



Repertoire of the Practice of the Security Council

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Department of Political and Peacebuilding Affairs - Security Council Affairs Division
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Part V

Functions and powers of the Security Council

Introductory note

Part V of the present Supplement covers the functions and powers of the Security

items related to

underscored that that tool had the tremendous potential to deter aggression and support the Council's mandate to maintain international peace and security. In that context, he held the view that the brazen aggression against Ukraine was an obvious case for the Council to make use of that tool. The representative of Poland stated that the Council should play a significant role in the process of assuring justice and accountability for the crimes and serious violations of international law committed in Ukraine, and added that a special duty within this organ lay with its permanent members. While pursuing the main goal of the United Nations to maintain international peace and security, the Council also had a track record of strengthening justice and accountability for serious violations of international law.

Case 3

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

On 28 June, at the initiative of Albania, which held the presidency of the Council for the month and whose representative held the Chair of the Informal Working Group on Documentation and other Procedural Questions, the Council held an open debate under the item entitled "Implementation of the note by the President of the Security Council ([S/2017/507](#))".¹⁵ During the meeting, speakers made four explicit references to Article 24 of the Charter and numerous implicit references in connection with the core mandate of the Council to maintain international peace and security, the challenges it faced in discharging its duties as well as its obligation to act on behalf of the wider United Nations membership.¹⁶

The representative of the Russian Federation held the view that any reforms had to be focused on a genuine increase in the effectiveness and efficiency of the Council's implementation of its primary functions of maintaining international peace and security.¹⁷ She further asserted that the practice of individual members using the Council to, inter alia, expand the Council's agenda through domestic, political, human rights, climate or other questions, had recently increased. Yet, that absolutely ignored the fact that not only was the Council, under the Charter, not supposed to deal with those subjects, but also that it could not help with the resolution of those problems. The representative of China noted that Council members always had to bear in mind that the sole agenda of the Council was the common

¹⁵ A concept note was circulated by a letter dated 21 June 2022 ([S/2022 \(/\)5.5\(S\)-9ETBT/Spain AMCID 53 BDC 0g -0.004 Tc 0.042](#))

and accountability when a member of the Council blocked action to maintain international peace and security. He further noted that there was a need to do more to ensure that the

responsible for maintaining international peace and security be pivotal and concrete under all circumstances and in that regard he attached great importance to developing its working methods. The representative of Cuba noted that it was imperative that the Council adopted its rules of procedures in order to put an end to their provisional status, which was essential for transparency and the necessary accountability to all Member States on behalf of which the Council had to act, in accordance with Article 24 of the Charter. The representative of Slovenia held the view that the quality of working methods and their implementation alone could not offset the effects of geopolitical realities on the ability of the Council to fulfil its mandate to maintain international peace and security.

Some speakers recalled that the Council had a responsibility to act on behalf of the wider membership of the United Nations in line with Article 24 of the Charter. The representative of Ecuador noted that the Council acted on behalf of the States Members of the United Nations pursuant to Article 24 of the Charter, but the counterpart of that representation was the obligation to ensure prompt and effective action by the United Nations. According to the representative of Algeria, it was important to maintain interaction with States that were not members of the Council, in accordance with Article 24 of the Charter which stated that the Council acted on their behalf.²⁰ That required full transparency in dealing between the Council and Member States. The representative of Sudan noted that the Council was entrusted by the Charter with the primary responsibility for maintaining international peace and security and that to carry out that task effectively, the Council's work had to be transparent, objective and resilient for the benefit of the greater international community as a whole rather than of a specific group of elite countries.

Case 4

Threats to international peace and security

On 12 October, at the initiative of Gabon, which held the presidency for the month, the Council held a high-level open debate under the item entitled "Threats to international peace and security" and the sub-item entitled "Climate and security in Africa".²¹ During the debate, there were no explicit reference to Article 24 of the Charter. However, Council members and other speakers discussed the extent to which the topic of the meeting fell within

²⁰ See [S/PV.9079 \(Resumption 1\)](#).

²¹ A concept note was circulated by

of armed conflicts, nor did it constitute a direct threat to peace and security in the sense underscored in the Charter of the United Nations. He added that while the Council might be effective in performing its functions in peacekeeping missions on the ground by contributing to support efforts of host countries, at their request, that did not imply that the Council had, or should have had, a mandate to thematically address climate change. He further stated that proper forums, tools and mechanisms for mobilizing those resources already existed within the United Nations Framework Convention on Climate Change and the wider United Nations system, and none of them required the direct involvement of the Council. The representative of India stated that his country would continue to oppose any attempts to take climate change out of the United Nations Framework Convention on Climate Change and discuss it separately, which is why India did not subscribe to the Council as a place to discuss that issue. In fact, his delegation viewed it as an attempt to evade responsibility under the United Nations Framework Convention on Climate Change and divert the world's attention from an unwillingness to deliver where it counted. The representative of the Russian Federation was of the view that the division of labour enshrined in the Charter had to be preserved for the effective functioning of the United Nations entities, adding that the Council could not and should not duplicate the work of other United Nations entities. Combatting climate change and its negative social and economic consequences fell exclusively within the framework of sustainable development.

change was widely recognized as a threat multiplier and a driver of conflict that was affecting the peace and stability of several regions globally, especially Africa, which was why it was important to address the increasing connection between climate change and security. The representative of Morocco observed that the African continent and especially the Sahel and the Congo basin were unduly and disproportionately penalized by the consequences of global warming, unfairly suffering the drastic effects of climate change, a situation that should be of concern to the Council. He added that as long as the international community's climate targets were not sufficient to reduce global warming to an acceptable level, the impact of climate change would be on the agenda of the Council. The representative of Namibia stated that when debating the security dimension of climate change, the Council had not always been forthcoming in establishing a clear agenda of the Council.

Case 5

Maintenance of international peace and security

On 14 December, at the initiative of India, which held the presidency for the month, the Council held a high-level open debate under the item entitled “Maintenance of international peace and security” and sub-item entitled “New orientation for reformed multilateralism”.²⁸ At the meeting, the Council heard briefings by the Secretary-General and the President of the General Assembly.²⁹ In his briefing, the President of the General Assembly noted that too often, sharp geopolitical divides had prevented responses and progress in the Council and asked the members of the Council if those rifts would continue to upstage their collective ability to maintain international peace and security.³⁰

In their statements, there was only one explicit reference by a Member State to Article 24. Several Council members referred, however, to the primary responsibility of the Council in maintaining international peace and security. Council members also shared their views on the impact of the veto on the ability of the Council to discharge its functions. Noting that the Council, charged with the critical mandate to maintain international peace and security, had been unable to rise to that challenge too often, the representative of Ireland said that the veto and the absence of trust had prevented the Council from effectively implementing its mandate. The representative of France stated that while a permanent member of the Council was waging a war of annexation in violation of the Charter, many were calling for a framework for the veto to strengthen the ability of the Council to fully assume its responsibilities. In this spirit, France, along with Mexico, had proposed, as early as 2013, that the five permanent members of the Council voluntarily and collectively suspended the use of the veto in the case of mass atrocities. The representative of China noted that it was the shared expectation of the general membership of the United Nations for the Council to better fulfil the mandate entrusted to it by the Charter, adding that no matter how complicated the challenges were, it was always the greatest responsibility of the Council to stay united and work together to maintain international peace and security. The representative of Mexico said that it was naive to think that merely adding more Member States to the Council, and consequently more permanent members, would have magically generated the consensuses

²⁸ A concept note was circulated by a letter dated

C. Communications featuring Article 24

In 2022, six explicit references to Article 24 of the Charter were made in the communications of the Council submitted in connection with a broad range of issues.

In a letter dated 25 January addressed to the President of the Council,³⁵ the representative of Saint Vincent and the Grenadines shared reflections on her two-year term as the Chair of the Informal Working Group on Documentation and Other Procedural Questions. The letter contained an index of key words and phrases referred to in the note by the President of the Council dated 30 August 2017 ([S/2017/507](#)) and subsequently adopted notes, which explicitly featured Article 24.

In a letter dated 7 February addressed to the President of the Council,³⁶ in reference to the meeting held on the same date under the item “General issues relating to sanctions”, the representative of the Islamic Republic of Iran submitted his country’s position on the matter and noted that the mandate of the Council was limited by Article 24 which stated that in discharging its duties, the Council should act in accordance with the United Nations purposes and principles.

In a letter dated 24 May addressed to the Secretary-General,³⁷ transmitting a concept

Case 6

Protection of civilians in armed conflict

On 2 June, the Council held an open debate on “Protection of civilians in armed conflict” during which it heard briefings by the Director of Coordination in the Office for the Coordination of Humanitarian Affairs, the Director-General of the International Committee of the Red Cross, the President and Chief Executive Officer of the International Rescue Committee, as well as by the Country Director of Women for Women International in the Democratic Republic of the Congo.⁵⁰

During the discussion, speakers made one explicit reference to Article 25 of the Charter,⁵¹ with several Council members also citing various Council resolutions adopted in connection with the protection of civilians and reflecting on their binding nature and the need for their implementation. In that regard, the representative of Gabon pointed to the obligation to fulfil commitments and the need to ensure compliance with international conventions and Council resolutions with regard to the protection of civilians in the area of human rights abuses.⁵² The representative of the United Kingdom stated that the Council had adopted many resolutions calling for accountability for attacks on humanitarian workers and civilians and pointed to the need to turn those words into action and ensure that those responsible for such attacks were held accountable. According to the representative of Ireland, to protect civilians, the Council needed to meet its promises and implement what it had agreed, including resolution [2222 \(2015\)](#), concerning the protection of journalists, and resolution [2417 \(2018\)](#) on conflict and hunger. Noting that the Council had adopted resolutions calling for accountability for those who targeted health-care and humanitarian workers and critical infrastructure, the representative of Albania stated that it was the responsibility of the Council to uphold its decisions. Similarly, in the context of attacks on medical and humanitarian personnel, the representative of Mexico stated that it was undeniable that there was a crisis in the implementation of the obligations derived from the norms of international humanitarian law and the resolutions of the Council. He held the view that it was not enough to make calls for compliance and added that it was necessary to reinforce measures at the internal level to ensure their implementation, such as the adoption of national legislation, military manuals and ongoing training, as well as working hand in hand with civil-society organizations. The

⁵⁰ See [S/PV.9042](#) and [S/PV.9042 \(Resumption 1\)](#). For more information about “Protection of civilians in armed conflict”, see part I, sect. 27.

⁵¹ See [S/PV.9042 \(Resumption 1\)](#), Pakistan.

⁵² See [S/PV.9042](#).

the credibility of the Council. The representative of France held the view that each ballistic missile launch was a challenge to the authority of the Council and a violation of its unanimously adopted resolutions. The representative of Ireland stated that it was a matter of the deepest concern that each of those launches had not received any Council response and that the silence of the Council suggested that it was unwilling, or unable, to uphold its own resolutions. He added that the Democratic People's Republic of Korea had rejected its obligations under the Charter, stating that it would not abide by Council resolutions. The actions of the Democratic People's Republic of Korea were a flagrant violation of the decisions and authority of the Council and the Council had to, finally, be clear in its response. The representative of the United Kingdom condemned the Democratic People's Republic of Korea's further serious breach of Council resolutions and noted that despite the egregious violations of Council resolutions, two Council members had prevented the Council from fulfilling its role. The representative of Mexico further noted that the silence from the Council had sent the wrong signal, with the launches continuing in open defiance of the Council and its prior resolutions.

Other speakers at the meeting also referred to the binding nature of Council decisions. The representative of the Republic of Korea opined that if the Council did not respond firmly to the continued illegal behaviour by the Democratic People's Republic of Korea, it would inevitably lead to more Member States deliberately ignoring their obligations under Council resolutions. The representative of Japan recalled that the Charter of the United Nations was clear in that all Member States had agreed to carry out the decisions of the Council, adding

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