

Repertoire of the Practice of the Security Council

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I. Primary responsibility of the Security Council for the maintenance of international peace and security under Article 24

Article 24

1. In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.
2. In discharging these duties the Security Council shall act in accordance with the Purposes and Principles of the United Nations. The specific powers granted to the Security Council for the discharge of these duties are laid down in Chapters VI, VII, VIII and XII.
3. The Security Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration.

Note

Section I covers the practice of the Council concerning its primary responsibility for the maintenance of international peace and security under Article 24 of the Charter and is divided into two subsections. Subsection A deals with decisions adopted in 2021 that refer to the primary responsibility of the Council pursuant to Article 24. Subsection B examines references to that Article made in discussions held during Council meetings and open videoconferences.

During the period under review, the Council did not adopt any decision explicitly referring to Article 24. Article 24 was however expressly invoked in two Council meetings held under the items entitled “Peace and security in Africa” and “Maintenance of international peace and security”. Furthermore, explicit references to Article 24 were made in written statements submitted by delegations in connection with meetings held under the items entitled “Implementation of the note by the President of the Security Council (S/2017/50)” and “United Nations peacekeeping operations”. In addition, an explicit reference to Article 24 was made in one communication of the Council, namely, in the concept note for the Arriva formula meeting held on 29 November 2021, on the topic of “Accountability in the Syrian Arab Republic”, which was transmitted in a letter dated 30

² Article 24 (3), under which the Council is required to submit annual and special reports to the General Assembly, is covered in part IV, sect. I.F.

In addition, during the meetings held under the item “The situation in Bosnia and Herzegovina”, Council members discussed the authority of the Council to approve appointment of the High Representative for Bosnia and Herzegovina (case 4). At the meetings held in connection with the item entitled “Peace and security in Africa”, speakers also discussed the mandate of the Council with regard to developments in the Grand Ethiopian Renaissance Dam (case 5).

Case 1

Maintenance of international peace and security

On 23 February 2021, at the initiative of the United Kingdom which held the presidency of the Council for the month, Council members held a high level videoconference in connection with the item entitled “Maintenance of international peace and security” during which they discussed the issue of climate and security. Council members heard briefings by the Secretary-General and the Chair of the United Nations Youth Advisory Group on Climate Change. All Council members spoke during the videoconference, as well as the representatives of Malawi, Antigua and Barbuda and Germany. In addition, the representatives of 42 non-Council members and the International Committee of the Red Cross submitted their statements in writing.

During the videoconference, Council members discussed the impact of climate change on the maintenance of international peace and security. In his remarks, the President of France noted that failure on the climate front would undermine conflict prevention and peacebuilding efforts.⁴⁰ That is why France fully supported the initiative to address the issue of climate change at the level of the Council as part of its mandate to maintain international peace and security. According to the President and Commander

climate change. Similarly, the Prime Minister and Minister for Foreign Affairs of Saint Vincent and the Grenadines asserted, ~~that~~ the primary organ for maintaining international peace and security, the Council had a responsibility to address the consequences of climate change, in line with its mandate. He added that the failure to tackle the debilitating impacts of climate change through the lens of peace and security would mean, in part, an abdication of the Council's duty. While recognizing the United Nations Framework Convention on Climate Change (UNFCCC) as the primary body dealing with climate change, he also acknowledged that the Council had a role to play, without encroaching on the work of the inclusive decisionmaking body of the UNFCCC. The Minister for Foreign Affairs and Defence of Ireland opined that climate change had many complex impacts, not least on international peace and security, which was the very business of the Council. The Special Presidential Envoy for Climate of the United States said that the climate threat was so massive and multifaceted that it was impossible to disentangle it from the other challenges that the Council faced.

In contrast, the representative of the Russian Federation stated that the connection between climate and conflict could be considered only with regard to concrete countries and regions-specific cases and that there was no reason to refer to it in a generic manner and global context. He added that not every conflict entailed threats to international peace and security with which the Council dealt. The Prime Minister of Viet Nam proposed that the Council, with its paramount mission of maintaining international peace and security, needed to galvanize the efforts of the international community through a set of measures, including, inter alia, by upholding the principles of respect for the sovereignty, national ownership and principal responsibilities of States.

In their written contributions, delegations of no Council members discussed the connection between the Council's mandate to maintain international peace and security and climate-related security risks. According to the delegation of Austria, the primary

Guatemala noted that due to its primary responsibility for the maintenance of international peace and security, the Council had to integrate climate-security assessments in all mandated reports of situations on its agenda. The representative of Lebanon argued that the Council, entrusted with the maintenance of international peace and security, should work towards ensuring that conflict prevention and peacebuilding approaches increasingly integrate climate considerations. The Minister for Foreign Affairs of the Maldives maintained that, while everyone recognized that associating climate-related risks with international peace and security was a complex and broad challenge, for the Council to live up to its primary responsibility for international peace and security, it had to solve difficult and complex issues. The representative of Liechtenstein stated that addressing the climate and security nexus was a prerequisite for the Council to fulfil its mandate. The representative of Saint Lucia recalled that since its establishment, the Council had focused predominantly on issues of war, military activity and violent conflict. However, he noted that over the years, the Council had evolved and expanded the scope of security topics, thereby proving its capability as a dynamic and evolving organ. In that context, he stated that while the climate-security connection remained complex, the Council, as the highest organ with the primary responsibility to maintain international peace and security, had to evolve at that moment and the challenges that existed.

Expressing a different view, the representative of Brazil raised concerns with the possible “securitization” of the climate agenda by the Council, opining that it should address the issue on a case-by-case basis in the context of concrete threats to international peace and security and refrain from seeking comprehensive one-fits-all formulas. He added that a reallocation of the climate agenda to the Council would curb representativeness regarding a topic that interested the whole United Nations membership and had its own, more representative, dedicated multilateral regime. While agreeing that climate change was but one of several serious environmental challenges with potential peace and security implications, the delegation of South Africa cautioned the Council to guard against “mandate creep” whereby it would outpace its own resources and capacities. Moreover, where climate change had shown to be a clear contributing factor to a threat to international peace and security, it could be appropriate for the Council to comment on this apparent link within the specific context of the countries which might be affected.

Case 2

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deliver on its primary responsibility for the maintenance of international peace and security. While recognizing how far the Council had adapted to challenging circumstances through the adoption of the virtual working methods, the representative of the United Kingdom noted that certain downsides had affected the Council's capacity to fulfil its mandate, including to face new challenges. In this regard, she stated that the new working methods had inhibited responsiveness and specifically highlighted that the Council had not held a formal meeting since March 2020. The representative of the United States noted that the utilisation of videoconferencing technologies had demonstrated to the world that the Council continued to perform its role in maintaining international peace and security during the COVID pandemic.

More broadly, several speakers made the connection between the Council's working methods in general and its ability to discharge its mandate. The Chair of the Informal Working Group on Documentation and Other Procedural Questions stated that the working methods remained the foundation upon which the Council effectively discharged its mandate and that, despite formidable challenges, improving those methods and adapting them to reflect the current circumstances should not waver. Noting that the Council bore the primary responsibility for maintaining international peace and security, the representative of China stated that the Council needed to constantly improve its working methods, ensure fairness and justice, embody openness and inclusiveness, further enhance its efficiency and effectiveness, and better fulfil the critical duties entrusted to it by the Charter of the United Nations. Speaking on behalf of the elected members of the Council, the representative of Kenya noted their commitment to effectively execute the Council's mandate and drive forward improvements in its methods of work. The representative of the Russian Federation asserted that any changes to the working methods of the Council had to be aimed at really improving the effectiveness and efficiency with which the Council carried out its primary function of maintaining international peace and security.

The representative of Kenya called for restraint on the use of the veto, especially on actions aimed at preventing or ending mass atrocity crimes, which went to the very heart of the Council's mandate.

with respect to efficiency, should that lengthy meetings and the use of prepared statements, rarely, if ever, fulfilled the Council's mandate. The representative of Kenya noted that targeted sanctions were an important tool for addressing threats to international peace and security and were therefore critical to the execution of the mandate of the Council. He further affirmed that the engagement with regional organizations spoke to the importance of Chapter VIII of the Charter of the United Nations in executing the mandate of the Council.

In their written statements, delegations of several Council members explicitly referred to Article 24 and discussed the Council's working methods in the context of its primary responsibility for the maintenance of international peace and security. In regard, some delegations referred to the impact of the COVID-19 pandemic on finding innovative ways of ensuring the Council's continuous functioning, enabling it to exercise its primary responsibility for the maintenance of international peace and security. Other delegations underscored the importance of ensuring transparency in the work of the Council, an organ entrusted with acting on behalf of the entire membership of the United Nations with its primary responsibility for the maintenance of international peace and security. Furthermore, the representative of Ecuador submitted that the Council acted on behalf of the Member States of the United Nations, in accordance with Article 24, adding that on the other side of that representation was the obligation to ensure prompt and effective action by the United Nations, and that the responsibility contained in that same article had to be carried out without exception. According to the delegation of El Salvador, the task of building back better for a more equal, resilient and sustainable world created a space for reflection on how to ensure the strict fulfilment of Article 24, and in particular, how to ensure prompt and effective action on the collective responsibility to maintain international peace and security. The delegation of El Salvador also noted that resolutions, presidential statements and press statements were important mechanisms for carrying out the Council's principal responsibility to maintain international peace and security. According to the delegation of Guatemala, the holding of numerous Arrifórmula meetings had enabled the Council to obtain truthful information in order to be more effective in its responsibility to maintain international peace and security. Explicitly referring to Article 24, the representative of the Islamic Republic of Iran noted that in fulfilling its tasks, the Council has a legal, political and moral responsibility to act promptly, effectively, properly and responsibly. According to the representative of the

¹⁶ See [S/2021/572](#)

procedures of the High Representative were just and reasonable put at stake the authority of the Council on issues related to Bosnia and Herzegovina. He added that under the Dayton Peace Agreement, the Council played an undeniable role in the appointment of the High Representative and that to ignore that practice – or worse, to attempt to force through appointments by circumventing the Council – would set a “deplorable new precedent” and have a negative impact. According to him, China and the Russian Federation had jointly submitted the draft resolution to, inter alia, maintain the authority and established practices of the Council.

Following the vote, the representative of the Russian Federation said that they had warned that any attempts to avoid involving the Council in the process were not only illegitimate but also dangerous, adding that the post of the High Representative remained vacant. The representative of China held a similar view, stating that the candidate nominated

Council had been entrusted with the responsibility to maintain international peace and security, the nature of the threats had evolved. She further noted that the way in which the Council responded to new challenges including climate change and the coronavirus disease, would shape the world over the next decade and well beyond. The representative of the United Kingdom added that the Council had to evolve as the threats to international peace and security evolved, that it should not be a sensor and that, where there were clear emerging threats to international peace and security, it should consider them in a timely fashion. The representative of Norway said that the Council had a responsibility to adapt to changing circumstances and develop new ways of responding to traditional threats to international peace and security including climate change. According to the representative of Estonia in order to remain relevant and fulfil its responsibility in upholding international peace and security, the Council needed to address new and emerging security threats such as malicious cyberactivities. The representative of Kenya held the view that it was no longer tenable to underestimate the devastating effects of climate change as both an underlying cause and a multiplier of conflicts and insecurity globally. He therefore asked The Elders to share their views on what innovative approaches were necessary for the Council to engage with the level of seriousness needed to address the impact of the climate crisis in Africa, small island States and the world over. The representative of Mexico said that there had been numerous occasions when the Council had not been up to the task of fulfilling its mandate under the Charter, citing the example of its slow response to the coronavirus pandemic. He further noted that the paralysis of the Council during major crises undermined its authority and relevance. The representative of Tunisia observed that the Council might need to develop new working mechanisms and approaches to be able to address new challenges, and in this regard, sought the opinion of The Elders on the role that the Council could play in dealing with those new threats especially in the absence of consensus among its members about whether all of them fell within its competence. The representative of Viet Nam concurred with the view that the Council should not let new challenges to international peace and security fly under its radar. Noting that the threats to peace and security had changed since 1945, the representative of Ireland stated that climate change was the defining challenge of the current generation. According to her, necessary systems had to be put in place to allow the Council to take into account the adverse impacts of climate change in the delivery of its mandate. Responding to questions, the Chair of The Elders urged the Council to see climate

change as a security issue and for Council members to come together around a strong draft resolution on the subject.

Some Council members underscored the importance of preventive action as a tool for the maintenance of international peace and security. The representative of Norway stated that the Council had a mandate to prevent conflict, but often shied away from acting early due to political sensitivities and a wish by States to avoid Council attention with regard to their internal affairs. She added that this was regrettable because it reduced the ability of the Council to perform one of its most important roles. The representative of the United Kingdom, acknowledging the Council's primary responsibility for international peace and security, said that a coherent approach to conflict prevention required action by the entire United Nations system. The representative of Estonia affirmed that the main purpose of the Council was to maintain international peace and security. In that context, he added that prevention and preparedness were the key and Council members had to be able to find common ground quicker than before.

Several Council members stressed that the Council should act within the legal framework of the Charter of the United Nations in the implementation of its mandate. The representative of Niger mentioned that the Council, whose primary responsibility was the maintenance of international peace and security, had to continue to recall the importance of the Charter, which fu7 (e)4.4S4 (s)-12 ((.))Td t)-2 (ha(o)-10 (f)-2 (e)4 (3*)4 (d (c(o r)3 (e)4(p)-4 (eh

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climate-related security risk and affirmed the need for a Council resolution on climate and security. She also stated that it was of the utmost importance that the Secretary-General received a mandate to collect data and coordinate policy to that end at regular intervals.

was outside of the scope of the Council's mandate. The representative of the Russian Federation stated that each country or region needed to be looked at individually as well as in connection with other often one significant factors than climate change that gave rise to socioeconomic or political stability. He further noted that nothing could really be helped by including the issue of climate change on the agenda of the Council, with its limited membership and

was about enabling the Council to address climate change with the tools that ⁴⁵within its mandate. She added that it was long overdue for the principal organ of the United Nations dealing with international security to take responsibility for integrating climate-related security risks across its conflict resolution, prevention and mediation work. The representative of the Russian Federation disagreed, arguing that positioning climate change as a threat to international security diverted the attention of the Council from genuine, deep rooted causes of conflict in the countries on the Council's agenda, adding that such an approach was convenient for those countries that were actively helping the conflicts to erupt or that had undertaken military activity as a diversion from the Council's mandate.

Following the vote, several Council members expressed their views on the scope of the Council's primary responsibility for the maintenance of international peace and security. The representative of Niger stated that due to its responsibility to safeguard international peace and security, the Council was obligated to consider all situations that had

concurring that the UNFCCC remained the primary and inclusive forum for negotiating climate action, stated that a matter of such multifaceted significance requires urgency and enhanced efforts, including with regard to the security dimension, and therefore did not exclude the Council as the primary organ in charge of the maintenance of international peace and security. The representative of the United States stated that by vetoing the draft resolution, the Russian Federation had stopped the world's most important organ from maintaining international peace and security from taking a small, practical and necessary step to combat the impacts of climate change. The representative of Tunisia said that climate change was one of the factors affecting international peace and security in many regions, including the Sahel, and that the Council therefore had to take those threats into consideration in an integrated and systematic manner as it should bear the primary responsibility for maintaining peace and security. He added that during its term on the Council, Tunisia had sought to include unconventional threats, such as climate change and pandemics, on the Council's agenda stating that those phenomena pose a threat to collective security and therefore were not to be overlooked by the Council. The representative of Estonia said that the draft resolution would have ensured a more structured and systemic approach and created the necessary tools to enable the United Nations to do its part in preventing and resolving conflicts that are driven by the effects of climate change. He further opined that there was no credible answer from those Council members that had chosen to ignore those challenges that pose a threat to international peace and security, which was the Council's primary responsibility.

II. Obligation of Member States to accept and carry out decisions of the Security Council under Article 25

Article 25

took place in 2021 with regard to the Council's interpretation of the obligation of Member States to implement its decisions, notably in the context of discussions on non-proliferation of weapons of mass destruction (cases 9) and non-proliferation, as it pertained to the implementation of resolution [2231 \(2015\)](#) which endorsed the Joint Comprehensive Plan of Action (JCPOA) (case 10)

Case 9

Non-proliferation of weapons of mass destruction

On 30 March 2021, Council members held an open videoconference in connection with the item entitled "Non-proliferation of weapons of mass destruction" during which they heard a briefing by the representative of Mexico in his capacity as Chair of the Committee established pursuant to resolution [1540 \(2004\)](#)

In his remarks, the Chair asserted that resolution [1540 \(2004\)](#) remained a vital component of the global non-proliferation architecture aimed at preventing State actors, including terrorists, from gaining access to weapons of mass destruction. He noted that while States had made significant progress in the full implementation of the resolution, some gaps remained. He added that the Council recognized that the full and effective implementation of the resolution was a long-term task that would require continuous efforts at the national, regional and international levels. The Chair said that 184 countries had submitted initial reports providing the Committee with information on the measures that they had taken, or planned to take, to comply with their obligations under resolution [1540 \(2004\)](#). He further underlined that the effectiveness of the practical steps taken by States to implement the resolution was important, adding that one of the activities in that respect was for States to develop voluntary national implementation action plans, as encouraged by operative paragraph 5 of resolution [2325 \(2016\)](#). According to the Chair, the Committee played an important role in facilitating assistance to Member States to fulfil their obligations by matching assistance requests from States with offers of assistance, from States or international, regional or subregional organizations. Concluding his briefing, the Chair stated that a central theme of the comprehensive review of resolution [1540 \(2004\)](#), which had been delayed due to the COVID-19 pandemic

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In the letter dated 20 July 2021 from the Permanent Representative of the Islamic Republic of Iran addressed to the Secretary-General, transmitting a review conducted by its Ministry of Foreign Affairs, of the challenges in the implementation of resolution [2021 \(2015\)](#) and the Joint Comprehensive Plan of Action during the past six years, Article 25 was explicitly referenced in 11 instances.⁵⁸

In the letter dated 6 August 2021 addressed to the Secretary-General, the Permanent Representative of Cyprus pointed to the violations of the national airspace of Cyprus, the infringements of international air traffic regulations in the flight information region and the illegal use of closed ports and airports in Cyprus by Turkey during the months of April and May 2021. In that context the Permanent Representative of Cyprus stated that Turkey openly declared that it would continue to violate Council resolutions, “in total disregard of Article 25 of the Charter” and noted that the Council had to stand behind its resolutions and ensure that they had meaning.⁵⁹ In a letter dated 29 October 2021 addressed to the Secretary-General covering the months of June, July and August 2021, the Permanent Representative of Cyprus submitted that Turkey openly declared that it would continue violating Council resolutions, “in total disregard of Article 25 of the Charter.”⁶⁰

Table 2
Communications in 2021 containing explicit references to Article 25

Communication record and date	Communication title	Topic
S/2021/53 14 January 2021	Letter dated 4 March 2021 from the Permanent Representative of the Russian Federation to the President of the Security Council	Summary of the Arria-formula meeting held on 2 December 2020 on the topic “Implementation of the 2015 Minsk Package of Measures on the settlement in Ukraine a year since the Paris ‘Normandie’ summit”
S/2021/639 9 July 2021	Identical letters dated 9 July 2021 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council	Tenth emergency special session of the General Assembly on item entitled “Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory”
S/2021/669 20 July 2021	Letter dated 20 July 2021 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General	Review of the challenges in the implementation of resolution 2021 (2015) and the Joint Comprehensive Plan of Action during the past six years
S/2021/718 6 August 2021	Letter dated 6 August 2021 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General	Violations of the national airspace of Cyprus

⁵⁸ See [S/2021/669](#)

⁵⁹ See [S/2021/718](#)

⁶⁰ See [S/2021/914](#)

III. The responsibility of the Security Council to formulate plans to regulate armaments under Article 26

Article 26

In order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Security Council shall be responsible for formulating, with the assistance of the Military Staff Committee referred to in Article 47, plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments.

Note

Section III covers the practice of the Council concerning its responsibility for formulating plans for the establishment of a system for the regulation of armaments, as stipulated in Article 26 of the Charter.

In 2021, the Council did not refer explicitly to this Charter provision in any of its decisions. However, Article 26 was expressly invoked once during the 8909th meeting, held on 22 November 2021, in connection with the item entitled "Small arms". At the meeting, the representative of Costa Rica noted that the global military spending levels represented clear evidence that Article 26 had been, for the past 76 years, a dead letter in the cemetery of intentions in the Charter of the United Nations.⁶¹ She further urged all States to commence without delay the phased and intentional reduction of global military spending, which was not only feasible but also imperative. In 2021, there were no explicit references to Article 26 of the Charter in any of the communications of the Council.

⁶¹ See [S/PV.8909](#)