report of the Council at the 86th and 87th plenary meetings of its seventy-seventh session, held on 30 June, under the item “Report of the Security Council”.<sup>62</sup> The President of the Council for the month (United Arab Emirates) participated in the 86th plenary meeting to introduce the report.<sup>63</sup> During the discussions in the Assembly, many Member States welcomed the

---

<sup>58</sup> [A/77/2](#).

<sup>59</sup> [S/2017/507](#), annex, para. 127.

<sup>60</sup> [S/2019/997](#), para. (c).

<sup>61</sup> See [S/PV.9330](#).

<sup>62</sup> See [A/77/PV.86](#) and [A/77/PV.87](#).

<sup>63</sup> See [A/77/PV.86](#).

timely submission of the report.<sup>64</sup> However, some also stressed the importance of adhering to other timelines in the production of the report, or completing the entire report well before the deadline, to enable an earlier consideration of the report in the Assembly.<sup>65</sup> Consistent with previous years, most speakers called for the annual reports of the Council to be more analytical. In this context, several speakers welcomed the inclusion of references to the use of the veto,<sup>66</sup> with some requesting a dedicated chapter on the veto.<sup>67</sup> At its 87th plenary meeting, the Assembly took note of the report of the Council.<sup>68</sup>

By its resolution [77/335](#), adopted on 1 September, the General Assembly requested the President of the Assembly, with the support of the Secretariat, to resume the practice of preparing a summary of the recommendations expressed by delegations during the Assembly plenary meeting dedicated to discussing the report of the Council to the Assembly and for onward transmission.<sup>69</sup> Other provisions of Assembly resolution [77/335](#) that are of relevance to the relations between the Council and the Assembly are covered in section I.D and section I.H.

### **Special reports by the Security Council to the General Assembly on the use of the veto**

On 26 April 2022, the Assembly adopted resolution [76/262](#), by which it decided that the President of the Assembly shall convene a meeting of the Assembly within ten working days of the casting of a veto in the Council to discuss the situation as to which the veto was cast, and by which it invited the Council, in accordance with Article 24 (3) of the Charter, to submit a special report on the use of the veto to the Assembly at least 72 hours before the relevant discussion in the Assembly.<sup>70</sup> By resolution [77/335](#) on the revitalization of the work of the Assembly, adopted on 1 September 2023, the Assembly

---

<sup>64</sup> See [A/77/PV.86](#) (Portugal on behalf of the Accountability, Coherence and Transparency (ACT) Group, Norway, on behalf of the Nordic countries, Estonia, Singapore, Chile, Austria, Slovenia, Argentina).

<sup>65</sup> See [A/77/PV.86](#) (Portugal, on behalf of the ACT Group, Norway, on behalf of the Nordic countries, Singapore; and [A/77/PV.87](#) (Uruguay).

<sup>66</sup> See [A/77/PV.86](#) (Portugal on behalf of the ACT Group, Ecuador); and [A/77/PV.87](#) (Peru, Uruguay).

<sup>67</sup> See [A/77/PV.86](#) (Portugal on behalf of the ACT Group, Austria); and [A/77/PV.87](#) (Peru).

<sup>68</sup> General Assembly resolution [77/561](#) (see [A/77/49 \(Vol. III\)](#)); see also [A/77/PV.87](#).

<sup>69</sup> General Assembly resolution [77/335](#), para. 26.

<sup>70</sup> General Assembly resolution [76/262](#), paras. 1 and 3.

recalled its resolution [76/262](#) and the provision inviting the Council to continue the practice of submitting special reports on the use of the veto.<sup>71</sup>

During the reporting period, and pursuant to resolution [76/262](#), the Council submitted six special reports on the use of the veto to the Assembly in connection with the items entitled “The situation in the Middle East”,<sup>72</sup> “The situation in Mali”,<sup>73</sup> and “The situation in the Middle East, including the Palestinian Question”.<sup>74</sup> Following the submission of the reports, the Assembly met to discuss each of the six instances of vetoes, either under the Assembly’s agenda item entitled “Use of the veto”<sup>75</sup> or within the context of the tenth emergency special session on “Illegal Israeli actions in occupied East Jerusalem and the rest of the Occupied Palestinian Territory”.<sup>76</sup>

During Council meetings in 2023, Council members and other Member States discussed the importance of the Council’s special reports to the General Assembly on the use of the veto, including at the annual open debate on working methods held under the item entitled “Implementation of the note by the President of the Security Council ([S/2017/507](#))” (see case 2). Discussions in the Council concerning Assembly resolution [76/262](#) more broadly are covered in section I.C.

## Case 2

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

On 5 September, at the initiative of Albania, which held the presidency of the Council for the month,<sup>77</sup> the Council held the annual open debate on its working methods

---

<sup>71</sup> General Assembly resolution [77/335](#), para. 28.

<sup>72</sup> [A/77/965](#).

<sup>73</sup> [A/78/341](#).

<sup>74</sup> [A/78/549](#), [A/78/556](#), [A/78/667](#) and [A/78/691](#).

<sup>75</sup> With regard to the veto cast on 11 July ([A/77/965](#)) under the item entitled “The situation in the Middle East”, the Assembly convened for a plenary meeting on 19 July (see [A/77/PV.90](#) and [A/77/PV.91](#)). With regard to the veto cast on 30 August ([A/78/341](#)) under the item entitled “The situation in Mali”, the Assembly convened for a plenary meeting on 11 September ([A/78/PV.3](#)). With regard to the veto cast on 22 December ([A/78/691](#)) under the item entitled “The situation in the Middle East, including the Palestinian Question”, the Assembly convened for a plenary meeting 9 January 2024 (see [A/78/PV.51](#) and [A/78/PV.52](#)).

<sup>76</sup> With regard to the vetoes cast on 18 and 25 October ([A/78/549](#) and [A/78/556](#)) and 8 December ([A/78/667](#)) under the item entitled “The situation in the Middle East, including the Palestinian Question”, the discussion in the Assembly was held under the umbrella of the tenth emergency special session on 26 October (see [A/ES-10/PV.39](#) – [A/ES-10/PV.44](#)) and on 12 December (see [A/ES-10/PV.45](#) – [A/ES-10/PV.48](#)).

<sup>77</sup> A concept note was circulated by a letter dated 28 August ([S/2023/630](#)).

under the item entitled “Implementation of the note by the President of the Security Council ([S/2017/507](#))”.<sup>78</sup> At the beginning of the meeting, the representative of Albania made a statement in his capacity as the Chair of the Informal Working Group on Documentation and other Procedural Questions.

During the open debate, Member States discussed the consideration of annual and special reports of the Council by the General Assembly. Several speakers emphasized the importance of improving the Council’s engagement with the wider United Nations membership during the preparation of the Council’s annual report.<sup>79</sup> The representative of the Philippines noted that the Council’s comprehensive annual report enhanced the accountability of the Council, but also noted that much remained to be done to ensure that the inputs of Member States were duly considered and taken on board.<sup>80</sup> The representative of Norway, speaking on behalf of the Accountability, Coherence and Transparency (ACT) Group, encouraged the Council to hold interactive informal exchanges of views with the wider membership during the drafting of the annual report. In a similar vein, the representative of Singapore suggested that the Council and the wider membership hold interactive informal exchanges, pursuant to paragraph 129 of the note by the President of the Security Council of 30 August 2017 ([S/2017/507](#)), when the introduction to the annual report was being drafted.<sup>81</sup> The representative of Viet Nam noted that the Council needed to strengthen its coordination with the General Assembly, including through more regular consultations and reports, and advocated for non-Council members to be given more access and be allowed to participate in the preparation of the Council’s documents, including its annual report to the General Assembly.<sup>82</sup> The representative of Bahrain underscored the importance of ensuring that the Council’s annual report was issued in due time to allow the Assembly to discuss it.<sup>83</sup> The representative of Pakistan noted the Council’s obligation to report on its work to the Assembly pursuant to Articles 15 and 24 of the Charter, stating that such reporting should provide clear insights into the work of the Council and thereby enable the Assembly to ensure that the Council was acting on behalf of the entire membership. Also referring to

---

<sup>78</sup> See [S/PV.9410](#) and [S/PV.9410 \(Resumption 1\)](#).

<sup>79</sup> See [S/PV.9410](#) (Norway, on behalf of the ACT Group, Viet Nam and Philippines); and [S/PV.9410 \(Resumption 1\)](#) (Singapore).

<sup>80</sup> See [S/PV.9410](#).

<sup>81</sup> See [S/PV.9410 \(Resumption 1\)](#).

<sup>82</sup> See [S/PV.9410](#).

<sup>83</sup> See [S/PV.9410 \(Resumption 1\)](#).

Articles 15 and 24, the representative of Cuba emphasized that the lack of special reports on measures to maintain international peace and security, required under these provisions, was a shortcoming to be overcome.<sup>84</sup>

Multiple delegations stressed that the Council's annual report should be more analytical, substantive and comprehensive.<sup>85</sup> In this context, Denmark, on behalf of the Nordic and Baltic States, proposed the inclusion of a chapter dedicated to the veto in the Council's annual report.<sup>86</sup> In a similar vein, the representative of Liechtenstein welcomed the use of the word "veto" in the Council's annual report for 2022 and proposed a separate section to discuss special reports. The representatives of Portugal and Spain underscored the importance of including further details in the Council's annual report on the reasons owing to which the Council had failed to adopt some decisions.<sup>87</sup> The representative of Portugal stated that the annual report should indicate the procedural grounds of their failures and provide an analysis on the use of the veto, while the representative of Spain called for incorporating greater analysis that identified the challenges of the Council in the annual report.<sup>88</sup> In addition, the representative of Pakistan suggested that the Council establish a standing committee on the implementation of its resolutions, and that the committee's report be integrated into the Council's annual report.<sup>89</sup>

Participants also addressed the Council's implementation of General Assembly resolution [76/262](#), particularly with respect to the submission of a special report by the Council to the Assembly following the casting of a veto in the Council.<sup>90</sup> The representative of Norway, speaking on behalf of the Accountability, Coherence and Transparency (ACT) Group, welcomed the Council's consistent production of special reports, as well as the steps taken by the President of the General Assembly to transmit summaries of Assembly discussions on the Council's annual report and of Assembly meetings held pursuant to its resolution [76/262](#).<sup>91</sup> Further, she recalled the Group's position on the addition of a dedicated chapter on the veto in the annual report in which

---

<sup>84</sup> See [S/PV.9410](#).

<sup>85</sup> See [S/PV.9410](#) (Cuba, Norway, on behalf of the ACT Group, Liechtenstein, Thailand and Argentina); and [S/PV.9410 \(Resumption 1\)](#) (Spain).

<sup>86</sup> See [S/PV.9410](#).

<sup>87</sup> See [S/PV.9410](#) and [S/PV.9410 \(Resumption 1\)](#).

<sup>88</sup> See [S/PV.9410](#).

<sup>89</sup> See [S/PV.9410 \(Resumption 1\)](#).

<sup>90</sup> General Assembly resolution [76/262](#), para. 3.

<sup>91</sup> See [S/PV.9410](#).

special reports could be prominently featured in a dedicated chapter. Similarly, the representative of Liechtenstein noted that the Council had produced special reports on every occasion that a veto had been cast and stated that those exchanges of ideas and perspectives were crucial when the Council could not act owing to the use of the veto. The representative of Denmark encouraged the formal adoption of the special reports to ensure their appropriate reflection in the Council's annual report. Finally, the representative of Greece stressed that the special reports of the President of the Council should be more detailed to provide the wider United Nations membership with the background and possible rationales behind the casting of a veto.<sup>92</sup>

### **G. Relations with subsidiary organs established by the General Assembly**

During the period under review, the Council continued to develop its relations with various subsidiary organs established by the General Assembly, namely, the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the Human Rights Council, the Special Committee on Peacekeeping Operations, the International Law Commission and the Advisory Committee on Administrative and Budgetary Questions, as further described below. An overview of decisions in which the Council specifically referred to a subsidiary organ of the General Assembly is provided in table 6.

#### **Committee on the Exercise of the Inalienable Rights of the Palestinian People**

In 2023, the Committee on the Exercise of the Inalienable Rights of the Palestinian People continued to participate in the work of the Council. The Chair of the Committee delivered statements at three Council meetings concerning the item entitled "The situation in the Middle East, including the Palestinian question".<sup>93</sup> In addition, the Vice-Chair of the Committee delivered a statement at one Council meeting under the same item.<sup>94</sup> On 29 November, on the occasion of the International Day of Solidarity with the Palestinian People, the President of the Security Council participated in a

---

<sup>92</sup> See [S/PV.9410 \(Resumption 1\)](#).

<sup>93</sup> See [S/PV.9246](#) and [S/PV.9246 \(Resumption 1\)](#); [S/PV.9309](#) and [S/PV.9309 \(Resumption 1\)](#); and [S/PV.9451](#) and [S/PV.9451 \(Resumption 1\)](#).

<sup>94</sup> See [S/PV.9387](#) and [S/PV.9387 \(Resumption 1\)](#).

meeting of the Committee.<sup>95</sup> In addition, by a letter dated 20 September addressed to the President of the Security Council, the Chair of the Committee transmitted a study commissioned by the Committee and entitled “The legality of the Israeli occupation of the Occupied Palestinian Territory, including East Jerusalem”.<sup>96</sup>

## **Human Rights Council**

Two decisions adopted by the Security Council contained a reference to the Human Rights Council or investigative bodies established by the Human Rights Council. By its resolution [2677 \(2023\)](#) of 15 March, the Security Council expressed grave concern at ongoing reports of sexual and gender-based violence and the persistence of sexual and gender-based violence against women and girls after the signing of the Revitalised Agreement, as documented in the March 2022 report published by the UN Commission on Human Rights in South Sudan.<sup>97</sup> The Council also stressed the importance of transitional justice measures of the Revitalised Agreement, to end impunity and promote accountability, facilitate national reconciliation and healing, and ensure a sustainable peace, particularly those efforts undertaken by the Commission on Human Rights in South Sudan.<sup>98</sup> By its resolution [2703 \(2023\)](#) of 30 October, the Council welcomed the interaction between Morocco and the special procedures of the Human Rights Council in the context of enhancing the promotion and protection of human rights in Western Sahara and the Tindouf refugee camps.<sup>99</sup>

Relations between the Security Council and the Human Rights Council were also addressed during Council meetings. At an open debate held on 12 January under the item entitled “Promotion and strengthening of the rule of law in the maintenance of international peace and security” and the subitem entitled “The rule of law among nations”,<sup>100</sup> the Minister for Foreign Affairs of Switzerland stated that international criminal law and accountability were not being adequately implemented, underscoring the importance of support to the work of relevant international bodies, including the Human Rights Council, and further called for the Security Council to cooperate fully with

---

<sup>95</sup> See [A/AC.183/PV.414](#).

<sup>96</sup> [S/2023/694](#), annex.

<sup>97</sup> Resolution [2677 \(2023\)](#), twelfth preambular paragraph.

<sup>98</sup> *Ibid.*, sixteenth preambular paragraph.

<sup>99</sup> Resolution [2703 \(2023\)](#), twentieth preambular paragraph.

<sup>100</sup> See [S/PV.9241](#) and [S/PV.9241 \(Resumption 1\)](#). For more information on the discussion held at that meeting in relation to the primary responsibility of the Council for the maintenance of international peace and security, see part V, sect. I.B.



those bodies.<sup>101</sup> On 17 January, at a meeting held under the item entitled “Threats to international peace and security”, the representative of Ukraine asserted that the time had come for the Security Council to return human rights to its agenda, including by considering the report of the Independent International Commission of Inquiry on Ukraine, which had been established by the Human Rights Council.<sup>102</sup>

In addition, at an open debate held on 26 January under the item entitled “Peacebuilding and sustaining peace” and the subitem entitled “Investment in people to enhance resilience against complex challenges”,<sup>103</sup> the representative of Austria stressed the need for the Council to strengthen its links with the Peacebuilding Commission and proposed to consider ways to engage with other parts of the United Nations, including the Human Rights Council, on issues related to peace and security.<sup>104</sup> At a meeting held on 3 May under the same item and the subitem entitled “Futureproofing trust for sustaining peace”, the representatives of Portugal and Latvia discussed the New Agenda for Peace in their statements and, in that context, emphasized the need to ensure greater cooperation between the Security Council and the Human Rights Council.<sup>105</sup> The representative of Portugal also stressed the need to strengthen trust among the United Nations bodies dealing with conflict prevention and peacebuilding.

On 23 May, at a meeting held under the item entitled “Protection of civilians in armed conflict” and the subitem entitled “Ensuring the security and dignity of civilians in conflict: addressing food insecurity and protecting essential services”,<sup>106</sup> the representative of Portugal stressed that States had to protect, respect and fulfil the human right to food, safe drinking water and sanitation.<sup>107</sup> To that end, it was necessary to strengthen efforts to disseminate and implement resolutions [2417 \(2018\)](#) and [2573 \(2021\)](#) to ensure coordination between the Security Council and the Human Rights Council and its special procedure and align efforts in the areas of peace, development and humanitarian action.

At a meeting held on 14 May under the item entitled “Maintenance of international peace and security”, the representative of France emphasized that the

---

<sup>101</sup> See [S/PV.9241](#).

<sup>102</sup> See [S/PV.9245](#).

<sup>103</sup> See [S/PV.9250](#) and [S/PV.9250 \(Resumption 1\)](#).

<sup>104</sup> See [S/PV.9250 \(Resumption 1\)](#).

<sup>105</sup> See [S/PV.9315](#) (Portugal) and [S/PV.9315 \(Resumption 1\)](#) (Latvia).

<sup>106</sup> See [S/PV.9327](#) and [S/PV.9327 \(Resumption 1\)](#).

<sup>107</sup> See [S/PV.9327 \(Resumption 1\)](#).



General Assembly and the Human Rights Council had to be the venues where fraternity and tolerance were discussed and welcomed that the draft resolution discussed at the meeting adhered to that reasoning.<sup>108</sup> Nonetheless, he further stressed that religious issues had no place in the Security Council and that they should not be addressed unless the freedom of expression was fully observed. Speaking at a meeting held on 20 November under the same item and the subitem entitled “Promote sustaining peace through common development”,<sup>109</sup> the representative of Malta called for a whole-of-system approach toward peacebuilding and expressed her support for further cooperation between United Nations organs, including the Security Council and the Human Rights Council.<sup>110</sup>

At a meeting held on 17 August under the item entitled “The situation in the Democratic People’s Republic of Korea”, the representative of Brazil reiterated his position that debates on human rights issues should take place in the appropriate forums, including the Human Rights Council and reminded Council members that the subject of the meeting had to come under the mandate of the Council.<sup>111</sup> The representative of the Russian Federation stressed that human rights issues were not part of the mandate of the Security Council and that they were discussed in the relevant forums, primarily the Human Rights Council and the Third Committee of the General Assembly. In a similar vein, the representative of Gabon stated that his country’s position was unambiguous that human rights situations, including those concerning the Democratic People’s Republic of Korea should be addressed within the Human Rights Council and the Third Committee, which were the competent forums within the United Nations system.

At the annual open debate on working methods held under the item entitled “Implementation of the note by the President of the Security Council ([S/2017/507](#))”,<sup>112</sup> the representative of Slovakia stated that the further development of more active and meaningful relationships, including with the Human Rights Council, could increase the Council’s effectiveness in responding to conflicts and strengthen its role in conflict prevention and sustaining peace.<sup>113</sup>

The relations between the Security Council and the Human Rights Council were also discussed at various meetings held under the item entitled “Women and peace and

---

<sup>108</sup> See [S/PV.9347](#).

<sup>109</sup> See [S/PV.9482](#) and [S/PV.9482 \(Resumption 1\)](#).

<sup>110</sup> See [S/PV.9482](#).

<sup>111</sup> See [S/PV.9398](#).

<sup>112</sup> See [S/PV.9410](#) and [S/PV.9410 \(Resumption 1\)](#).

<sup>113</sup> See [S/PV.9410](#).

security”. For example, at a meeting held on 7 March under the subitem entitled “Towards the 25<sup>th</sup> anniversary of resolution [1325 \(2000\)](#)”,<sup>114</sup> the representative of the Russian Federation stressed the importance of avoiding duplication in the work of various organs of the United Nations and stated that the work of the Security Council should seamlessly “dovetail” with that of other United Nations entities, including the Human Rights Council.<sup>115</sup> The representative of Albania emphasized that the women and peace and security agenda was central to Albania’s priorities for rejoining the Human Rights Council and that her country would explore closer synergies between the Security Council and the Human Rights Council, if elected. On 14 July, the Council held a meeting under the subitem entitled “Conflict-related sexual violence: promoting implementation of Security Council resolutions on conflict-related sexual violence”,<sup>116</sup> at which the representative of Malaysia noted the merit in broadening networking and coordination between the Security Council and the Human Rights Council to ensure accountability for violations, including sexual assault and violence against women and children.<sup>117</sup> The representative of India stated that to promote synergy and effective coordination, there should be no duplication in the work of various United Nations bodies and that the issue of violence against women, including sexual violence, was discussed in other United Nations bodies, including the Human Rights Council. In that connection, the deliberations in the Security Council should remain focused on such atrocities perpetrated in situations of armed conflict that threatened international peace and security. At a meeting held on 25 and 26 October under the subitem entitled “Women’s participation in international peace and security: from theory to practice”,<sup>118</sup> the representative of the Russian Federation indicated that the Council should strictly adhere to the mandate defined in resolution [1325 \(2000\)](#) and its implementation, namely the consideration of women’s issues in a context of the maintenance of international peace and security and in connection to situations on the Council’s agenda. She further stressed that it was essential for the Council to focus on specific tasks and to avoid duplicating the work of other United Nations entities, including the Human Rights Council.<sup>119</sup>

---

<sup>114</sup> See [S/PV.9276](#) and [S/PV.9276 \(Resumption 1\)](#).

<sup>115</sup> See [S/PV.9276](#).

<sup>116</sup> See [S/PV.9378](#) and [S/PV.9378 \(Resumption 1\)](#).

<sup>117</sup> See [S/PV.9378 \(Resumption 1\)](#).

<sup>118</sup> See [S/PV.9452](#), [S/PV.9452 \(Resumption 1\)](#) and [S/PV.9452 \(Resumption 2\)](#).

<sup>119</sup> See [S/PV.9452](#).

## **Special Committee on Peacekeeping Operations**

In 2023, the Council did not refer to the Special Committee on Peacekeeping Operations in any of its decisions. Nonetheless, at a meeting held on 7 September under the item entitled “United Nations peacekeeping operations” concerning the implementation of the Action for Peacekeeping (A4P) initiative, the representative of the Russian Federation emphasized that the Special Committee should remain the main platform for discussing major developments in United Nations peacekeeping activities.<sup>120</sup> He added that the Committee’s decisions drew their legitimacy from the universal composition of its membership and from the consensus nature of its work. In addition, at a meeting held on 14 November under the same item and the subitem entitled “Police Commissioners”, the representative of the Russian Federation highlighted that discussions on all aspects of peacekeeping should be transparent and that the platforms best suited to such discussions were the Security Council Working Group on Peacekeeping Operations and the General Assembly’s Special Committee on Peacekeeping Operations.<sup>121</sup>

The relations between the Council and the Special Committee on Peacekeeping Operations were also addressed in one communication circulated as a document of the Council. By a letter dated 30 December addressed to the President of the Security Council, the Chair of the Working Group on Peacekeeping Operations transmitted the report of the Working Group on its activities in 2023.<sup>122</sup> According to the report, at its meeting held on 17 November, one delegation highlighted the need for an expansive discussion on peace enforcement in the Special Committee in light of the principles of United Nations peacekeeping, while another delegation had underscored the importance of close cooperation between the Council and the Special Committee for strengthening the work of peacekeeping operations on the ground. The Chair urged the Council and the Special Committee to find ways to integrate the best elements of the New Agenda for Peace into United Nations peacekeeping, including at the United Nations Peacekeeping ministerial meeting in Accra on 5 and 6 December 2023.<sup>123</sup> In addition, in the conclusion of the report, the Chair of the Working Group commended the substantive role played by

---

<sup>120</sup> See [S/PV.9413](#).

<sup>121</sup> See [S/PV.9475](#).

<sup>122</sup> [S/2023/1078](#), para. 17.

<sup>123</sup> *Ibid.*, para. 28.

the Special Committee in the area of peacekeeping and stressed the need for common aspirations with regard to improvements in the mandates of peacekeeping missions to be taken into account by the Council.<sup>124</sup>

### **International Law Commission**

In 2023, the Co-Chair of the International Law Commission Study Group on sea level rise briefed the Council at an open debate held on 14 February under the item entitled “Threats to international peace and security” and the subitem entitled “Sea-level rise: implications for international peace and security”.<sup>125</sup> The Co-Chair emphasized the serious implications of sea level rise on international peace and security and stated that the topic should continue to hold the attention of the Council. In the ensuing discussion, several speakers addressed the relations between the Council and the International Law Commission. The Minister for Foreign and European Affairs and Trade of Malta stated that, while the legal issues arising from rising sea levels were under review by the International Law Commission, the obvious security-related risks required the attention of the Council due to their political and security consequences. The representative of the Russian Federation noted that the International Law Commission was discussing sea level rise from the perspective of international law, but had not yet reached a consensus, and that the topic was also being dealt with in the Sixth Committee of the General Assembly. It was therefore premature to discuss the issue, particularly in the Council, which was not a dedicated platform for the topic. The representative of the Russian Federation further underlined the importance of the division of labor within the United Nations system. The representative of Chile expressed her appreciation for the study being carried out by the International Law Commission and stressed that, based on that process, the Council had to consider certain principles in accordance with the United Nations Convention on the Law of the Sea, and obligations concerning the non-refoulement of persons affected by sea level rise to third States.<sup>126</sup> The representative of Papua New Guinea, expressing strong support to the International Law Commission’s

---

<sup>124</sup> Ibid., para. 29.

<sup>125</sup> See [S/PV.9260](#). For more information on the discussion at that meeting in relation to the Council’s primary responsibility for the maintenance of international peace and security, see part V, sect. I.B. For the discussion at that meeting in relation to the principle of self-determination, see part III, sect. I.B.

<sup>126</sup> See [S/PV.9260 \(Resumption 1\)](#).

ongoing efforts, emphasized that the Council would do well to draw on the Commission's important work on addressing sea level rise in relation to international law.

In addition, at a meeting held on 12 January under the item entitled "The promotion and strengthening of the rule of law in the maintenance of international peace and security" and the subitem entitled "The rule of law among nations",<sup>127</sup> the representative of Slovenia advocated for the Council to hold closed meetings with members of the International Law Commission for discussions on the most pressing issues of international law.<sup>128</sup>

### **Advisory Committee on Administrative and Budgetary Questions**

The Council referred to the Advisory Committee on Administrative and Budgetary Questions in one decision adopted during the reporting period. By its resolution [2719 \(2023\)](#) of 21 December, the Council emphasized that African Union-led Peace Support Operations authorized by the Council that accessed United Nations assessed contributions would comply with the Financial Regulations and Rules of the United Nations, standards for financial oversight, and accountability mechanisms.<sup>129</sup> The Council further reaffirmed the established process for the preparation and presentation of reports by the Secretary-General containing proposals for the appropriation of resources and subsequent performance reports for consideration and approval by the General Assembly through the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee in accordance with the established peacekeeping budgetary process for United Nations assessed contributions.

Table 6

### **Security Council decisions containing references to subsidiary organs of the General Assembly, 2023**

<i>Decision and date</i>	<i>Provision</i>
<b>Reports of the Secretary-General on the Sudan and South Sudan</b>	
Resolution <a href="#">2677 (2023)</a> 15 March	Expressing grave concern at ongoing reports of sexual and gender-based violence, including the findings of the report of the Secretary-General on Children and armed conflict in South Sudan (S/2023/99) and on Conflict Related Sexual Violence to the Security Council (S/2022/272) of the use of sexual and gender-based violence as a tactic by parties to the conflict against the civilian population in South Sudan, including use of rape and

<sup>127</sup> See [S/PV.9241](#) and [S/PV.9241 \(Resumption 1\)](#). For more information on the discussion held at that meeting in relation to the primary responsibility of the Council for the maintenance of international peace and security, see part V, sect. I.B.

<sup>128</sup> See [S/PV.9241 \(Resumption 1\)](#).

<sup>129</sup> Resolution [2719 \(2023\)](#), para. 4.

<i>Decision and date</i>	<i>Provision</i>
	<p>sexual slavery for the purpose of intimidation and punishment, based on perceived political affiliation, and employed as part of a strategy targeting members of ethnic groups, and where sexual and gender-based violence against women and girls has persisted after the signing of the Revitalised Agreement, as documented in the March 2022 report published by UN Commission on Human Rights in South Sudan (CHRSS) on “Conflict-Related Sexual Violence against women and girls in South Sudan”, noting that some progress was observed by South Sudanese parties through implementation of action plans to address sexual violence in conflict, and underlining the urgency and importance of timely investigations to support accountability and the provision of assistance and protection to survivors and victims of sexual and gender-based violence, including conflict-related sexual violence (twelfth preambular paragraph)</p> <p>Stressing the importance of transitional justice measures included in Chapter V of the Revitalised Agreement, to end impunity and promote accountability, facilitate national reconciliation and healing, and ensure a sustainable peace, particularly those efforts undertaken by the UN-mandated Commission on Human Rights in South Sudan, and in this regard, recognizing the operationalization of a Gender-Based Violence and Juvenile Court by the Judiciary of South Sudan, and the establishment of mobile courts to combat impunity including for intercommunal violence and human rights abuses and violations involving killings and rape, acknowledging the approval by the Government of South Sudan (GoSS) to establish transitional justice mechanisms, including the Hybrid Court for South Sudan, and further recognizing that the GoSS conducted nationwide consultations on the Commission for Truth, Reconciliation, and Healing, encouraging it to continue to hold meaningful consultations with all stakeholders, including full, equal, and meaningful participation of women, and inclusion of youth, victims, persons with disabilities, and internally displaced persons (IDPs), and South Sudanese refugees, emphasizing its expectation that all credible reports of human rights violations and abuses will be duly considered by any transitional justice mechanisms for South Sudan including those established pursuant to the Revitalised Agreement, stressing the importance of ensuring accountability for IHL violations and expressing grave concern that according to credible reports, war crimes and crimes against humanity may have been committed, underlining the importance of collection and preservation of evidence for eventual use by the Hybrid Court for South Sudan and other accountability mechanisms, and encouraging efforts in this regard (sixteenth preambular paragraph)</p>
<b>The situation concerning Western Sahara</b>	
Resolution <a href="#">2703 (2023)</a> 30 October	<p>Welcoming in this regard, steps and initiatives taken by Morocco, and the role played by the National Council on Human Rights Commissions operating in Dakhla and Laayoune, and Morocco’s interaction with Special Procedures of the United Nations Human Rights Council (twentieth preambular paragraph)</p>
<b>Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security</b>	
Resolution <a href="#">2719 (2023)</a> 21 December	<p>Emphasizes that African Union-led Peace Support Operations authorized by the Security Council that access United Nations assessed contributions will comply with the Financial Regulations and Rules of the United Nations, standards for financial oversight, and accountability mechanisms, and reaffirms the established process for the preparation and presentation of reports by the Secretary-General containing proposals for the appropriation of resources and subsequent performance reports for consideration and approval by the General Assembly through the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee in accordance with the established peacekeeping budgetary process for United Nations assessed contributions and as appropriate, including information pertaining to the peace support operations budget (para. 4)</p>

## **H. Other Security Council practice bearing on relations with the General Assembly**

This subsection features Council practice bearing on its relations with the General Assembly not addressed elsewhere in this section. During the reporting period, the President of the General Assembly participated in a meeting of the Council focused on the implications for international peace and security of the sea-level rise and the Assembly resumed its tenth and eleventh emergency special sessions pursuant to Assembly resolution [377 \(V\)](#). Consistent with previous practice, both the Assembly and the Council adopted decisions bearing on the relations between both organs beyond those covered above. As in previous years, participants at meetings of the Council continued to address its the relations with the Assembly as featured below.

### **Participation of the President of the General Assembly in meetings of the Security Council**

During the period under review, the Council heard one briefing by the President of the General Assembly during an open debate held on 14 February at the initiative of Malta, which held the presidency of the Council for the month, under the item entitled “Threats to international peace and security” and the subitem entitled “Sea-level rise: implications for international peace and security”.<sup>130</sup> The President of the Assembly emphasized that climate change was an issue that demanded focus and coherence across the United Nations system. For the General Assembly that meant accelerating action on climate and water and for the Economic and Social Council it meant addressing the social and economic aspects of climate change. He added that the Security Council had its role to play too if the United Nations wanted to tackle the issue through a whole-of-United Nations approach. The President of the Assembly stated that the risks, uncertainties and instabilities associated with climate-induced sea level rise would open the door for conflicts and disputes, endangering global peace and security, and stressed that, in these cases, the Council had a responsibility to act.

### **Special and other sessions of the General Assembly**

There were no special sessions of the Assembly convoked at the request of the Council pursuant to Article 20 of the Charter. Nonetheless, in February 2023, the Assembly resumed its eleventh emergency special session, pursuant to Assembly

---

<sup>130</sup> See [S/PV.9260](#).



resolution [377 \(V\)](#) of 3 November 1950.<sup>131</sup> This was done at the request of various Member States<sup>132</sup> to take action on a draft resolution on principles of the Charter underlying a comprehensive, just and lasting peace in Ukraine, which was adopted as Assembly resolution [ES-11/6](#) on 23 February.<sup>133</sup>

During the reporting period, for the first time since 2018, the Assembly also resumed its tenth emergency special session on two occasions. Following a veto cast by the United States on 18 October on a draft resolution in connection with the item entitled “The situation in the Middle East, including the Palestinian Question”,<sup>134</sup> the representatives of Jordan and Mauritania, in their capacity as the Chairs of the Group of Arab States and the Summit of the Organization of Islamic Cooperation, respectively, and the delegations of Nicaragua, the Russian Federation and the Syrian Arab Republic, requested the resumption of the tenth emergency special session,<sup>135</sup> which took place between 26 October and 2 November.<sup>136</sup> On 27 October, the Assembly adopted resolution [ES-10/21](#), which called for an immediate, durable and sustained humanitarian truce leading to a cessation of hostilities.<sup>137</sup> At the request of the representatives of Jordan and Mauritania, as the Chairs of the Group of Arab States and the Summit of the Organization of Islamic Cooperation, respectively, and following another veto cast by the United States on 8 December,<sup>138</sup> the Assembly again reconvened the tenth emergency special session between 12 and 20 December.<sup>139</sup> On 12 December, the Assembly adopted resolution [ES-10/22](#), which demanded an immediate humanitarian ceasefire and the immediate and unconditional release of all hostages, as well as ensuring humanitarian access.<sup>140</sup>

## **General Assembly decisions concerning relations with the Security Council**

---

<sup>131</sup> For the plenary meetings of the Assembly, see [A/ES-11/PV.17](#); [A/ES-11/PV.18](#); and [A/ES-11/PV.19](#).

<sup>132</sup> Albania, Australia, Canada, Guatemala, Japan, the Republic of Korea, the Republic of Moldova, Türkiye, Ukraine, the United Kingdom and the United States and the European Union. See [A/ES-11/14](#); see also [A/ES-11/PV.17](#).

<sup>133</sup> See [A/ES-11/PV.19](#).

<sup>134</sup> See [S/PV.9442](#) and [S/2023/776](#). For more information, see part I, sect. 21.

<sup>135</sup> See [A/ES-10/958](#); [A/ES-10/961](#); see also [A/ES-10/PV.39](#).

<sup>136</sup> For the plenary meetings of the Assembly, see [A/ES-10/PV.39](#); [A/ES-10/PV.40](#); [A/ES-10/PV.41](#); [A/ES-10/PV.42](#); [A/ES-10/PV.43](#); and [A/ES-10/PV.44](#).

<sup>137</sup> General Assembly resolution [ES-10/21](#), para. 1.

<sup>138</sup> See [S/PV.9499](#). For more information, see part I, sect. 21.

<sup>139</sup> See [A/ES-10/974](#); [A/ES-10/PV.45](#); for the plenary meetings of the Assembly, see [A/ES-10/PV.45](#); [A/ES-10/PV.46](#); [A/ES-10/PV.47](#); and [A/ES-10/PV.48](#). For more information on the special reports of the Council discussed during the tenth emergency special session, see sect. I.F.

<sup>140</sup> General Assembly resolution [ES-10/22](#), paras. 1, 3.



In 2023, in some of its decisions, the General Assembly referred to its relations with the Council not covered in subsections B, D and F above . The relevant provisions of those decisions are set out in tables 7 and 8 below.

Table 7

**General Assembly decisions containing references to the Security Council in connection with policy and implementation issues other than those covered in subsections B, D and F (thematic items), 2023**

<i>Decision and date</i>	<i>Provision</i>
<b>The United Nations Global Counter-Terrorism Strategy: eighth review</b>	
<a href="#">77/298</a> 22 June	Noting with appreciation the continued contribution of the United Nations entities, including the Office of Counter-Terrorism, and its Counter-Terrorism Centre, and the subsidiary bodies of the Security Council, to the work of the Global Counter-Terrorism Coordination Compact entities in support of the implement of the Strategy by Member States, and noting in this regard the establishment of the Global Counter-Terrorism Coordination Platform (thirteenth preambular paragraph)
<b>Question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council</b>	
<a href="#">77/559</a> 29 June	Decided to reaffirm the central role of the General Assembly concerning the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council and the commitment of Heads of State and Government representing the peoples of the world to instill new life in the discussions on the reform of the Security Council (first paragraph)
<b>Revitalization of the work of the General Assembly</b>	
<a href="#">77/335</a> 21 December	<p>Welcomes the practice of providing a live list of speakers for the Security Council open debates, taking into account the need to facilitate greater participation of Member States, and notes the guiding role of open debates and their contribution to enhancing interaction and synergies among principal organs (para. 29)</p> <p>Underlines the continued need to foster interaction between the General Assembly and the Security Council, in accordance with their respective mandates, and the necessity for greater access by Member States to practical information and institutional memory, and requests the President of the General Assembly, with the support of the Secretariat and other relevant United Nations entities, to consider providing, within existing resources, a digital handbook or accessible outlines on past practices, data and recommendations for the fulfilment of the functions and powers of the General Assembly as outlined in Chapter IV of the Charter (para. 30)</p>

Table 8

**General Assembly decisions containing references to the Security Council in connection with policy and implementation issues other than those covered in subsections B, D and F (country and region-specific items), 2023**

<i>Decision and date</i>	<i>Provision</i>
<b>Situation of human rights in the Democratic People's Republic of Korea</b>	

<i>Decision and date</i>	<i>Provision</i>
<a href="#">78/218</a> 19 December	Welcomes the resumption of the Security Council discussion on the situation in the Democratic People's Republic of Korea and reiterates its appreciation to the United Nations High Commissioner for Human Rights and the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea for briefing the Council on the country's human rights situation, in the light of the serious concerns expressed in the present resolution, and looks forward to its continued and more active engagement on this matter (para. 13)
<b>Situation of human rights of Rohingya Muslims and other minorities in Myanmar</b>	
<a href="#">78/219</a> 19 December	Requests the Secretary-General to call the continued attention of the Security Council to the situation in Myanmar with concrete recommendations for action to restore peace, end the state of emergency, promote fully inclusive and representative dialogue aimed at supporting the democratic path in Myanmar and resolve the humanitarian crisis, promoting the voluntary, safe, dignified and sustainable return of Rohingya refugees and forcibly displaced persons and ensuring accountability for those responsible for mass atrocities and human rights violations and abuses (para. 30(f))
<b>Situation of human rights in the Syrian Arab Republic</b>	
<a href="#">78/222</a> 19 December	Deplores the non-renewal of the Security Council authorization of cross-border humanitarian assistance to the Syrian Arab Republic, and in particular the veto cast on 11 July 2023 by the Russian Federation, and takes note of the resumption of United Nations life-saving humanitarian deliveries through the Bab al-Hawa crossing as from 19 September, as announced in a statement by the Spokesperson for the Secretary-General, but remains concerned by the limited timeframe, which is insufficient, and underscores that needs have increased to the highest levels since 2011, with an estimated 15.3 million Syrians in need, according to the United Nations, and that more than 6.9 million people live in areas not under the control of the Syrian regime and 5.3 million require humanitarian assistance in the north-east and north-west, and also considers with great concern the significant effects of the earthquakes February 2023, which disproportionately affected those who are in vulnerable situations, and that cross-border assistance remains an indispensable tool to address the humanitarian needs of the population, including to deliver vaccines and supplies to combat communicable diseases, which cannot be adequately reached through existing operations within the Syrian Arab Republic (para. 14)

## Security Council decisions concerning relations with the General Assembly

In 2023, in some of its decisions, the Security Council referred to its relations with the Assembly not covered in subsections A, D, E and G above. The relevant provisions of those decisions are set out in tables 9 and 10 below.

Table 9

### Security Council decisions containing references to the General Assembly in connection with policy and implementation issues other than those covered in subsections A, D, E and G (thematic items), 2023

<i>Decision and date</i>	<i>Provision</i>
<b>Maintenance of international peace and security</b>	
Resolution <a href="#">2686 (2023)</a> 14 June	Acknowledging the importance of tolerance, equality, coexistence, dialogue, pluralistic traditions, mutual respect and the diversity of religions and beliefs, and taking note of the International Day of Human Fraternity proclaimed by United Nations General Assembly resolution 75/200 (2020) (seventh preambular paragraph)

<i>Decision and date</i>	<i>Provision</i>
<b>Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security</b>	
Resolution <a href="#">2719 (2023)</a> 21 December	Determines that the support provided to African Union-led Peace Support Operations will be delivered in accordance with the Human Rights Due Diligence Policy on United Nations support to non-United Nations security forces and within the regulatory and administrative framework established by the United Nations General Assembly, and in this regard requests the Secretary-General to provide support to United Nations, as well as African Union entities to ensure implementation of the Human Rights Due Diligence Policy, with a focus on strengthening mitigation, compliance, and accountability measures and capabilities (para. 7)

Table 10

**Security Council decisions containing references to the General Assembly in connection with policy and implementation issues other than those covered in subsections A, D, E and G (country and region-specific items), 2023**

<i>Decision and date</i>	<i>Provision</i>
<b>Reports of the Secretary-General on the Sudan and South Sudan</b>	
Resolution <a href="#">2677 (2023)</a> 15 March	Decides that the United Nations Mission in South Sudan (UNMISS) shall have the following mandate, authorizes UNMISS to use all necessary means to implement its mandate, requests the Secretary-General to inform the Security Council of any obstacles to the implementation of the mandate, and stresses that the protection of civilians shall be given priority in decisions about the use of available capacity and resources; (a) Protection of civilians: (vii) To monitor and report the environmental impacts of its operations when fulfilling its mandated tasks and, in this context, to manage them as appropriate and consistent with applicable and relevant General Assembly resolutions and United Nations rules and regulations (para. 3(a)(vii))
<b>The situation in Somalia</b>	
Resolution <a href="#">2687 (2023)</a> 27 June	Expressing serious concern about the humanitarian situation in Somalia, and calling for all parties to the conflict to allow and facilitate, in accordance with relevant provisions of international law, including applicable international humanitarian law, and in a manner consistent with the United Nations guiding principles of humanitarian emergency assistance (United Nations General Assembly resolution 46/182), including humanity, neutrality, impartiality and independence the provision of humanitarian assistance necessary to support civilians in need (twentieth preambular paragraph)  <i>See also resolution <a href="#">2705 (2023)</a>, thirteenth preambular paragraph.</i>
<b>The situation in the Central African Republic</b>	
Resolution <a href="#">2709 (2023)</a> 15 November	Requests the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic to consider the environmental impacts of its operations when fulfilling its mandated tasks and, in this context, to manage them as appropriate and in accordance with applicable and relevant General Assembly resolutions and United Nations rules and regulations (para. 47)
<b>Peace and Security in Africa</b>	
Resolution <a href="#">2713 (2023)</a> 1 December	Expressing serious concern about the humanitarian situation in Somalia, encouraging States to scale-up their humanitarian support to Somalia, and calling for all parties to the conflict to allow and facilitate, in accordance with relevant provisions of international law, including applicable international humanitarian law, and in a manner consistent with the United Nations guiding principles of humanitarian emergency assistance (United Nations General Assembly resolution 46/182), including humanity, neutrality, impartiality and

---

<i>Decision and date</i>	<i>Provision</i>
	independence, the rapid and unhindered provision of humanitarian assistance necessary to support persons in need across Somalia (twelfth preambular paragraph)

---

### **Security Council discussions concerning relations with the General Assembly**

In 2023, Council members and other participants continued to address the Council's coordination and interaction with the General Assembly in numerous meetings of the Council. At a meeting held on 14 February under the item entitled "Threats to international peace and security" and the subitem entitled "Sea-level rise: implications for international peace and security",<sup>141</sup> the representative of Japan highlighted the threat of sea level rise as imminent and critical.<sup>142</sup> He stated that the Council alone could not offer comprehensive solutions or directly carry out responses to climate-change-related development issues but noted that the Council could fulfil its duty by calling together other United Nations bodies, including the Assembly. The representative of the Russian Federation emphasized the importance of the division of labor in the United Nations system, stating that conflict resolution should be dealt with in the Council, while development issues should be considered in other forums, including the Assembly.

At a meeting held on 24 April under the item "Maintenance of international peace and security" and the subitem entitled "Effective multilateralism through the defence of the principles of the Charter of the United Nations",<sup>143</sup> the representative of Cuba emphasized that the role of the General Assembly had to be revitalized and strengthened to enable it to do its work without interference from the Council.<sup>144</sup> The representative of Nepal stressed the need for closer coordination among the Council and other United Nations entities, including the Assembly to achieve lasting peace.<sup>145</sup> At a meeting held on 20 September under the same item and the subitem entitled "Upholding the purposes and principles of the UN Charter through effective multilateralism: maintenance of peace and security of Ukraine",<sup>146</sup> the President of Ukraine stressed the need to expand participation in and access to the activities of the Council and its subsidiary bodies for all members of

---

<sup>141</sup> See [S/PV.9260](#) and [S/PV.9260 \(Resumption 1\)](#).

<sup>142</sup> See [S/PV.9260](#).

<sup>143</sup> See [S/PV.9308](#) and [S/PV.9308 \(Resumption 1\)](#).

<sup>144</sup> See [S/PV.9308](#).

<sup>145</sup> See [S/PV.9308 \(Resumption 1\)](#).

<sup>146</sup> See [S/PV.9421](#), [S/PV.9421 \(Resumption 1\)](#) and [S/PV.9421 \(Resumption 2\)](#).

the Assembly that were not acknowledged aggressors.<sup>147</sup> The President of Ukraine further proposed the creation of a system for preventing aggression through early response to actions that violated States' territorial integrity and sovereignty. He stated that the Russian invasion of Ukraine had shown that such a mechanism could entail powerful sanctions against the aggressor, including at a stage when the build-up of an invading army was still going on. The President of Ukraine proposed that the application of preventive sanctions should be automatically submitted for consideration by the Council when any member of the Assembly reported a threat of aggression.

In addition, at a meeting held on 3 May under the item entitled "Peacebuilding and sustaining peace" and the subitem entitled "Futureproofing trust for sustaining peace",<sup>148</sup> the representative of Spain emphasized the importance of rebuilding trust in the United Nations and forging a new multilateral and intra-State social contract based on the shared values of democracy, solidarity and human rights, as set forth in Our Common Agenda ([A/75/982](#)) proposed by the Secretary-General.<sup>149</sup> He also described the New Agenda for Peace as a plan to revitalize multilateral action in a world in transition and geostrategic competition, which must include both a reform of the Council as well as a new institutional relationship between the Council and the General Assembly that ensured the subordination of specific interests to the common good. The representative of Nepal called for stronger cooperation between the Council and other United Nations entities, including the Assembly on the peacebuilding agenda.

At a meeting held on 23 May under the item entitled "Protection of civilians in armed conflict" and the subitem entitled "Ensuring the security and dignity of civilians in conflict: addressing food insecurity and protecting essential services",<sup>150</sup> the representative of Algeria called for the Council to enhance its collaboration and cooperation with other United Nations bodies such as the General Assembly.<sup>151</sup>

## **II. Relations with the Economic and Social Council**

### *Article 65*

---

<sup>147</sup> See [S/PV.9421](#).

<sup>148</sup> See [S/PV.9315](#) and [S/PV.9315 \(Resumption 1\)](#).

<sup>149</sup> See [S/PV.9315 \(Resumption 1\)](#).

<sup>150</sup> See [S/PV.9327](#) and [S/PV.9327 \(Resumption 1\)](#).

<sup>151</sup> See [S/PV.9327 \(Resumption 1\)](#).

*The Economic and Social Council may furnish information to the Security Council and shall assist the Security Council upon its request.*

## **Note**

Section II concerns the relationship between the Security Council and the Economic and Social Council, with a particular focus on the practice of the Security Council in relation to Article 65 of the Charter of the United Nations. In 2023, the decisions of the Security Council contained no references to the relations with the Economic and Social Council nor to Article 65. Subsection A therefore covers the deliberations of the Security Council concerning relations with the Economic and Social Council. Subsection B features communications of the Security Council concerning the relationship with the Economic and Social Council.

### **A. Discussions concerning relations with the Economic and Social Council**

During the period under review, Security Council members and other participants at its meetings discussed the interaction between the Security Council and the Economic and Social Council in the context of both country- or region-specific and thematic items.

#### **Discussions in relation to country- or region-specific items**

At an open debate held on 30 March under the item entitled “Peace and security in Africa” and the subitem entitled “The impact of development policies in the implementation of the Silencing the Guns initiative”,<sup>152</sup> the representative of Albania, highlighting the close cooperation with the African Union and other regional and subregional organizations in enhancing good governance, sustainable peace and development, stated that streamlining the agendas of the Security Council, the General Assembly, the Peacebuilding Commission and the Economic and Social Council was necessary in promoting a durable peace in Africa.<sup>153</sup> The representative of Thailand stressed that a strong regional, multilateral interface to complement national efforts would be helpful in addressing peace and security challenges.<sup>154</sup> He emphasized the

---

<sup>152</sup> See [S/PV.9299](#) and [S/PV.9299 \(Resumption 1\)](#).

<sup>153</sup> See [S/PV.9299](#).

<sup>154</sup> See [S/PV.9299 \(Resumption 1\)](#).

African Union-United Nations partnership as a successful example but noted that more could be done at the United Nations to enhance coordination between the Security Council, the Peacebuilding Commission, the Economic and Social Council and the General Assembly, as well as with other organizations.

At a meeting held on 5 June, under the item entitled “Central African region”, the representative of Japan stressed the importance of ensuring a humanitarian-development-peace-nexus approach in an inclusive manner when tackling challenges facing the region, related to maintaining good governance and resilient democratic institutions, persistent insecurity, the dire humanitarian situation, as well as the adverse effects of climate change. Coordination and cooperation were needed from all stakeholders, including international financial institutions and the United Nations system, from the Peacebuilding Commission and the Economic and Social Council to the resident coordinators.<sup>155</sup>

### **Discussions in relation to thematic items**

At an open debate held on 26 January under the item entitled “Peacebuilding and sustaining peace” and the subitem entitled “Investment in people to enhance resilience against complex challenges”,<sup>156</sup> the representative of Gabon identified closer collaboration of the Security Council with the Peacebuilding Commission and possibly the Economic and Social Council as among the promising prospects that could help mobilize global development responses to the challenges of conflict prevention and post-conflict peacebuilding.<sup>157</sup> In that regard, the Security Council should be able to strengthen its integrated approach across the peace and security spectrum, humanitarian aid and development to promote human-centered solutions. The representative of Canada noted that the General Assembly, the Economic and Social Council, the Peacebuilding Commission and other agencies could play a complementary and supportive role to the efforts of the Security Council with regards to contemporary threats that cut across all the pillars of the United Nations system.<sup>158</sup>

At a briefing held on 13 February, under the item entitled “Children and armed conflict” and the subitem entitled “Prevention”, the representative of Brazil emphasized

---

<sup>155</sup> See [S/PV.9338](#).

<sup>156</sup> See [S/PV.9250](#) and [S/PV.9250 \(Resumption 1\)](#).

<sup>157</sup> See [S/PV.9250](#).

<sup>158</sup> See [S/PV.9250 \(Resumption 1\)](#).



the need for a comprehensive approach to prevent and respond to violations against children and called for increased cooperation between the Security Council, the Economic and Social Council and the Peacebuilding Commission to enhance the integration of efforts.<sup>159</sup>

At an open debate held on 14 February under the item entitled “Threats to international peace and security” and the subitem entitled “Sea-level rise: implications for international peace and security”,<sup>160</sup> the representative of Japan noted that the Security Council alone could not directly carry out responses to climate-change-related development issues but could call together other United Nations bodies, such as the General Assembly, the Economic and Social Council and the Peacebuilding Commission.<sup>161</sup> Noting that sea-level rise could lead to tensions between States, the representative of Guatemala emphasized that the Security Council should focus on conflict prevention and resolution by peaceful means, including through increased cooperation with the Economic and Social Council.<sup>162</sup>

At an open debate held on 24 April under the item entitled “Maintenance of international peace and security” and the subitem entitled “Effective multilateralism through the defence of the principles of the Charter of the United Nations”,<sup>163</sup> the representative of Nepal highlighted the mutually reinforcing nature of peace and security, human rights and sustainable development, which required closer coordination among the Security Council, the General Assembly, the Economic and Social Council and the Peacebuilding Commission to achieve lasting peace.<sup>164</sup>

At an open debate held on 3 May under the item entitled “Peacebuilding and sustaining peace” and the subitem entitled “Futureproofing trust for sustaining peace”,<sup>165</sup> the representative of Ghana stated that the work of the three pillars of peace and security, human rights and development should be sustained by embracing a cross-sectoral approach to enhance the coordination across the pillars and the many organs and bodies

---

<sup>159</sup> See [S/PV.9258](#).

<sup>160</sup> See [S/PV.9260](#) and [S/PV.9260 \(Resumption 1\)](#).

<sup>161</sup> See [S/PV.9260](#).

<sup>162</sup> See [S/PV.9260 \(Resumption 1\)](#).

<sup>163</sup> See [S/PV.9308](#) and [S/PV.9308 \(Resumption 1\)](#).

<sup>164</sup> See [S/PV.9308 \(Resumption 1\)](#).

<sup>165</sup> See [S/PV.9315](#) and [S/PV.9315 \(Resumption 1\)](#).

in the multilateral system.<sup>166</sup> In that connection, the Security Council should leverage the strength of other bodies, including the Peacebuilding Commission, the Economic and Social Council and the General Assembly, to deepen its understanding of specific situations and tailor its actions to those contexts. In a similar vein, the representative of Nepal highlighted the need for stronger cooperation between the Security Council, the General Assembly, the Economic and Social Council and the Peacebuilding Commission on the peacebuilding agenda.<sup>167</sup>

At an open debate held on 23 May under the item entitled “Protection of civilians in armed conflict” and the subitem entitled “Ensuring the security and dignity of civilians in conflict: addressing food insecurity and protecting essential services”,<sup>168</sup> the representative of Algeria stressed that the Security Council should enhance its collaboration and cooperation with other United Nations entities, including the General Assembly, the Economic and Social Council and the Food and Agricultural Organization.<sup>169</sup> He added that, despite the impact conflicts might have on food security, the latter remained a development issue that required a development-centered approach.

At an open debate held on 13 June under the item entitled “Threats to international peace and security” and the subitem entitled “Climate change, peace and security”,<sup>170</sup> the representative of Japan said that the Security Council should cooperate holistically with all stakeholders in the United Nations system and beyond, such as the Peacebuilding Commission, the Economic and Social Council, Resident Coordinators and international financial institutions.<sup>171</sup>

At an open debate held on 3 August under the item entitled “Maintenance of international peace and security” and the subitem entitled “Famine and conflict-induced global food insecurity”,<sup>172</sup> the representative of Algeria stressed that achieving sustainable development was the only way to break the link between conflict and food insecurity and therefore urged the Security Council to work closely with the General

---

<sup>166</sup> See [S/PV.9315](#).

<sup>167</sup> See [S/PV.9315 \(Resumption 1\)](#).

<sup>168</sup> See [S/PV.9327](#) and [S/PV.9327 \(Resumption 1\)](#).

<sup>169</sup> See [S/PV.9327 \(Resumption 1\)](#).

<sup>170</sup> See [S/PV.9345](#) and [S/PV.9345 \(Resumption 1\)](#).

<sup>171</sup> See [S/PV.9345](#).

<sup>172</sup> See [S/PV.9392](#) and [S/PV.9392 \(Resumption 1\)](#).

Assembly and the Economic and Social Council to promote development solutions that left no one behind in access to safe food.<sup>173</sup>

At the annual open debate on working methods, held on 5 September under the item entitled “Implementation of the note by the President of the Security Council ([S/2017/507](#))”,<sup>174</sup> the representative of Thailand stressed that the Security Council should aim at increasing its coordination and interaction with the General Assembly, the Economic and Social Council and the Peacebuilding Commission, as sustaining peace should be anchored in the promotion of human security and sustainable development.<sup>175</sup> The representative of Bahrain expressed his appreciation for efforts to cooperate and coordinate among the principal organs of the United Nations, including the Security Council, the General Assembly and the Economic and Social Council, stating that these efforts supported the Security Council in implementing its mandate.<sup>176</sup>

At an open debate held on 14 September under the item entitled “Maintenance of international peace and security” and the subitem entitled “Advancing public-private humanitarian partnership”,<sup>177</sup> the representative of Switzerland, underscoring the responsibility of the Security Council, indicated that experience with public-private partnerships was also discussed in the Economic and Social Council and the General Assembly and, in that regard, called for closer cooperation between the Security Council and the other organs of the United Nations system.<sup>178</sup>

At an open debate held on 20 November under the item entitled “Maintenance of international peace and security” and the subitem entitled “Promote sustaining peace through common development”,<sup>179</sup> the representative of Malta called for a whole-of-system approach towards peacebuilding and supported further cooperation between the Security Council, the General Assembly, the Economic and Social Council, as well as the Peacebuilding Commission and the Human Rights Council.<sup>180</sup> The representative of Thailand said that a more robust global partnership and greater coherence within the

---

<sup>173</sup> See [S/PV.9392](#).

<sup>174</sup> See [S/PV.9410](#) and [S/PV.9410 \(Resumption 1\)](#).

<sup>175</sup> See [S/PV.9410](#).

<sup>176</sup> See [S/PV.9410 \(Resumption 1\)](#).

<sup>177</sup> See [S/PV.9418](#) and [S/PV.9418 \(Resumption 1\)](#).

<sup>178</sup> See [S/PV.9418](#).

<sup>179</sup> See [S/PV.9482](#) and [S/PV.9482 \(Resumption 1\)](#).

<sup>180</sup> See [S/PV.9482](#).

United Nations system were required to ensure synergy and effectiveness. In that regard, the Security Council should engage with the Peacebuilding Commission, the General Assembly and the Economic and Social Council, to integrate their expertise on development into its work. The representative of Kenya referred to Article 55 of the Charter of the United Nations, stating that the Security Council should work with the General Assembly and the Economic and Social Council to create the conditions of stability and well-being that were essential for peaceful and friendly relations among nations.<sup>181</sup> The representative of South Africa emphasized the vital role played by the Economic and Social Council and the Peacebuilding Commission in enhancing socioeconomic situations in countries affected by armed conflict and further stressed that regular discussions and closer collaboration with the Security Council remained invaluable in achieving peace from a more holistic perspective.

## **B. Communications concerning relations with the Economic and Social Council**

Several communications circulated as documents of the Security Council during the reporting period contained references to the relationship between the Security Council and the Economic and Social Council. By a letter dated 11 April addressed to the President of the Security Council, the Peacebuilding Commission transmitted its provisional program of work for 2023.<sup>182</sup> In relation to its bridging role with the Economic and Social Council, the Peacebuilding Commission intended to foster greater coherence in the United Nations system, including between the General Assembly, the Security Council and the Economic and Social Council. In addition, the report of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa for 2023 was transmitted by a letter dated 22 December addressed to the President of the Security Council.<sup>183</sup> In the report, the Chair of the Ad Hoc Working Group noted, in its summary of the activities of the Working Group during the reporting period, that one member cautioned against a duplication of mandates among the main United Nations bodies, stressing that development issues had to be considered in specialized bodies, including the General Assembly and the Economic and Social Council.

---

<sup>181</sup> See [S/PV.9482 \(Resumption 1\)](#).

<sup>182</sup> [S/2023/277](#), annex.

<sup>183</sup> [S/2023/1042](#), annex.



### **III. Relations with the International Court of Justice**

#### *Article 94*

*1. Each Member of the United Nations undertakes to comply with the decision of the International Court of Justice in any case to which it is a party.*

*2. If any party to a case fails to perform the obligations incumbent upon it under a judgment rendered by the Court, the other party may have recourse to the Security Council, which may, if it deems necessary, make recommendations or decide upon measures to be taken to give effect to the judgment.*

#### *Article 96*

*1. The General Assembly or the Security Council may request the International Court of Justice to give an advisory opinion on any legal question.*

*2. Other organs of the United Nations and specialized agencies, which may at any time be so authorized by the General Assembly, may also request advisory opinions of the Court on legal questions arising within the scope of their activities.*

#### **Note**

Section III concerns the relationship between the Council and the International Court of Justice. In accordance with Article 94 of the Charter of the United Nations, the Council may make recommendations or decide upon measures to be taken to give effect to the judgment rendered by the Court if a party to a case fails to perform its obligations under that judgment. Pursuant to Article 96, the Council may also request the Court to give an advisory opinion on any legal question. In addition, pursuant to Article 41 of the Statute of the International Court of Justice, notice of any provisional measures to be taken to preserve the rights of parties may be given by the Court to the parties and to the Council.

During the reporting period, the Council did not make any recommendations or decide on any measures with regard to the judgements rendered by the International Court of Justice, nor did it request the Court to give an advisory opinion on any legal question.

In line with prior practice, in 2023, the President of the International Court of Justice was invited to participate in one private meeting of the Council, on 27 October, under the item entitled “Briefing by the President of the International Court of Justice”.<sup>184</sup> In addition, the President of the Court briefed the Council in an open debate held on 12 January, under the item entitled “The promotion and strengthening of the rule of law in the maintenance of international peace and security” and the subitem entitled “The rule of law among nations”.<sup>185</sup> The election of members of the International Court of Justice held concurrently by the Council and the General Assembly during the reporting period is covered in section I.E above. During the review period, no explicit references to Articles 94 or 96 of the Charter were made in decisions of the Council.

Subsection A covers the discussions held among Council members and other participants at Council meetings during the reporting period on the relations between the Council and the International Court of Justice. Subsection B features the communications of the Council concerning the relationship between the two organs.

#### **A. Discussions concerning relations with the International Court of Justice**

During the period under review, reference was made in the deliberations of the Council to the role of the International Court of Justice in connection with the peaceful settlement of disputes and to the relationship between the Council and the Court, including three explicit references to Articles 94 and 96 of the Charter, respectively. Several references, including explicit references to Article 94 and to the relationship between the Council and the Court, were made at the open debate held on 12 January 2023 under the item entitled “The promotion and strengthening of the rule of law in the maintenance of international peace and security” (see case 3).

---

<sup>184</sup> See [S/PV.9456](#).

<sup>185</sup> See [S/PV.9241](#).



In addition, at a meeting held on 18 January under the item entitled “The situation in the Middle East, including the Palestinian question”,<sup>186</sup> two Member States explicitly referred to Article 96 of the Charter.<sup>187</sup> The representative of South Africa stated that General Assembly resolution [77/247](#) had been adopted in accordance with Article 96 and requested the International Court of Justice to render an advisory opinion on the legal consequences arising from Israel’s ongoing violation of the right of the Palestinian people to self-determination. Referring to measures adopted by the Government of Israel against the Palestinian National Authority, the representative of Argentina noted that the Assembly may request the Court to give an advisory opinion on any legal issue under Article 96. At a meeting held on 24 April under the same item,<sup>188</sup> the representative of Pakistan welcomed the adoption of the Assembly resolution and stressed that the Council would have to adopt further measures to ensure full compliance with international law, once it received the opinion.<sup>189</sup>

On 24 April, at a meeting held under the item entitled “Maintenance of international peace and security” and the subitem “Effective multilateralism through the defence of the principles of the Charter of the United Nations”,<sup>190</sup> the representative of Azerbaijan, speaking on behalf of Movement of Non-Aligned Countries, urged the Council, the General Assembly, as well as other United Nations organs and duly authorized specialized agencies, to make greater use of the International Court of Justice as a source of advisory opinions and interpretation of international law.<sup>191</sup> Emphasizing her country’s belief in the use of the toolbox for the peaceful settlement of disputes outlined in Article 33 of the Charter, the representative of Malta noted that there was space for the Council to strengthen its cooperation with the International Court of Justice and the International Criminal Court.<sup>192</sup>

On 3 May, at a meeting held under the item entitled “Peacebuilding and sustaining peace” and the subitem entitled “Futureproofing trust for sustaining peace”,<sup>193</sup>

---

<sup>186</sup> See [S/PV.9246](#) and [S/PV.9246 \(Resumption 1\)](#).

<sup>187</sup> See [S/PV.9246 \(Resumption 1\)](#).

<sup>188</sup> See [S/PV.9309](#) and [S/PV.9309 \(Resumption 1\)](#).

<sup>189</sup> See [S/PV.9309 \(Resumption 1\)](#).

<sup>190</sup> See [S/PV.9308](#) and [S/PV.9308 \(Resumption 1\)](#).

<sup>191</sup> See [S/PV.9308 \(Resumption 1\)](#).

<sup>192</sup> See [S/PV.9308](#).

<sup>193</sup> See [S/PV.9315](#) and [S/PV.9315 \(Resumption 1\)](#).

the representative of Mexico stated that the Council could make use of its powers under the Charter, including those provided under Article 94 (2) of the Charter, to make recommendations to give effect to judgements of the International Court of Justice, if any party to a case failed to perform the obligations incumbent upon it.<sup>194</sup> Under Article 96 (1), the Council could further request an advisory opinion from the Court, which had occurred only once. The representative of Mexico stressed that the advisory jurisdiction could help to prevent conflicts and further emphasized that a close relationship between the Council and the Court was necessary for the peaceful settlement of disputes.

On 3 August, at a meeting held under the item entitled “Maintenance of international peace and security” and the subitem entitled “Famine and conflict-induced global food insecurity”,<sup>195</sup> the representative of Armenia called on the United Nations and the Council to take urgent measures to ensure Azerbaijan’s full compliance with its legally binding obligations under the orders of the International Court Justice and international humanitarian law.<sup>196</sup>

On 20 October, at a meeting held under the item entitled “Maintenance of international peace and security” and the subitem entitled “Peace through dialogue: the contribution of regional, subregional and bilateral arrangements to the prevention and peaceful resolution of disputes”,<sup>197</sup> the representative of Malta stressed the importance her country attached to arbitration and judicial settlement, as well as the indispensable role played by international and regional courts in maintaining peace and security.<sup>198</sup> She further emphasized that the Council could make better use of that tool, including by promoting the jurisdiction of the International Court of Justice and by ensuring compliance with its decisions.

Finally, on 20 December, at a meeting held under the item entitled “The situation in Afghanistan”, the Executive Director of Rawadari, briefing the Council as civil society representative, urged the Council to support all avenues to ensure justice and accountability for human rights violations by the Taliban, including by bringing before

---

<sup>194</sup> See [S/PV.9315 \(Resumption 1\)](#).

<sup>195</sup> See [S/PV.9392](#) and [S/PV.9392 \(Resumption 1\)](#).

<sup>196</sup> See [S/PV.9392](#).

<sup>197</sup> See [S/PV.9448](#) and [S/PV.9448 \(Resumption 1\)](#).

<sup>198</sup> See [S/PV.9448](#).

the International Court of Justice a case against Afghanistan for violations of the Convention on the Elimination of All Forms of Discrimination Against Women.<sup>199</sup>

### **Case 3**

#### **The promotion and strengthening of the rule of law in the maintenance of international peace and security**

On 12 January, at the initiative of Japan, which held the presidency of the Security Council for the month,<sup>200</sup> the Council held an open debate under the item entitled “The promotion and strengthening of the rule of law in the maintenance of international peace and security” and the subitem entitled “The rule of law among nations”.<sup>201</sup> During the open debate, Council members heard briefings by the Secretary-General, the President of the International Court of Justice and a Professor of public international law at the University of Oxford.

The Secretary-General, stressing that ending impunity was fundamental, stated that the International Court of Justice, with its unique mandate, occupied a “special place” in promoting and implementing the rule of law.<sup>202</sup> He called on all Member States to accept the compulsory jurisdiction of the Court without any reservations and emphasized that the members of the Council bore a special responsibility in that regard and should take a leading role. The President of the Court remarked that it was the behavior of States that largely determined whether the rule of law was respected, noting that it was incumbent on them to exercise restraint and have the legality of their conduct evaluated by international courts and tribunals when settling their disputes. The professor of public international law pointed out that there was a declining tendency for States to provide consent to the jurisdiction of the Court. He stated that only about a third of the membership of the United Nations had made declarations recognizing the compulsory jurisdiction of the Court and noted that the number had hardly increased in the past couple of decades. He also underlined that, for the Council to promote its legitimacy, it

---

<sup>199</sup> See [S/PV.9515](#).

<sup>200</sup> A concept note was circulated by a letter dated 3 January ([S/2023/1](#)).

<sup>201</sup> See [S/PV.9241](#) and [S/PV.9241 \(Resumption 1\)](#).

<sup>202</sup> See [S/PV.9241](#).

should ensure that its own activities, the activities it authorized and the demands it made of others complied with international law.

In the ensuing discussion, several Council members and other participants referred to the Council's role in giving effect to judgements rendered by the International Court of Justice. The representative of Brazil called upon Member States to fully cooperate with the Court in line with Article 94 of the Charter. The representative of Chile pointed out that Article 94 (2), which attributed powers to the Council in the event of non-compliance with the Court's rulings, had not been used regularly and recalled that it was the duty of the General Assembly and the Council to consider matters in which they had competence, consistently applying international law.<sup>203</sup> In a similar vein, the representative of Portugal appealed to the Council to make better use of the Court to settle disputes by peaceful means and called on the Council to take a proactive role in ensuring compliance with the Court's judgements.

Concerning advisory opinions, the representative of Liechtenstein reaffirmed her delegation's continued support for the efforts of the Court in safeguarding the rule of law, including its advisory role on legal questions. She added that the Council also had the competence to ask the International Court of Justice for advisory opinions on any legal question. The representative of Lebanon, highlighting the importance of abiding by the decisions rendered by the Court, stated that recourse to the Court was never a "barrier to peace". Rather, it served its cause and the Council should stand up to any "iniquitous steps taken" because a majority of Member States decided to turn to the judges, the law and the Court by submitting a request for an advisory opinion. Advisory opinions had proven valuable in providing legal clarity and preventing the rule by force. In that regard, the representative of Kuwait welcomed General Assembly resolution [77/247](#), calling on the Court to issue an advisory opinion on the legal consequences of persistent violations by the occupation authorities against the Palestinian people regarding self-determination. The representative of Kenya called for enhancing the advisory role of the Court.

Participants also exchanged views about the cooperation between the Council and the Court broadly. Condemning the continued serious violations of international law in armed conflict, the representative of Switzerland stressed the need to support the work of

---

<sup>203</sup> See [S/PV.9241 \(Resumption 1\)](#).

international bodies, including the Court, and considered it crucial that all States and the Council cooperate fully with those bodies.<sup>204</sup> He added that the Council should take into account in its decisions on peacekeeping and special political missions the erosion of the rule of law and human rights violations at the national level as early indicators of violence. The representative of Pakistan emphasized that the remit of judicial mechanisms should be fully utilized, suggesting to make the Court's jurisdiction mandatory on issues that were on the agenda of the Council.<sup>205</sup>

In addition, several speakers addressed the roles of the Council and the International Court of Justice in the peaceful resolution of conflicts.<sup>206</sup>

## **B. Communications concerning relations with the International Court of Justice**

During the reporting period, the Secretary-General submitted four letters to the President of the Security Council pursuant to Article 41 (2) of the Statute of the International Court of Justice, containing orders indicating provisional measures in cases concerning i) *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Armenia v. Azerbaijan)<sup>207</sup>; ii) *Application of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (Canada and the Netherlands v. Syrian Arab Republic)<sup>208</sup> and iii) *Arbitral Award of 3 October 1899* (Guyana v. Venezuela).<sup>209</sup>

In addition, several communications from Member States addressed to or brought to the attention of the Council included references of relevance to the Council's relations with the International Court of Justice, including one explicit reference to Article 94. By a letter dated 6 December, the delegation of Guyana transmitted a statement from its Minister of Foreign Affairs and International Cooperation to the Secretary-General and

---

<sup>204</sup> See [S/PV.9241](#).

<sup>205</sup> See [S/PV.9241 \(Resumption 1\)](#).

<sup>206</sup> For more information on the discussion regarding the role of the Court in the peaceful settlement of disputes, see part VI, sect. IV B.

<sup>207</sup> [S/2023/144](#) and [S/2023/927](#).

<sup>208</sup> [S/2023/924](#).

<sup>209</sup> [S/2023/956](#).

the President of the Security Council.<sup>210</sup> In reference to the order issued by the International Court of Justice on Guyana's request for provisional measures, Guyana emphasized that, under Article 94 (1) of the Charter, the Bolivarian Republic of Venezuela was obligated to comply with the decisions of the Court. Guyana further referred to Article 94 (2) and requested the President of the Council to call for a Council meeting to determine if the situation described was likely to endanger the maintenance of international peace and security.<sup>211</sup>

Further, by a letter dated 27 February addressed to the Secretary-General, the delegation of Algeria transmitted a resolution of the Council of the League of Arab States, which called on the Security Council to take action to force Israel to remove the completed parts of the wall built within the territory of the State of Palestine and to compensate for the damages caused, in compliance with the advisory opinion of the International Court of Justice issued on 9 July 2004.<sup>212</sup>

On 13 July, the delegation of Armenia transmitted a letter from its Minister for Foreign Affairs to the President of the Security Council, which called on the Council to undertake urgent and effective measures to ensure the full and unconditional implementation of the legally binding orders of the International Court of Justice.<sup>213</sup> In addition, by a letter dated 31 August from its representative to the Secretary-General, the delegation of Armenia reported about the continuous blockade of the population of Nagorno-Karabakh in violation of the orders of the Court of 22 February and 3 July 2023 and referred to the Council's emergency meeting convened at the request of Armenia on 16 August 2023, during which the majority of the Council members had stressed the need for complying with the Court's orders and ensuring free and unimpeded humanitarian access.<sup>214</sup>

---

<sup>210</sup> [S/2023/961](#), annex. See also letter dated 5 December 2023 from the Secretary-General addressed to the President of the Security Council ([S/2023/956](#)) by which the Secretary-General transmitted the text of the Order of the International Court of Justice indicating provisional measures in the case concerning the *Arbitral Award of 3 October 1899 (Guyana v. Venezuela)*.

<sup>211</sup> Council members held informal consultations of the whole further to the request on 8 December. For more information, see part VI, sect. I.

<sup>212</sup> See [S/2023/153](#), annex.

<sup>213</sup> See [S/2023/533](#), annex.

<sup>214</sup> See [S/2023/642](#), annex. For more information on the discussion, see part I, sect. 17.

In 2023, the Council continued to exchange letters<sup>215</sup> with the Secretary-General and to receive his reports<sup>216</sup> on the progress of the Cameroon-Nigeria Mixed Commission established to facilitate the implementation of the ruling of the International Court of Justice of 10 October 2002 on the land and maritime boundary dispute between the two countries. By a letter dated 27 January 2023, the Council took note of the recommendation of the Secretary-General that one of the functions of the United Nations Office for West Africa and the Sahel (UNOWAS) should be to facilitate the implementation of the ruling.<sup>217</sup>

---

<sup>215</sup> [S/2024/42](#) and [S/2024/43](#).

<sup>216</sup> [S/2023/490](#) and [S/2023/1075](#).

<sup>217</sup> See [S/2023/71](#); see also [S/2023/70](#). For more information on the mandate of the United Nations Office for West Africa and the Sahel, see part X, sect. II, “Special political missions”.