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Part VII

Actions with respect to threats to the peace, breaches of the peace, and acts of aggression (Chapter VII of the Charter)

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Introductory note

Part VII of the present Supplement deals with action taken by the Security Council with respect to threats to the peace, breaches of the peace or acts of aggression, within the framework of Chapter VII of the Charter of the United Nations, including Articles 39 to 51. This part is divided into 10 sections, each focusing on selected material to highlight the interpretation and application of the provisions of Chapter VII by the Council in its deliberations and decisions.

Sections I to IV cover material related to Articles 39 to 42, which regulate the power of the Council to determine threats to international peace and security and to take the appropriate action in response to those threats, including the imposition of sanctions measures or the authorization of the use of force. Sections V and VI focus on Articles 43 to 47, regarding the command and deployment of military forces. Sections VII and VIII address, respectively, the obligations of Member States under Articles 48 and 49, while sections IX and X address, respectively, the practice of the Council with respect to Articles 50 and 51.

The sections contain subsections on discussions held within the Council regarding the proper interpretation and implementation of the Articles governing the Council's primary responsibility for the maintenance of international peace and security.

During the period under review, and similar to previous periods, the Council adopted 50 per cent of its resolutions (25 out of 50 resolutions) explicitly under Chapter VII of the Charter. Most of those resolutions concerned the mandates of United Nations and regional peacekeeping missions or multinational forces, and the imposition, extension, modification or termination of sanctions measures.

As discussed in section I, in 2023, while the Council did not determine the existence of any new threats to international peace and security, it reaffirmed that the situations in Afghanistan, the Central African Republic, the Democratic Republic of the Congo, Haiti, Lebanon, Libya, Mali, Somalia, South Sudan and the Sudan (including Abyei), Yemen and the former Yugoslavia constituted threats to regional and/or international peace and security.

With respect to specific countries and regions, the Council in its decisions recalled past determinations of threats to international peace and security of significance in those situations. For example, in relation to Afghanistan, the Council expressed concern over the cultivation, production,

trade and trafficking of illicit drugs and acknowledged that illicit proceeds of the drug trafficking in Afghanistan were a source of financing for terrorist groups and non-State actors that threatened regional and international security. In connection with the situation in the Syrian Arab Republic, the Council determined that the devastating humanitarian situation in the country continued to constitute a threat to peace and security in the region. Regarding the situation in Somalia, the Council expressed grave concern that Al-Shabaab and its terrorist and other activities continued to pose a serious threat to the peace, security and stability of Somalia and the region.

Under thematic items, in 2023, concerning non-proliferation in the Democratic People's Republic of Korea, the Council determined that the proliferation of nuclear, chemical and biological weapons, as well as their means of delivery continued to constitute a threat to international peace and security. The Council also recalled that the Islamic State in Iraq and the Levant (ISIL/Da'esh) continued to constitute a global threat to international peace and security.

As described in section II, in 2023, the Council adopted no decisions calling for compliance with provisional measures that might have been of relevance for the interpretation and application of Article 40 of the Charter, nor were there any discussions of relevance for the interpretation and application of Article 40.

As covered in section III, in the period under review, the Council did not renew the Mali sanctions regime thereby, ending the measures initially imposed in 2017, and it also decided to lift the remaining arms embargo measures concerning the Government of Federal Republic of Somalia and the Somali national armed forces, while maintaining the existing restrictions on Somalia's federal member states and regional governments under the Al-Shabaab sanctions regime. The Council replaced the targeted arms embargo with a territorial arms embargo on Haiti and introduced the related exemptions, while also renewing the existing asset freeze and travel ban measures. In addition to renewing the existing measures, the Council further eased the sanctions on the Central African Republic, by deciding that the arms embargo measures and the notification requirements were no longer applicable to the Central African Republic security forces. The Council also renewed the existing measures concerning the Democratic Republic of the Congo, Libya, South Sudan, Sudan and Yemen. No changes were made to the measures concerning Guinea-Bissau, Iraq and Lebanon, nor in relation to the measures concerning ISIL/Da'esh, Al-Qaida and associated

individuals, groups, undertakings and entities. As far as judicial measures were concerned, no action was taken in 2023.

As described in section IV, the Council reiterated authorizations granted prior to 2023 to United Nations peacekeeping missions and multinational forces to use force under Chapter VII of the Charter, with regard to the maintenance or restoration of international peace and security in Bosnia and Herzegovina, the Central African Republic, the Democratic Republic of the Congo, Haiti, Lebanon, Libya, Somalia, South Sudan and the Sudan (including Abyei). In that regard, the Council renewed the authorization to use force to discharge the protection-of-civilians mandate of the United Nations Interim Security Force for Abyei, the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic, the United Nations Organization Mission in the Democratic Republic of the Congo, the United Nations Multidimensional Integrated Stabilization Mission in Mali, the African Union Transition Mission in Somalia and the United Nations Mission in South Sudan. In relation to the situation in Libya, the Council reiterated its authorization granted to Member States to use “all necessary measures” when confronting migrant smugglers as well as in carrying out the inspection of vessels in the implementation of the arms embargo. With regard to the situation in Bosnia and Herzegovina, the Council renewed its authorization to Member States, under the European Union Force-Althea (EUFOR Althea) and the North Atlantic Treaty Organization (NATO) presence, to take “all necessary measures” to effect the implementation of and to ensure compliance with the General Framework Agreement for Peace in Bosnia and Herzegovina, the rules and procedures governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic and, at the request of either EUFOR Althea or NATO, to take “all necessary measures” in their defense.

As described in sections V to VIII, in the context of peacekeeping, the Council called upon Member States to contribute troops and other assets, including aerial force enablers. Member States also called for the Council to deepen its interaction and consultation with troop- and police-contributing countries. In addition, the Council frequently requested compliance with its decisions adopted under Chapter VII of the Charter by States and non-State actors alike, as well as by regional and subregional organizations. As featured in section IX, Council members made implicit references to Article 50 and the unintended consequences of sanctions including counter-terrorism measures. As covered in section X, Article 51 as well as the principle of individual and/or collective

self-defence were cited abundantly in communications addressed to the Council, as well as in its discussions concerning the conflict in Ukraine, the situation in the Syrian Arab Republic and the Middle East. In 2023, references to Article 51 of the Charter experienced a double increase compared to 2022 (and an eightfold increase compared with 2021).

I. Determination of a threat to the peace, breach of the peace or act of aggression in accordance with Article 39 of the Charter

Article 39

The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.

Note

Section I concerns the practice of the Council with regard to the determination of the existence of a threat to the peace, breach of the peace, or act of aggression in accordance with Article 39 of the Charter. It provides information regarding the determination of the existence of a threat by the Council and examines instances in which a threat was debated. The section is divided into two subsections. Subsection A provides an overview of the decisions of the Council relating to the determination of a “threat to the peace”. Subsection B describes some of the arguments advanced during the Council’s deliberations in connection with the determination of a threat in accordance with Article 39 and the adoption of some of the resolutions mentioned in subsection A. There were no explicit references to Article 39 in communications addressed to the Security Council in 2023.

A. Decisions of the Security Council relating to Article 39

During the period under review, the Council did not determine the existence of any breach of the peace, act of aggression or new threat to international peace and security.

Continuing threats

In 2023, the Council continued to monitor the evolution of existing and emerging conflicts and situations and to determine, reaffirm and recognize the existence of continuing threats. The relevant provisions of decisions in which the Council referred to continuing threats to peace and

security concerning country- or region-specific or thematic items during the period under review, are set out in tables 1 and 2, respectively.

In that regard, the Council determined that, in and of themselves, the situations in Afghanistan, the Central African Republic, the Democratic Republic of the Congo, Haiti, Lebanon, Libya, Mali, Somalia, South Sudan and the Sudan, including the Abyei Area and along the border, Yemen and the region of the former Yugoslavia continued to pose threats to international peace and security and/or threats to international peace and security and to stability in the respective regions.¹

In relation to Asia, and particularly the situation in Afghanistan, the Council acknowledged that the illicit proceeds of drug trafficking in Afghanistan continued to be a source of financing for terrorist groups and non-state actors, which threatened regional and international security. The Council also recognized the threats that terrorist groups and non-state actors involved in the narcotics trade and the illicit exploitation of natural resources continued to pose to the security and stability of Afghanistan.² In connection with the Middle East, and in particular, concerning the situation in the Syrian Arab Republic, the Council determined that the devastating humanitarian situation in the country continued to constitute a threat to peace and security in the region.³

With respect to Africa, and specifically the situation in Somalia, the Council expressed grave concern that Al-Shabaab and its terrorist and other activities continued to pose a serious threat to the peace, security and stability of Somalia and the region.⁴ Condemning in the strongest terms the attacks by Al-Shabaab targeting security forces and its terrorist attacks against government officials, civilians, civilian infrastructure and ATMIS personnel in Somalia and the wider region, as well as incidents of hostage-taking and kidnapping of civilians, its recruitment, training and use of

¹ Resolutions [2708 \(2023\)](#), penultimate preambular paragraph (Abyei); [2716 \(2023\)](#), penultimate preambular paragraph (Afghanistan); [2693 \(2023\)](#), penultimate preambular paragraph and [2709 \(2023\)](#), penultimate preambular paragraph (Central African Republic); [2688 \(2023\)](#), penultimate preambular paragraph; and [2717 \(2023\)](#), penultimate preambular paragraph (Democratic Republic of the Congo); [2699 \(2023\)](#), penultimate preambular paragraph and [2700 \(2023\)](#), penultimate preambular paragraph (Haiti); [2695 \(2023\)](#), last preambular paragraph (Lebanon); [2701 \(2023\)](#), penultimate preambular paragraph (Libya); [2690 \(2023\)](#), penultimate preambular paragraph (Mali); [2696 \(2023\)](#), penultimate preambular paragraph and [2711 \(2023\)](#), penultimate preambular paragraph (Somalia); [2676 \(2023\)](#), penultimate preambular paragraph (Sudan); [2677 \(2023\)](#), penultimate preambular paragraph and [2683 \(2023\)](#), penultimate preambular paragraph (South Sudan); [2675 \(2023\)](#), penultimate preambular paragraph (Yemen); and resolution [2706 \(2023\)](#), first preambular paragraph (former Yugoslavia).

² Resolution [2716 \(2023\)](#), fifth preambular paragraph.

³ Resolution [2672 \(2023\)](#), fourth preambular paragraph.

⁴ Resolutions [2687 \(2023\)](#), sixth preambular paragraph; [2705 \(2023\)](#), eleventh preambular paragraph; and [2710 \(2023\)](#), fourth preambular paragraph.

foreign terrorist fighters, the Council noted with concern that these activities constituted a threat to peace and security in Somalia, regional stability, integration and development, and exacerbated the humanitarian crisis.⁵ In connection with the item “Peace and security in Africa”, the Council reiterated its concern that Al-Shabaab continued to pose a serious threat to the peace, security and stability of Somalia and the region.⁶ The Council also recognized that Al-Shabaab and its terrorist and other activities posed a security threat to the region and determined that Al-Shabaab’s attempts to undermine peace and security in Somalia and the region, including through acts of terrorism, constituted a threat to international peace and security.⁷

In 2023, several decisions adopted in connection with thematic items also contained references to threats to international peace and security. In connection with the item “Non-proliferation/the Democratic People’s Republic of Korea”, the Council determined that the proliferation of nuclear, chemical, and biological weapons, as well as their means of delivery continued to constitute a threat to international peace and security.⁸ Concerning the item “Threats to international peace and security”, the Council recalled that Islamic State in Iraq and the Levant (ISIL/Da’esh) continued to constitute a global threat to international peace and security through its terrorist acts, violent extremist ideology, continued gross, systematic and widespread attacks directed against civilians, violations of international humanitarian law and abuses of human rights, particularly those committed against women and children and those motivated by religious or ethnic grounds, and its recruitment and training of foreign terrorist fighters whose threat affected all regions and Member States.⁹

Table 1

Decisions in which the Security Council referred to continuing threats to the peace, by region and country, 2023

<i>Decision and date</i>	<i>Provision</i>
Americas	
The question concerning Haiti	

⁵ Resolution [2687 \(2023\)](#), para. 15.

⁶ Resolution [2713 \(2023\)](#), fifth preambular paragraph.

⁷ *Ibid.*, eighteenth preambular paragraph and penultimate preambular paragraph.

⁸ Resolution [2680 \(2023\)](#), penultimate preambular paragraph.

⁹ Resolution [2697 \(2023\)](#), third preambular paragraph.

<i>Decision and date</i>	<i>Provision</i>
Resolution 2699 (2023) 2 October 2023	Determining that the situation in Haiti continues to constitute a threat to international peace and security and to stability in the region (penultimate preambular paragraph)
Resolution 2700 (2023) 19 October 2023	Determining that the situation in Haiti continues to constitute a threat to international peace and security in the region (penultimate preambular paragraph)
Africa	
The situation in the Central African Republic	
Resolution 2693 (2023) 27 July 2023	Determining that the situation in the Central African Republic continues to constitute a threat to international peace and security in the region (penultimate preambular paragraph) See also resolution 2709 (2023) (penultimate preambular paragraph)
The situation concerning the Democratic Republic of the Congo	
Resolution 2688 (2023) 27 June 2023	Determining that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region (penultimate preambular paragraph) See also resolutions 2717 (2023) (penultimate preambular paragraph)
The situation in Libya	
Resolution 2701 (2023) 19 October 2023	Determining that the situation in Libya continues to constitute a threat to international peace and security (penultimate preambular paragraph)
The situation in Mali	
Resolution 2690 (2023) 30 June 2023	Determining that the situation in Mali continues to constitute a threat to international peace and security (penultimate preambular paragraph)
Peace and security in Africa	
Resolution 2713 (2023) 1 December 2023	Expressing grave concern that Al-Shabaab continues to pose a serious threat to the peace, security and stability of Somalia and the region, and further expressing concern about the continued presence in Somalia of affiliates linked to ISIL/Da'esh (fifth preambular paragraph) Recognising that Al-Shabaab poses a threat to peace and security in Somalia, and that its terrorist and other activities pose a security threat to the region, and underscoring the need to degrade Al-Shabaab through: targeted sanctions, preventing access to weapons and ammunition, disrupting its finances, reducing the threat posed by improvised explosive devices, improving maritime domain awareness and through international collaboration (eighteenth preambular paragraph) Determining that Al-Shabaab's attempts to undermine peace and security in Somalia and the region, including through acts of terrorism, constitute a threat to international peace and security (penultimate preambular paragraph)
Reports of the Secretary-General on the Sudan and South Sudan	
Resolution 2676 (2023) 8 March 2023	Determining that the situation in Sudan continues to constitute a threat to international peace and security in the region (penultimate preambular paragraph)
Resolution 2677 (2023) 15 March 2023	Determining that the situation in South Sudan continues to constitute a threat to international peace and security in the region (penultimate preambular paragraph) See also resolution 2683 (2023) (penultimate preambular paragraph)
Resolution 2708 (2023) 14 November 2023	Recognizing that the current situation in Abyei and along the border between Sudan and South Sudan continues to constitute a threat to international peace and security (penultimate preambular paragraph)
The situation in Somalia	

<i>Decision and date</i>	<i>Provision</i>
Resolution 2687 (2023) 27 June 2023	Expressing grave concern that the terrorist group Al-Shabaab continues to pose a serious threat to the peace, security and stability of Somalia and the region, and noting its increased use of improvised explosive devices (IEDs) (sixth preambular paragraph) Condemns in the strongest terms the attacks by Al-Shabaab targeting security forces, and its terrorist attacks against government officials, civilians, and civilian infrastructure and ATMIS personnel in Somalia and the wider region, as well as incidents of hostage-taking and kidnapping of civilians, its recruitment, training and use of foreign terrorist fighters, and notes with concern that these activities constitute a threat to peace and security in Somalia, regional stability, integration and development, and exacerbate the humanitarian crisis (para. 15)
Resolution 2696 (2023) 7 September 2023	Determining that the situation in Somalia continues to constitute a threat to international peace and security in the region (penultimate preambular paragraph) See also resolution 2711 (2023) (penultimate preambular paragraph)
Resolution 2705 (2023) 31 October 2023	Expressing grave concern that Al-Shabaab continues to pose a serious threat to the peace, security and stability of Somalia and the region, condemning in the strongest possible terms terrorist attacks in Somalia and neighbouring states, expressing deep concern about the loss of civilian life from these attacks, reiterating its determination to support comprehensive efforts to reduce the threat posed by Al-Shabaab, and further expressing concern about the continued presence in Somalia of affiliates linked to ISIL/Da'esh (eleventh preambular paragraph)
Resolution 2710 (2023) 15 November 2023	Expressing grave concern that Al-Shabaab continues to pose a serious threat to the peace, security and stability of Somalia and the region (fourth preambular paragraph)
Asia	
The situation in Afghanistan	
Resolution 2716 (2023) 14 December 2023	Reiterating its support for the fight against illicit production and trafficking of drugs from, and and chemical precursors to, Afghanistan, while acknowledging that illicit proceeds of drug trafficking in Afghanistan continue to be a source of financing for terrorist groups and non-state actors that threaten regional and international security, and recognizing the threats that terrorist groups and non-state actors involved in narcotics trade, and illicit exploitation of natural resources, continue to pose to the security and stability of Afghanistan (fifth preambular paragraph)
Europe	
The situation in Bosnia and Herzegovina	
Resolution 2706 (2023) 2 November 2023	Determining that the situation in the region of the Former Yugoslavia continues to constitute a threat to international peace and security (first preambular paragraph)
Middle East	
The situation in the Middle East	
Resolution 2672 (2023) 9 January 2023	Determining that the devastating humanitarian situation in Syria continues to constitute a threat to peace and security in the region (fourth preambular paragraph)
Resolution 2675 (2023) 15 February 2023	Determining that the situation in Yemen continues to constitute a threat to international peace and security (penultimate preambular paragraph) See also resolution 2707 (2023) (penultimate preambular paragraph)
Resolution 2695 (2023) 31 August 2023	Determining that the situation in Lebanon continues to constitute a threat to international peace and security (last preambular paragraph)

Table 2

Decisions in which the Security Council referred to continuing threats to the peace, by thematic issue, in 2023

<i>Decision and date</i>	<i>Provision</i>
Non-proliferation/Democratic People's Republic of Korea	
Resolution 2680 (2023) 23 March 2023	Determining that proliferation of nuclear, chemical, and biological weapons, as well as their means of delivery continue to constitute a threat to international peace and security (penultimate preambular paragraph)
Threats to international peace and security	
Resolution 2697 (2023) 15 September 2023	Recalling that ISIL/Da'esh constitutes a global threat to international peace and security through its terrorist acts, its violent extremist ideology, its continued gross, systematic and widespread attacks directed against civilians, its violations of international humanitarian law and abuses of human rights, particularly those committed against women and children, and including those motivated by religious or ethnic grounds, and its recruitment and training of foreign terrorist fighters whose threat affects all regions and Member States (third preambular paragraph)
Threats to international peace and security caused by terrorist acts	
Resolution 2716 (2023) 14 December 2023	Reiterating its support for the fight against illicit production and trafficking of drugs from, and chemical precursors to, Afghanistan, while acknowledging the progress made in the reduction of poppy cultivation and emphasizing the necessity to support alternative livelihoods to sustain the reduction in opium, acknowledging that illicit proceeds of drug trafficking in Afghanistan continue to be a source of financing for terrorist groups and non-state actors that threaten regional and international security, and recognizing the threats that terrorist groups and non-state actors involved in narcotics trade, and illicit exploitation of natural resources, continue to pose to the security and stability of Afghanistan (fifth preambular paragraph) Determining that the situation in Afghanistan continues to constitute a threat to international peace and security, and reaffirming the need to combat this threat by all means, in accordance with the Charter of the United Nations and international law, including applicable human rights, refugee and humanitarian law, and stressing in this regard the important role of the United Nations (penultimate preambular paragraph)

B. Discussion relating to Article 39

During the period under review, no explicit reference to Article 39 of the Charter was made during the meetings of the Council. However, Council members and other participants at Council meetings discussed various new and continuing threats to international peace and security within the context of interpreting Article 39 and the determination of threats to international peace and security in relation to both thematic and country- and region-specific items, as elaborated below.

Thematic items

On 18 July, the Council held a high-level meeting under the item entitled “Maintenance of international peace and security” focused on artificial intelligence (AI): opportunities and risks for

international peace and security, where Council members deliberated on whether and how artificial intelligence could pose a threat to international peace and security (case 1). In addition, on 7 December, Council members held a high-level open debate under the item “Threats to international peace and security” focused on transnational organized crime, growing challenges and new threats, at which numerous participants referred to transnational organized crime as a threat to international peace and security (case 2). On 14 February, during a high-level open debate held under “Threats to international peace and security” focused on sea-level rise: implications for international peace and security,¹⁰ the representative of Italy described sea level rise as a threat to international peace and security, with several other speakers expressing support for addressing climate change as a threat to international peace and security.¹¹ In 2023, the Council continued to address threats to international peace and security considered by the Council in the past, including those posed by the proliferation of nuclear weapons,¹² terrorism and the activities of terrorist groups,¹³ as well as the illicit transfer, accumulation and misuse of small arms and light weapons.¹⁴

Country- or region-specific items

During the reporting period, Council members and other participants continued to discuss threats to regional or international peace and security stemming from specific conflicts and situations, at times expressing divergent views as to whether these constituted threats to regional or international peace and security. Specifically, Council members and other participants discussed the nuclear and ballistic missile programmes by the Democratic People’s Republic of Korea,¹⁵ the

¹⁰ See [S/PV.9260](#); and [S/PV.9260 \(Resumption 1\)](#).

¹¹ See [S/PV.9260 \(Resumption 1\)](#) (Latvia, Italy, Guatemala and Ukraine).

¹² See [S/PV.9301](#) (Gabon and Ecuador).

¹³ See, for example, in connection with the item entitled “Threats to international peace and security caused by terrorist acts”, [S/PV.9257](#) (Mozambique, United Arab Emirates, Japan, Albania and Malta); [S/PV.9296](#) (Japan, France, Albania and Malta); and [S/PV.9405](#) (China, Mozambique and United Arab Emirates); in connection with the item entitled “Threats to international peace and security”, [S/PV.9301](#) (Japan); and in connection with the item entitled “Briefings by Chairs of subsidiary bodies of the Security Council”, [S/PV.9478](#) (Malta, United Kingdom, Japan and Gabon).

¹⁴ See, for example, in connection with the item entitled “Threats to international peace and security”, [S/PV.9301](#) (Japan); and in connection with the item entitled “Small arms”, [S/PV.9509](#) (Japan, Malta, Gabon and Mozambique).

¹⁵ See, for example, in connection with the item entitled “Non-proliferation/Democratic People’s Republic of Korea”, [S/PV.9305](#) (United States, Malta, United Arab Emirates, Mozambique and Ecuador); [S/PV.9376](#) (United States, Japan, Malta, Ecuador, Democratic People’s Republic of Korea and Republic of Korea); [S/PV.9406](#) (United States, France, Malta and Switzerland); [S/PV.9485](#) (United States, Malta, Switzerland and Democratic People’s Republic of Korea).

proliferation and use of chemical weapons in the Syrian Arab Republic,¹⁶ and the conflict in Ukraine.¹⁷ In addition, at a meeting held on 17 August under the item entitled “The situation in the Democratic People’s Republic of Korea”, several speakers discussed if the human rights situation in the Democratic People’s Republic of Korea constituted as a threat to international peace and security.¹⁸

Case 1 **Maintenance of international peace and security**

On 18 July, at the initiative of the United Kingdom, which held the presidency of the Security Council for the month,¹⁹ the Council held a high-level meeting under the item entitled “Maintenance of international peace and security” focused on artificial intelligence (AI): opportunities and risks for international peace and security.²⁰ During the meeting, Council members deliberated on whether and how artificial intelligence posed a threat to international peace and security. Council members were briefed by the Secretary-General and two civil society representatives.

In his briefing, the Secretary-General emphasized that AI was helping to strengthen peacekeeping, mediation and humanitarian efforts but that AI tools could also be used by those with malicious intent, helping people to harm themselves and each other at massive scale. He added that the malicious use of AI systems for terrorist, criminal or State purposes could cause horrific levels of death and destruction, widespread trauma and deep psychological damage, with AI-enabled cyberattacks already targeting critical infrastructure and peacekeeping and humanitarian operations, causing great human suffering. He stressed that both military and non-military applications of AI could have very serious consequences for global peace and security. He stated that the advent of generative AI might be a defining moment for disinformation and hate speech, adding a new

¹⁶ See, for example, in connection with the item entitled “The situation in the Middle East”, [S/PV.9235](#) (United Kingdom and Japan); [S/PV.9255](#) (Japan, and Brazil); [S/PV.9317](#) (Ghana, United Kingdom, Japan, Brazil, Iran (Islamic Republic of) and Türkiye); [S/PV.9372](#) (Japan, Brazil, United Arab Emirates, United Kingdom and Iran (Islamic Republic of)); [S/PV.9393](#) (Japan and Switzerland); and [S/PV.9519](#) (United States, Japan, United Kingdom, France and Brazil).

¹⁷ See, in connection with the item entitled “Threats to international peace and security”, [S/PV.9364](#) (Mozambique and United States).

¹⁸ See [S/PV.9398](#) (China, Russian Federation and Republic of Korea).

¹⁹ A concept note was circulated by a letter dated 14 July ([S/2023/528](#)).

²⁰ See [S/PV.9381](#).

dimension to the manipulation of human behaviour and contributing to polarization and instability on a vast scale.

The civil society representative, co-Founder of Anthropic, emphasized that the development of AI could not be left solely to private-sector actors and that Governments must come together to develop State capacity and make the development of powerful AI systems a shared endeavor across all parts of society. He added that it was private-sector actors that had the sophisticated computers and large pools of data and capital resources to build AI systems and therefore, seemed likely that private-sector actors would continue to define their development. While that would bring huge benefits to humans across the world, it also posed potential threats to peace, security and global stability. He explained that those threats stemmed from two essential qualities of AI systems, namely their potential for misuse and their unpredictability, as well as the fragility inherent in the fact that they were being developed by such a narrow set of actors. He concluded by stressing the need to invest in robust and reliable evaluation systems through which Governments would be able to hold companies accountable. In the absence of that, there was a risk of regulatory capture compromising global security and handing over the future to a narrow set of private-sector actors.

The other civil society representative, from the Institute for Automation, Chinese Academy of Science, advocated for advancing the use of AI for international peace as an essential pillar of the Sustainable Development Goals, with a view to reducing security and safety risks rather than increasing them. The proliferation of AI-enabled weapon systems had to be prevented, since the related technology was very likely to be abused or used maliciously.

In the ensuing discussion, Council members discussed how AI presented both opportunities and risks in connection with international peace and security. The Secretary of State for Foreign, Commonwealth and Development Affairs of the United Kingdom stated that AI could enhance or disrupt global strategic stability. It challenged fundamental assumptions about defence and deterrence, posed moral questions about accountability for lethal decisions on the battlefield was changing the speed, scale and spread of disinformation, with hugely harmful consequences for democracy and stability. He added that AI could aid the reckless quest for weapons of mass destruction by State and non-State actors alike but could also help stop proliferation.

The Deputy Minister for Foreign Affairs and Cooperation of Mozambique noted that the recent acceleration in the power and visibility of AI systems, along with the increasing awareness of

their capabilities and limitations, has sparked concerns that the technology was advancing at such a rapid pace that it may no longer be safely controllable, and that caution was warranted. While recent advancements in AI presented immense opportunities to enhance various fields, certain models had also exhibited capabilities that surpassed the understanding and control of their creators. That posed risks of various kinds, including the potential for catastrophic outcomes.

The Assistant Minister for Foreign Affairs and International Cooperation for Advanced Science and Technology of the United Arab Emirates pointed out that AI development was moving at breakneck speed and Governments were unable to keep up. He added that Member States should establish commonly agreed upon rules to govern AI before it was too late, which should include mechanisms to prevent AI tools from promoting hatred, misinformation and disinformation that could fuel extremism and exacerbate conflict. The representative of China noted that the scope of AI application had been constantly expanding, causing increasing concerns in areas such as data privacy, spreading false information, exacerbating social inequality and disrupting employment structures. He added that the misuse or abuse of AI by terrorist or extremist forces would pose a significant threat to international peace and security. The representative of the United States stressed that used appropriately, AI could accelerate progress towards achieving the Sustainable Development Goals, but that it also had the potential to compound threats and intensify conflicts, including by spreading misinformation and disinformation, amplifying bias and inequality, enhancing malicious cyberoperations and exacerbating human rights abuses. He therefore welcomed the discussion with a view to understanding how the Council could find the right balance between maximizing AI's benefits while mitigating its risks.

The representative of Ghana stated that AI, especially in peace and security, must be guided by a common determination not to replicate the risks that powerful technologies had created for the world by their ability to unleash disaster of global proportions. Despite encouraging developments, he saw risks with AI technologies from the perspective of both State actors and non-State actors and the integration of AI technologies into autonomous weapons systems was a foremost source of concern. He added that non-State actors could instrumentalize by using AI technologies to destabilize societies or cause friction between or among States.

The representative of Ecuador stressed that, like any other technology, AI was a tool that could contribute to peacekeeping and peacebuilding efforts or could be used to undermine those

goals. He stated that one could not ignore the threats posed by the misuse or abuse of AI for malicious or terrorist purposes and that AI systems also carried other risks, such as discrimination or mass surveillance, and expressed concern about the alarming potential link between AI and nuclear weapons. He pointed out that the answer to harnessing artificial intelligence without exacerbating the threats arising from it was the establishment of a legally binding international framework. The representative of Malta stressed that peaceful applications of AI could help achieve the Sustainable Development Goals and support peacekeeping efforts but that the proliferation of AI technologies also raised significant risks that demanded attention. She added that the potential misuse or unintended consequences of AI, if not carefully managed, could pose threats to international peace and security. Malicious actors could also exploit AI for cyberattacks, disinformation and misinformation campaigns or autonomous weapon systems, leading to increased vulnerabilities and geopolitical tensions.

The representative of Gabon stated that AI contributed to strengthening international peace and security but also posed many risks which had to be understood immediately. Terrorist and criminal groups could take advantage of the many opportunities offered by AI to pursue their illicit activities and hacker networks had stepped up their cyberattacks, disinformation and theft of sensitive data in recent years. He concluded that AI offered a whole range of opportunities but in the absence of reliable regulations and effective control and management tools, it could pose a genuine threat to international peace and security. The representative of Albania stressed that the misuse of AI could have a direct impact on international peace and security and posed grave security challenges for which there was little preparation.

The representative of Brazil emphasized that AI had been developed mostly as a civilian application and it would therefore be premature to see it primarily through a lens of international peace and security. It could nevertheless be predicted with certainty that its applications would be extended to the military arena with relevant consequences for peace and security. He further opined that the Council should remain vigilant and ready to respond to any incidents involving the use of AI but should also be careful not to overly securitize the topic by concentrating discussions in that Chamber. The representative of the Russian Federation opined that there were no concrete arguments that supported the notion of organic interconnections between AI and issues of international peace and security, at least not yet. He added that his country believed attempts to

establish a generic connection between artificial intelligence and threats to peace and security to be somewhat artificial and that the international community should determine the nature and character of possible risk and threats, assess their scale and possible ways to respond; this required a professional discussion, based on scientific expertise, and was likely to take years. He stated that this was already under way in specialized platforms, including discussions on the impact various military aspects of AI may have on global and regional security. He concluded that the primary source of challenges and threats did not lie with AI itself but with the unscrupulous champions of AI among the so-called advanced democracies.

Case 2

Threats to international peace and security

On 7 December, at the initiative of Ecuador, which held the presidency of the Security Council for the month,²¹ the Council held a high-level open debate under the item entitled “Threats to international peace and security” focused on transnational organized crime, growing challenges and new threats.²² During the meeting, Council members, Member States and other participants deliberated on whether and how transnational organized crime posed a threat to international peace and security. At the outset of the meeting, Council members and participating Member States were briefed by the Secretary-General, the Executive Director of the United Nations Office on Drugs and Crime, the Clarence Dillon Professor of International Affairs in the Government Department at Harvard University, and the Founder and General Director of Women in Action for Women.²³ In his briefing, the Secretary-General emphasized that transnational organized crime was a vicious threat to peace, security, and sustainable development in all countries, resulting in weakened governance, corruption, lawlessness, violence, death, and destruction.

Many participants expressed the view that transnational organized crime posed a threat to international peace and security.²⁴ The Minister for Foreign Affairs of Guatemala stressed the need

²¹ A concept note was circulated by a letter dated 1 December (S/2023/933).

²² See S/PV.9497; and S/PV.9497 (Resumption 1).

²³ See S/PV.9497.

²⁴ See S/PV.9497 (Ecuador, Mozambique, Ghana, Gabon, France, Guatemala, Slovenia, Chile and South Africa); S/PV.9497 (Resumption 1) (Egypt, Costa Rica, Austria, Thailand, Sierra Leone, Australia, Guyana, Paraguay, Democratic Republic of the Congo, Republic of Korea, Kenya, Argentina, Myanmar, Viet Nam, Algeria, Panama and Nigeria).

to address challenges and new threats associated with transnational organized crime, including drug trafficking, human trafficking and the smuggling of migrants, which threatened international peace and security. The representative of Slovenia highlighted that the interconnected nature of transnational organized crime represented a significant threat to international peace and security and that there was an urgent need for a comprehensive and collaborative approach, with strengthened international cooperation. The representative of Chile was of the view that transnational organized crime was one of the most serious problems that the international community was facing today and a substantial threat to international peace and security, which affected women and girls to a disproportionate degree. He added that, given the global context of the current international model of organized crime, it was necessary to have better international cooperation and enhanced commitment from multilateral and regional entities to fight transnational organized crime. The representative of Paraguay stressed that transnational organized crime posed an extremely serious risk to international peace and security and was linked to decline in democracy and the weakening of national institutions, in addition to fostering instability and conflict. The representative of Argentina noted that transnational organized crime was one of the greatest threats to the security of States and affected peoples' economic, political, social and cultural development. She further stated that, despite the progress made in strengthening the global response, transnational networks and new protagonists continued to contribute to threats to international peace and security.

Moreover, numerous Member States emphasized that the threat emanating from transnational organized crime had increased and evolved. The representative of Austria opined that transnational organized crime posed a substantial threat to international peace and security, with evidence showing that the problem was growing in an unprecedented manner. He added that, according to the Secretary General's New Agenda for Peace, from 2015 to 2021, organized crime had been responsible for as many deaths as all armed conflicts combined. The representative of Sierra Leone noted that the proliferation of transnational organized crime could now be considered an epidemic at that time and, at such a scale, a global security crisis that was clearly a threat to international peace and security. He further expressed concern about the increasing threats posed by transnational organized crime to international peace and security. The representative of Guyana highlighted that transnational organized crime represented one of the world's most significant threats to international peace and security, which had been exacerbated by advances in technology,

including the emergence of cryptocurrencies. The representative of Myanmar underscored the alarming threats posed by transnational organized crime, which was a serious and growing threat to regional and international peace and security, with the operations of transnational criminal groups evolving in scope and tactics. The representative of Nigeria pointed out that transnational organized crime posed a significant threat to international peace and security and was evolving with globalization, with issues like cybercrime, human and drug trafficking transcending borders and requiring collaborative efforts among nations.

In this context, several speakers also addressed the threats to international peace and security posed by the links between transnational organized crime and terrorism. The Minister of Foreign Affairs and Cooperation of Mozambique pointed out that criminal networks were not only expanding, but also diversifying their activities, resulting in the convergence of threats, with destabilizing effects.²⁵ He expressed concern about the growing threats that transnational organized crime posed to international peace and security in different regions of the world, including with regard to arms trafficking, illicit drugs, smuggling of migrants, trafficking in persons, money laundering, terrorism and corruption. Those malicious activities were widening their ramifications across borders and, in that regard, affecting global security and well-being. The representative of Ghana noted that transnational organized crime was by itself, a threat to the stability and development of any society. In its evolving form and through its links with terrorism, violent extremism, and maritime piracy, it posed an even more formidable menace to international peace and security through its cross-border impact. The representative of China stated that the interlinkages between transnational organized crime, and the complexity and sophistication of the means of committing such crimes, continued to evolve and intersect with terrorism, resulting in ever-expanding destructive spillover effects. He further underscored the need for the Security Council to fulfill its role in coordinating responses to the nexus of terrorism and transnational organized crime to prevent them from colluding and penetrating each other.

The Minister for Foreign Affairs of Guatemala highlighted that all States were vulnerable to terrorist acts, since they represented a serious threat to international peace and security, and expressed concern that terrorists could benefit from international organized crime. The representative of the Democratic Republic of the Congo emphasized that transnational organized

²⁵ See [S/PV.9497](#).

crime and terrorism constituted a serious threat to peace and development because organized criminal groups, through their activities, jeopardized political processes, democratic institutions, development projects and human rights and public freedoms.²⁶ The representative of Viet Nam opined that transnational organized crime posed grave and multidimensional threats to international security, stability and development, including by providing funding, weapons and logistics to armed groups to ignite violent extremism, insurgencies and terrorism across nations and regions. The representative of Algeria highlighted that transnational organized crime posed an escalating threat to international peace and security by exploiting instability and corruption to fuel violence and generate illicit profits. The line between organized crime and terrorism was increasingly blurred, as they reinforced each other, destabilizing regions and challenging statehood.

The representative of Brazil stressed that States were primarily responsible for the fight against transnational organized crime and that the Council must follow its mandate, which was strictly limited to maintaining international peace and security, according to the Charter.²⁷ He added that recent years had witnessed attempts to expand the Council's interpretation of what constituted a threat to peace and security and that the encroachment by the Council on issues that had been traditionally dealt with in other forums might not only be in disagreement with the spirit of the Charter, but might also have unintended consequences, including by reducing the international community's capacity to address such issues. The representative of the Bolivarian Republic of Venezuela stated that the ability of States to move forward collectively with international institutions and other nations in activities and programmes aimed at preventing and combating organized transnational crime was a sovereign right.²⁸ Claiming that transnational organized crime was a threat to international peace and security could go beyond the Council's mandate.

²⁶ See S/PV.9497 (Resumption 1).

²⁷ See S/PV.9497.

²⁸ See S/PV.9497 (Resumption 1).

II. Provisional measures to prevent an aggravation of the situation in accordance with Article 40 of the Charter

Article 40

In order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be without prejudice to the rights, claims, or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures.

Note

Section II covers the practice of the Council in relation to Article 40 of the Charter, regarding provisional measures to prevent an aggravation of the situation. While Article 40 suggests that provisional measures to prevent the aggravation of a conflict would be adopted prior to the imposition of measures under Chapter VII (Articles 41 and 42), the practice of the Council reflects a more flexible interpretation of that provision. Given the prolonged and rapidly changing nature of conflicts dealt with by the Council, provisional measures have been imposed in parallel to the adoption of measures under Articles 41 and 42.

In 2023, the Council did not impose any measures pursuant to Article 40 of the Charter. There also was not any explicit reference to Article 40 made in the decisions of the Council or during its deliberations, nor was there any discussion of constitutional significance on its interpretation. Similarly, there was not any explicit reference to Article 40 in any of the communications of the Council.

III. Measures not involving the use of armed force in accordance with Article 41 of the Charter

Article 41

The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.

Note

Section III covers decisions and deliberations of the Council related to the imposition of measures not involving the use of force, pursuant to Article 41 of the Charter of the United Nations. In 2023, the Council lifted the remaining arms embargo measures on the Government of the Federal Republic of Somalia and the Somali national armed forces, while maintaining the existing restrictions on Somalia’s federal member states and regional governments under the Al-Shabaab sanctions regime. Furthermore, the Council did not renew the Mali sanctions regime nor the mandate of its related Panel, while the mandate of the Committee, initially established pursuant to resolution [2374 \(2017\)](#), expired.

During the period under review, the Council explicitly referred to Article 41 in the preamble of resolution [2680 \(2023\)](#) in connection with the Democratic People’s Republic of Korea. The Council imposed no judicial measures under Article 41 of the Charter.²⁹ Furthermore, in 2023, speakers made two explicit references to Article 41 at two Council meetings held under the items entitled “Reports of the Secretary-General on the Sudan and South Sudan”³⁰ and “Small arms”,³¹ respectively.

The present section is divided into two subsections. Subsection A contains an outline of the decisions in which the Council imposed, modified or terminated measures under Article 41 of the Charter. It is organized under two main headings, dealing with decisions on issues of thematic and country- or region-specific nature. Subsection B covers the deliberations of the Council during 2023

²⁹ For information on the activity of the Council regarding issues pertaining to the International Residual Mechanism for Criminal Tribunals, see part IX, sect. IV.

³⁰ See [S/PV.9416](#) (Sudan).

³¹ See [S/PV.9509 \(Resumption 1\)](#) (Chile).

and is also organized under two headings, each highlighting the salient issues that were raised in connection with Article 41, with respect to thematic and country- or region-specific items.

A. Decisions relating to Article 41

(i) Decisions adopted under thematic items relating to Article 41

In 2023, the Council adopted one decision on an issue of a thematic nature concerning sanctions measures and their implementation, under the item entitled “Threats to international peace and security caused by terrorist acts”.

In resolution [2716 \(2023\)](#), the Council reiterated the need to ensure that the sanctions regime established pursuant to resolution [1988 \(2011\)](#) contributed effectively to ongoing efforts to bring about sustainable and inclusive peace, stability and security in Afghanistan, and noted the importance of the sanctions review when and if appropriate, while taking into account the situation on the ground, in a manner that was consistent with the overall objective of promoting peace and stability in Afghanistan.³²

(ii) Decisions adopted under country- and region-specific items relating to Article 41

During the period under review, as set out in table 3 below, the Council did not renew the sanctions measures in connection with Mali, ending the measures which were initially imposed in 2017. The Council also decided to lift the arms embargo measures on the Government of the Federal Republic of Somalia and the Somali national armed forces, while maintaining the existing restrictions on Somalia’s federal member states and regional governments under the Al-Shabaab sanctions regime. The Council also replaced the targeted arms embargo with a territorial arms embargo on Haiti and introduced the related exemptions, while also renewing the existing asset freeze and travel ban measures. In addition to renewing the existing measures, the Council further eased the sanctions on the Central African Republic, by deciding that the arms embargo measures established in resolution [2127 \(2013\)](#) and the notification requirements set out in resolution [2648 \(2022\)](#) were no longer applicable to the supply, sale or transfer of arms and related materiel and the provision of assistance, advice and training to the Central African Republic security forces. The

³² Resolution [2716 \(2023\)](#), ninth preambular paragraph.

Council also renewed the existing measures concerning the Democratic Republic of the Congo, Libya, South Sudan, Sudan and Yemen. No changes were made to the measures concerning Guinea-Bissau, Iraq and Lebanon, nor in relation to the measures concerning ISIL (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities.

The present subsection concerning the developments in each of the sanctions regimes does not include reference to the subsidiary bodies of the Council responsible for their implementation. The decisions of the Council relating to the subsidiary bodies are described in detail in part IX, section I.B. Decisions adopted by the Council on the establishment and history of each of the sanctions regimes are covered in previous supplements.

The categories of sanctions measures used in the present subsection, such as arms embargo, asset freeze or travel ban, are for clarification purposes only, and are not intended to serve as legal definitions of the measures. In addition, developments in the sanctions measures imposed by the Council during the period under review are categorized according to the following main actions taken by the Council: “establishment”,³³ “modification”,³⁴ “extension”,³⁵ “limited extension”³⁶ or “termination”.³⁷

The sanctions regimes are discussed below in the order of their establishment.³⁸ Each of the following subsections consists of a narrative section describing the most significant developments in 2023 and a table presenting all relevant provisions of Council decisions concerning changes to a sanctions regime, according to the categories outlined above. Tables 3 and 4 provide an overview of relevant decisions adopted in 2023 by which the Council established sanctions measures, or modified ones that it had previously imposed.

³³ An action by the Council is categorized as an “establishment” when a sanctions measure is initially imposed by the Council.

³⁴ When a change is introduced to the measure, it is categorized as a “modification”. A measure is modified when: (a) elements of the measure are terminated or newly introduced, (b) information on designated individuals or entities is modified, (c) exemptions to the measure are introduced, modified or terminated and (d) elements of the measure are otherwise modified.

³⁵ An action of the Council is categorized as an “extension” when the sanctions measure concerned is not modified or terminated and the Council extends or restates the measure without specifying an end date.

³⁶ An action by the Council is categorized as a “limited extension” when the sanctions measure concerned is extended for a specific period of time, including a date upon which the measure will terminate unless further extended by the Council.

³⁷ An action by the Council is categorized as a “termination” when the Council ends the specific sanctions measure. However, if only an element of the measure is terminated, but other measures or elements of that measure remain, the action will be categorized as a modification of the measure.

³⁸ For background and past practice, see previous supplements.

Table 3
Overview of country- and region-specific decisions establishing or modifying measures pursuant to Article 41, in place or imposed in 2023

<i>Sanctions regime</i>	<i>Resolutions by which measures were established or subsequently modified</i>		<i>Resolutions adopted in 2023</i>
Al-Shabaab ³⁹	733 (1992)	2060 (2012)	
	1356 (2001)	2093 (2013)	
	1425 (2002)	2111 (2013)	
	1725 (2006)	2125 (2013)	
	1744 (2007)	2142 (2014)	
	1772 (2007)	2182 (2014)	
	1816 (2008)	2184 (2014)	
	1844 (2008)	2244 (2015)	
	1846 (2008)	2246 (2015)	
	1851 (2008)	2316 (2016)	
	1872 (2009)	2317 (2016)	2696 (2023)
	1897 (2009)	2383 (2017)	2711 (2023)
	1907 (2009)	2385 (2017)	2713 (2023)
	1916 (2010)	2444 (2018)	2714 (2023)
	1950 (2010)	2498 (2019)	
	1964 (2010)	2551 (2020)	
	1972 (2011)	2554 (2020)	
	2002 (2011)	2607 (2021)	
	2023 (2011)	2608 (2021)	
2036 (2012)	2662 (2022)		
	2664 (2022)		
ISIL (Da'esh) and Al-Qaida and associated individuals and entities	1267 (1999)	2161 (2014)	
	1333 (2000)	2170 (2014)	
	1388 (2002)	2178 (2014)	
	1390 (2002)	2199 (2015)	
	1452 (2002)	2253 (2015)	
	1735 (2006)	2347 (2017)	
	1904 (2009)	2349 (2017)	None
	1989 (2011)	2368 (2017)	
	2083 (2012)	2610 (2021)	
	2664 (2022)		
Taliban and associated individuals and entities	1988 (2011)	2557 (2020)	
	2082 (2012)	2611 (2021)	
	2160 (2014)	2615 (2021)	2716 (2023)
	2255 (2015)	2665 (2022)	
	2501 (2019)		

³⁹ For more information on the evolution of this sanctions regime, see *Repertoire, Supplements 1989-1992 to 2022*.

<i>Sanctions regime</i>	<i>Resolutions by which measures were established or subsequently modified</i>		<i>Resolutions adopted in 2023</i>
Iraq	661 (1990)	1723 (2006)	None
	687 (1991)	1790 (2007)	
	707 (1991)	1859 (2008)	
	1483 (2003)	1905 (2009)	
	1546 (2004)	1956 (2010)	
	1637 (2005)	1957 (2010)	
		2664 (2022)	
Democratic Republic of the Congo	1493 (2003)	1952 (2010)	2688 (2023)
	1552 (2004)	2136 (2014)	
	1596 (2005)	2147 (2014)	
	1616 (2005)	2198 (2015)	
	1649 (2005)	2211 (2015)	
	1671 (2006)	2293 (2016)	
	1698 (2006)	2360 (2017)	
	1768 (2007)	2424 (2018)	
	1771 (2007)	2478 (2019)	
	1799 (2008)	2528 (2020)	
	1807 (2008)	2582 (2021)	
1857 (2008)	2641 (2022)		
1896 (2009)	2664 (2022)		
Sudan	1556 (2004)	2340 (2017)	2676 (2023)
	1591 (2005)	2400 (2018)	
	1672 (2006)	2455 (2019)	
	1945 (2010)	2508 (2020)	
	2035 (2012)	2562 (2021)	
	2138 (2014)	2620 (2022)	
	2200 (2015)	2664 (2022)	
	2265 (2016)		
Lebanon	1636 (2005)	2664 (2022)	None
Democratic People's Republic of Korea	1718 (2006)	2321 (2016)	2680 (2023)
	1874 (2009)	2356 (2017)	
	2087 (2013)	2371 (2017)	
	2094 (2013)	2375 (2017)	
	2270 (2016)	2397 (2017)	
	2664 (2022)		
Libya	1970 (2011)	2259 (2015)	2684 (2023) 2701 (2023) 2702 (2023)
	1973 (2011)	2278 (2016)	
	2009 (2011)	2292 (2016)	
	2016 (2011)	2362 (2017)	
	2040 (2012)	2441 (2018)	
	2095 (2013)	2509 (2020)	
	2146 (2014)	2510 (2020)	
	2174 (2014)	2526 (2020)	
	2208 (2015)	2542 (2020)	
	2213 (2015)	2571 (2021)	
	2238 (2015)	2578 (2021)	
	2664 (2022)		

<i>Sanctions regime</i>	<i>Resolutions by which measures were established or subsequently modified</i>		<i>Resolutions adopted in 2023</i>
Guinea-Bissau	2048 (2012) 2157 (2014)	2203 (2015)	None
Central African Republic	2127 (2013) 2134 (2014) 2196 (2015) 2217 (2015) 2262 (2016) 2339 (2017)	2399 (2018) 2488 (2019) 2507 (2020) 2536 (2020) 2588 (2021) 2648 (2022) 2664 (2022)	2693 (2023)
Yemen	2140 (2014) 2204 (2015) 2216 (2015)	2511 (2020) 2564 (2021) 2624 (2022) 2664 (2022)	2675 (2023) 2707 (2023)
South Sudan	2206 (2015) 2241 (2015) 2252 (2015) 2271 (2016) 2280 (2016) 2290 (2016) 2353 (2017)	2418 (2018) 2428 (2018) 2521 (2020) 2577 (2021) 2633 (2022) 2664 (2022)	2677 (2023) 2683 (2023)
Mali	2374 (2017) 2432 (2018) 2484 (2019)	2541 (2020) 2590 (2021) 2649 (2022) 2664 (2022)	None
Haiti	2653 (2022)	2664 (2022)	2699 (2023) 2700 (2023)

Table 4
Overview of measures pursuant to Article 41, in place or imposed, in 2023

<i>Sanctions Regime</i>	<i>Type of Measure</i>																					
	<i>Arms Embargo</i>	<i>Asset freeze</i>	<i>Travel ban or restrictions</i>	<i>Ban on arms exports by target State</i>	<i>Ban/ restriction on workers abroad</i>	<i>Ban on improvised explosive device components</i>	<i>Business restrictions</i>	<i>Charcoal ban</i>	<i>Diplomatic/overseas representation restrictions</i>	<i>Embargo on natural resources</i>	<i>Financial restrictions</i>	<i>Luxury goods embargo</i>	<i>Natural gas embargo/restriction</i>	<i>Non-proliferation measures</i>	<i>Oil/petroleum and petroleum products embargo/restriction</i>	<i>Prohibition on banking services/port entry</i>	<i>Public financial support for trade restrictions</i>	<i>Restrictions on ballistic missiles</i>	<i>Sectoral ban</i>	<i>Specialized teaching and technical cooperation</i>	<i>Transport and aviation sanctions</i>	<i>Trade ban on cultural goods</i>
Al-Shabaab	X	X	X			X		X														
Taliban	X	X	X																			
ISIL (Da'esh) and Al-Qaida	X	X	X																			
Iraq	X	X																				
Democratic Republic of the Congo	X	X	X																			X
Sudan	X	X	X																			
Lebanon ^a		X	X																			
Democratic People's Republic of Korea	X	X	X	X	X		X		X	X	X	X	X	X	X	X	X	X	X	X	X	X
Libya	X	X	X	X			X				X				X	X						
Guinea-Bissau			X																			
Central African Republic	X	X	X																			
Yemen	X	X	X																			
South Sudan	X	X	X																			
Mali ^b		X	X																			
Haiti	X	X	X																			

^a Pursuant to paragraph 15 of resolution 1701 (2006), the Council decided, inter alia, that States should take the necessary measures to prevent, by their nationals or from their territories or using their flag vessels or aircraft, the sale or supply of arms and related materiel to any entity or individual in Lebanon other than those authorized by the Government of Lebanon or by the United Nations Interim Force in Lebanon. In 2021, by resolution 2591 (2021) the Council recalled paragraph 15 of resolution 1701 (2006), and requested the Secretary-General to continue to report to the Council on the implementation of resolution 1701 (2006), including an enhanced annex on the implementation of the arms embargo.

^b Following the adoption of resolution 2649 (2022), the Council failed to renew the sanctions measures concerning Mali in 2023, initially imposed by resolution 2374 (2017), which effectively expired on 31 August 2023. For more information, see part I, sect. 11.

(a) Al-Shabaab

In 2023, the Council adopted four resolutions through which it lifted the remaining arms embargo measures on the Government of the Federal Republic of Somalia and the Somali national armed forces, while maintaining the existing restrictions on Somalia's federal member states, regional governments and license private security companies under the Al-Shabaab sanctions regime.⁴⁰ Table 5 provides an overview of the changes to the measures authorized by the Council in 2023.

Under the item entitled "The situation in Somalia", the Council adopted resolution [2696 \(2023\)](#), by which it authorized the Federal Government of Somalia to implement a one-off exemption to the ban on the import and export of charcoal from Somalia, as set out in paragraph 22 of its resolution [2036 \(2012\)](#), and paragraphs 11 to 21 of resolution [2182 \(2014\)](#).⁴¹

By resolution [2711 \(2023\)](#), adopted under the same item on 15 November, the Council reaffirmed resolution [2662 \(2022\)](#), thereby extending the validity of all sanctions measures renewed by it the year prior.⁴² By the same resolution the Council also extended the vessel inspection authorizations set out in paragraphs 15 and 17 of resolution [2182 \(2014\)](#), and as expanded by paragraph 5 of resolution [2607 \(2021\)](#), to cover components of improvised explosive devices until 1 December 2023. The resolution also extended the mandate of the Panel of Experts until 31 December.⁴³

On 1 December, the Council adopted resolution [2714 \(2023\)](#) under the item entitled "The situation in Somalia", in which it recognized the progress made against the benchmarks endorsed in resolution [2662 \(2022\)](#) and decided to lift the arms embargo established in resolution [733 \(1992\)](#) as amended.⁴⁴

Additionally, under the item entitled "Peace and security in Africa", acting under Chapter VII of the Charter, the Council adopted resolution [2713 \(2023\)](#) on 1 December, recalling its

⁴⁰ In 2022, the Council decided that the name of the Committee established pursuant to resolution [751 \(1992\)](#) would be known as the Committee concerning Al-Shabaab, in line with which the related sanctions regime has been henceforth referred to as the "Al-Shabaab sanctions regime" in the *Repertoire* (see *Supplement 2022*, part VII, sect. III). In 2023, the Council decided to impose a general and complete arms embargo on Al-Shabaab in Somalia and changed the name of the Committee to the Committee pursuant to resolution 2712 (2023) concerning Al-Shabaab. It also adopted resolution 2714 (2023) by which it lifted the arms embargo imposed in resolution 733 (1992).

⁴¹ Resolution [2696 \(2023\)](#), para. 2.

⁴² Resolution [2711 \(2023\)](#), para. 1. See also resolution [2662 \(2022\)](#). For more information, see *Repertoire, Supplement 2022*, part VII, sect. III.

⁴³ Resolution [2711 \(2023\)](#), paras. 2 and 3.

⁴⁴ Resolution [2714 \(2023\)](#), para. 1.

decisions in resolution [1844 \(2008\)](#), which imposed targeted sanctions, and in its resolutions [2002 \(2011\)](#), [2093 \(2013\)](#) and [2662 \(2022\)](#), which expanded the listing criteria.⁴⁵ It also recalled that resolution [2664 \(2022\)](#), which established a cross-cutting humanitarian exemption to asset freeze measures, superseded and replaced the humanitarian exemption relating to Somalia in paragraph 28 of resolution [2662 \(2022\)](#).⁴⁶ By the same resolution, the Council established an arms embargo on Al-Shabaab in Somalia, with exemptions and exceptions for other actors in Somalia.⁴⁷ It also reaffirmed the ban on the import and export of Somali charcoal as set out in paragraph 22 of resolution [2036 \(2012\)](#) and paragraphs 11 to 21 of resolution [2182 \(2014\)](#), and recalled its decision in resolution [2696 \(2023\)](#) to authorize a one-off disposal of charcoal stockpiles in and around Kismayo.⁴⁸

The Council also reaffirmed that all States should prevent the direct or indirect sale, supply or transfer of the items in part I of annex C to resolution [2713 \(2023\)](#) to Somalia from their territories or by their nationals outside their territories, or using their flag vessels or aircraft if there was sufficient evidence to demonstrate that the item(s) would be used, or a significant risk they might be used, in the manufacture in Somalia of improvised explosive devices.⁴⁹ The items in annex C to resolution [2713 \(2023\)](#) included explosive materials, explosives precursors, explosive-related equipment, and related technology. The Council also decided to renew the implementation measures related to the ban on components of improvised explosive devices.⁵⁰

The Council further decided to renew the provisions set out in paragraphs 15 and 17 of resolution [2182 \(2014\)](#), and expanded by paragraph 5 of resolution [2607 \(2021\)](#) concerning

⁴⁵ Resolution [2713 \(2023\)](#), para. 1.

⁴⁶ *Ibid.*, para. 3.

⁴⁷ *Ibid.*, paras. 4, 33, 34, 35, 41 and 44.

⁴⁸ *Ibid.*, paras. 14 and 17.

⁴⁹ *Ibid.*, para. 18.

⁵⁰ The Council decided that where an item in part I of Annex C was directly or indirectly sold, supplied or transferred to Somalia, the State should notify the Government of the Federal Republic of Somalia or its awareness and the Committee no more than 15 working days after the sale, supply or transfer took place, and stressed the importance that notifications should contain all relevant information (*ibid.*, para. 19). The Council also called upon Member States to undertake appropriate measures to promote the exercise of vigilance by their nationals as well as individuals and entities subject to their jurisdiction that were involved in the sale, supply or transfer of explosive precursors and materials to Somalia that may be used in the manufacture of improvised explosive devices, to keep records of transactions and share information with Somalia, the Committee and the Panel of Experts regarding suspicious purchases of or enquiries into these chemicals by individuals in Somalia and to ensure that Somalia was provided with adequate financial and technical assistance to establish appropriate safeguards for the storage and distribution of materials (*ibid.*, para. 21).

maritime interdiction of charcoal and of weapons or military equipment to include the components of improvised explosive devices until 15 December 2024.⁵¹

Furthermore, the Council renewed the mandate of the Panel of Experts, renamed to “the Panel of Experts pursuant to resolution [2713 \(2023\)](#)”, until 15 January 2025.⁵² It also decided that the Committee should cease being described as “pursuant to resolution [751 \(1992\)](#)” and instead be described as “pursuant to resolution [2713 \(2023\)](#)”.⁵³

The Council affirmed its commitment to working with Somalia to ensure that the procedures set out in resolution [2713 \(2023\)](#) and annexes A and B, applicable to federal member states, regional governments and licensed private security companies, continued to be lifted progressively, and that it should keep the situation under constant review and be prepared to review the appropriateness of the measures contained in the resolution, including any modification, suspension or lifting of the measures.⁵⁴ The Council also requested the Secretary-General to provide an update on progress made on each indicator as set out in the benchmarks contained in the report on the technical assessment of Somalia’s weapons and ammunition management capability ([S/2022/698](#)) by 15 October 2024, and requested that the technical assessment be extended to all regions of Somalia where practicable, with specific recommendations and benchmarks as appropriate, and that an additional benchmark be elaborated on the safe management of chemical precursors associated with manufacture and disposal of improvised explosive devices.⁵⁵

Table 5
Changes to the measures imposed pursuant to Article 41 of the Charter concerning Al-Shabaab in 2023

<i>Provisions relating to sanctions measures</i>	<i>Resolutions establishing measures</i>	<i>Resolutions adopted during the review period (paragraph)</i>			
		<i>2696 (2023)</i>	<i>2711 (2023)</i>	<i>2713 (2023)</i>	<i>2714 (2023)</i>
Arms embargo	733 (1992) , para. 5 1425 (2002) , paras. 1 and 2		Extension (1) Exemption (1)	Establishment (4) Exemption (4, 33-35, 41, 44)	Termination (1) ^a

⁵¹ Ibid., para. 23.

⁵² Ibid., para. 25.

⁵³ Ibid., para. 31. For more information on the Committee, see part IX, sect. I.B.

⁵⁴ Resolution [2713 \(2023\)](#), paras. 35-37 and 43.

⁵⁵ Ibid., para. 45 (b).

<i>Provisions relating to sanctions measures</i>	<i>Resolutions establishing measures</i>	<i>Resolutions adopted during the review period (paragraph)</i>			
		<i>2696 (2023)</i>	<i>2711 (2023)</i>	<i>2713 (2023)</i>	<i>2714 (2023)</i>
	1844 (2008), para. 7				
Asset freeze	1844 (2008), para. 3		Extension (1) Exemption (1)	Extension (1) Exemption (1, 3)	
Ban on improvised explosive device components	2498 (2019), para. 26		Extension (1)	Extension (18)	
Charcoal ban	2036 (2012), para. 22	Exemption (2)	Extension (1)	Extension (14)	
Travel ban	1844 (2008), para. 1		Extension (1)	Extension (1) Exemption (1)	

^a Termination of the arms embargo measures relates to the Somalia sanctions regime, as emphasized in the fourth preambular paragraph of resolution [2714 \(2023\)](#).

(b) Taliban and associated individuals and entities

In 2023, the Council adopted resolution [2716 \(2023\)](#), by which it reaffirmed the asset freeze, travel ban and arms embargo measures with respect to individuals and entities designated prior to the date of adoption of resolution [1988 \(2011\)](#) as the Taliban, as well as other individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan as designated by the Committee established pursuant to resolution [1988 \(2011\)](#).⁵⁶ The Council also decided to actively review the measures outlined in the resolution and to consider adjustments to support peace and stability in Afghanistan.⁵⁷

The Council further recalled its decision in resolution [2615 \(2021\)](#) that humanitarian assistance and other activities that supported basic human needs in Afghanistan were not a violation of paragraph 1 (a) of resolution [2255 \(2015\)](#), encouraged Member States and humanitarian assistance providers to make full use of that decision and urged States when designing and applying sanctions measures to take into account the potential effect of those measures on exclusively humanitarian activities, including medical activities, that were carried out by impartial humanitarian actors in a manner consistent with international humanitarian law

⁵⁶ Resolution [2716 \(2023\)](#), para. 1. For information on the Committee established pursuant to resolution [1988 \(2011\)](#) and the Analytical Support and Sanctions Monitoring Team, see part IX, sect. I.B.

⁵⁷ Resolution [2716 \(2023\)](#), para. 4.

in accordance with resolution [2462 \(2019\)](#).⁵⁸ Table 6 provides an overview of the changes to the measures during the period under review.

Table 6
Changes to the measures imposed pursuant to Article 41 of the Charter concerning the Taliban and associated individuals and entities in 2023

<i>Provisions relating to sanctions measures</i>	<i>Resolutions establishing measures</i>	<i>Resolutions adopted during the review period (paragraph) 2716 (2023)</i>
Arms embargo	1333 (2000) , para. 5	Extension (1)
Asset freeze	1267 (1999) , para. 4 (b)	Extension (1)
Travel ban or restrictions	1390 (2002) , para. 2 (b)	Extension (1)

(c) ISIL (Da’esh) and Al-Qaida and associated individuals and entities

During the year under review, the Council did not make any modifications to the sanctions measures concerning the Islamic State in Iraq and the Levant (ISIL/Da’esh), Al-Qaida and associated individuals, groups, undertakings and entities.

(d) Iraq

In 2023, the Council did not adopt any new resolutions concerning the remaining sanctions measures on Iraq, consisting of an arms embargo, with exemptions, and an asset freeze on senior officials, State bodies, corporations and agencies of the former Iraqi regime. Pursuant to resolution [1483 \(2003\)](#), the Committee established pursuant to resolution [1518 \(2003\)](#) continued to oversee the implementation of the asset freeze and maintain the lists of individuals and entities.⁵⁹

(e) Democratic Republic of the Congo

⁵⁸ Resolution [2716 \(2023\)](#), seventh preambular paragraph.

⁵⁹ For information on the Committee established pursuant to resolution [1518 \(2003\)](#), see part IX, sect. I.B.

In 2023, the Council adopted resolution [2688 \(2023\)](#), by which it renewed the existing sanctions measures concerning the Democratic Republic of the Congo, comprising an arms embargo, a travel ban, an asset freeze and restrictions on transportation and aviation, as well as the exemptions to said measures until 1 July 2024.⁶⁰ Table 7 provides an overview of the changes to the measures during the period under review.

Table 7
Changes to the measures imposed pursuant to Article 41 of the Charter concerning the Democratic Republic of the Congo in 2023

<i>Provisions relating to sanctions measures</i>	<i>Resolutions establishing measures</i>	<i>Resolutions adopted during the review period (paragraph)</i> 2688 (2023)
Arms embargo	1493 (2003) , para. 20	Limited extension (1) Exemption (1)
Asset freeze	1596 (2005) , para. 15	Limited extension (1) Exemption (1)
Travel ban or restrictions	1596 (2005) , para. 13	Limited extension (1) Exemption (1)
Transportation and aviation sanctions measures	1807 (2008) , paras. 6 and 8	Limited extension (1)

(f) Sudan

During the period under review, the Council adopted no new resolutions modifying the sanctions measures on the Sudan. However, by resolution [2676 \(2023\)](#) the Council extended the mandate of the Panel of Experts on the Sudan until 12 March 2024, recalled the arms embargo, asset freeze and travel ban measures and the designation criteria established by previous resolutions and also reaffirmed the related exemptions.⁶¹

The Council further expressed its intention to regularly review the measures renewed in paragraph 1, in the light of progress achieved by the Government of Sudan on benchmarks 2 and 3 and related targets as outlined in section IV of the report by the Secretary-General⁶² providing a review of the situation in Darfur and recommending benchmarks to assess the measures on Darfur, in light of the relevant reports by the Panel of Experts.⁶³ In that regard, the Council

⁶⁰ Resolution [2688 \(2023\)](#), paras. 1-3.

⁶¹ Resolution [2676 \(2023\)](#), paras. 1-2.

⁶² See [S/2021/696](#).

⁶³ Resolution [2676 \(2023\)](#), para. 4.

further requested the Secretary-General, in close coordination with the Panel of Experts, to conduct, no later than 1 December 2023, an assessment of progress achieved on the key benchmarks established in the previous paragraph, and requested the Government of Sudan to report, no later than 1 December 2023, to the Committee on the progress achieved on the key benchmarks established in the previous paragraph.⁶⁴

(g) Lebanon

In 2023, the Council made no modifications to the sanctions measures established pursuant to resolution [1636 \(2005\)](#), consisting of an asset freeze and a travel ban imposed on individuals designated by the International Independent Investigation Commission or the Government of Lebanon, as suspected of involvement in the 14 February 2005 terrorist bombing in Beirut, Lebanon that killed former Lebanese Prime Minister Rafiq Hariri and 22 others.⁶⁵

(h) Democratic People's Republic of Korea

During the period under review, the Council made no modifications to the sanctions measures concerning the Democratic People's Republic of Korea. The Committee established pursuant to resolution [1718 \(2006\)](#) continued to oversee the implementation of the asset freeze, arms embargo, travel ban, and other restrictions previously imposed by resolutions [1718 \(2006\)](#), [1874 \(2009\)](#), [2087 \(2013\)](#), [2094 \(2013\)](#), [2270 \(2016\)](#), [2321 \(2016\)](#), [2356 \(2017\)](#), [2371 \(2017\)](#), [2375 \(2017\)](#), and [2397 \(2017\)](#).

By resolution [2680 \(2023\)](#), acting under Article 41 of Chapter VII of the Charter, the Council extended until 30 April 2024 the mandate of the Panel of Experts established pursuant to resolution [1874 \(2009\)](#) to support the Committee.⁶⁶

(i) Libya

In 2023, the Council adopted three resolutions and one presidential statement relating to the sanctions measures concerning Libya, namely resolutions [2684 \(2023\)](#), [2701 \(2023\)](#) and

⁶⁴ Ibid., para. 5.

⁶⁵ Resolution [1636 \(2005\)](#), fourth preambular paragraph and para. 3. For information on the Committee, see part IX, sect. I.B.

⁶⁶ Resolution [2680 \(2023\)](#) para. 1. For information on the Committee established pursuant to resolution [1718 \(2006\)](#) and the Panel of Experts established pursuant to resolution [1874 \(2009\)](#), see part IX, sect. I.B.

[2702 \(2023\)](#) and [S/PRST/2023/2](#).⁶⁷ Table 8 provides an overview of the changes to the measures during the period under review.

In the statement by the President adopted on 16 March, the Council recalled its demands for full compliance by all Member States with the arms embargo imposed under resolution [1970 \(2011\)](#), as modified by subsequent resolutions.⁶⁸

In its resolution [2684 \(2023\)](#), the Council extended the authorizations concerning the implementation of the arms embargo on the high seas off the coast of Libya for a further period of 12 months and requested the Secretary-General to report within six and 11 months of the adoption of this resolution on its implementation.⁶⁹

By resolution [2701 \(2023\)](#), the Council extended until 1 February 2025 the authorizations and the measures imposed by resolution [2146 \(2014\)](#), as amended by paragraph 2 of resolutions [2441 \(2018\)](#) and [2509 \(2020\)](#), to prevent the illicit export of petroleum, including crude oil and refined petroleum products, from Libya.⁷⁰ In addition, the Council further extended the arms embargo, travel ban and asset freeze measures.⁷¹ The Council further reaffirmed its intention to ensure that assets frozen pursuant to paragraph 17 of resolution [1970 \(2011\)](#) should at a later stage be made available to and for the benefit of the Libyan people, and to consider changes, when appropriate, to the assets freeze at the request of the Government of Libya, including allowing the Libyan Investment Authority (LIA) to reinvest frozen liquid assets at a later stage.⁷² The Council also affirmed its readiness, inter alia, to review the appropriateness of the measures contained in the resolution, including their strengthening, modification, suspension or lifting, as may be needed at any time in light of developments in Libya.⁷³

Additionally, in its resolution [2702 \(2023\)](#), concerning the mandate of the United Nations Support Mission in Libya (UNSMIL), the Council demanded full compliance by all Member States with the arms embargo imposed under resolution [1970 \(2011\)](#), as modified by subsequent resolutions.⁷⁴ It also recalled that the measures set out in resolution [1970 \(2011\)](#), as modified by

⁶⁷ For information on the Committee established pursuant to resolution [1970 \(2011\)](#) concerning Libya and its Panel of Experts, see part IX, sect. I.B.

⁶⁸ [S/PRST/2023/2](#), eleventh paragraph.

⁶⁹ Resolution [2684 \(2023\)](#), paras. 1 and 2.

⁷⁰ Resolution [2701 \(2023\)](#), para. 2.

⁷¹ *Ibid.*, paras. 5, 11 and 12.

⁷² *Ibid.*, paras. 14 and 15.

⁷³ *Ibid.*, para. 21.

⁷⁴ Resolution [2702 \(2023\)](#), para. 10.

subsequent resolutions, should apply to individuals and entities determined to be engaging in or providing support for acts that threatened the peace, stability or security of Libya or obstructed or undermined the successful completion of its political transition, including by obstructing or undermining the elections.⁷⁵

Table 8

Changes to the measures imposed pursuant to Article 41 of the Charter concerning Libya in 2023

<i>Provisions relating to sanctions measures</i>	<i>Resolutions establishing measures</i>	<i>Resolutions adopted during the review period (paragraph)</i>	
		<i>2701 (2023)</i>	<i>2702 (2023)</i>
Arms embargo	1970 (2011), para. 9	Extension (5) Exemption (6(a)-(e)) Extension (11)	Extension (10)
Asset freeze	1970 (2011), para. 17		
Ban on arms exports by target State	1970 (2011), para. 10		
Business restrictions	1973 (2011), para. 21		
Financial restrictions	2146 (2014), para. 10 (d)	Limited extension (2)	
Oil/petroleum embargo/restriction	2146 (2014), para. 10 (a), (c), (d)	Limited extension (2)	
Prohibition on bunkering services	2146 (2014), para. 10 (c)	Limited extension (2)	
Travel ban or restrictions	1970 (2011), para. 15	Extension (11, 12)	

(j) Guinea-Bissau

During the period under review, the sanctions regime for Guinea-Bissau, consisting of a travel ban, remained in force, without undergoing any modifications.⁷⁶

(k) Central African Republic

In 2023, the Council adopted resolution [2693 \(2023\)](#), by which it extended until 31 July 2024 the arms embargo, asset freeze and travel ban measures concerning the Central African Republic,⁷⁷ and renewed the related exemptions to those measures.⁷⁸ Table 9 provides an overview of the changes to the measures during the period under review.

⁷⁵ Ibid.

⁷⁶ For more information on the Committee established pursuant to resolution [2048 \(2012\)](#) concerning Guinea-Bissau, see part IX, sect. I.B

⁷⁷ Resolution [2693 \(2023\)](#), paras. 2, 3 and 4. For information on the Committee established pursuant to resolution [2127 \(2013\)](#) and its Panel of Experts, see part IX, sect. I.B.

⁷⁸ Resolution [2693 \(2023\)](#), paras. 1-4.

Furthermore, welcoming the commitment demonstrated and the progress made by the Central African Republic authorities, along with their regional and international partners, to achieve the key benchmarks for the review of the arms embargo measures, established in the statement of its President of 9 April 2019,⁷⁹ the Council decided that the arms embargo measures established by resolution [2127 \(2013\)](#) and the notification requirements set out in paragraph 1 of resolution [2648 \(2022\)](#) should no longer apply to the supply, sale or transfer of arms and related materiel and the provision of assistance, advice and training to the Central African Republic security forces, including state civilian law enforcement institutions.⁸⁰

Further to the request of the Council in paragraph 14 of resolution [2648 \(2022\)](#), the Secretary-General, in a letter dated 15 May addressed to the President of the Council, provided a further update on the progress achieved by the authorities of the Central African Republic on the key benchmarks established in the presidential statement of 9 April 2019.⁸¹

In addition, in the context of the renewal of the mandate of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), in resolution [2709 \(2023\)](#), the Council recalled that individuals or entities that undermined peace and stability in the Central African Republic could be listed for targeted measures pursuant to resolution [2693 \(2023\)](#).⁸² It also recalled that committing acts of incitement to violence, in particular on an ethnic or religious basis, and then engaging in or providing support for acts that undermined the peace, stability or security of the Central African Republic could be a basis for sanctions designations pursuant to resolution [2693 \(2023\)](#).⁸³

Table 9
Changes to the measures imposed pursuant to Article 41 of the Charter concerning the Central African Republic in 2023

<i>Provisions relating to sanctions measures</i>	<i>Resolutions establishing measures</i>	<i>Resolutions adopted during the review period (paragraph)</i>
		2693 (2023)
Arms embargo	2127 (2013) , para. 54	Limited extension (2) Exemption (1-3)

⁷⁹ See [S/PRST/2019/3](#).

⁸⁰ Resolution [2693 \(2023\)](#), ninth preambular paragraph and para. 1.

⁸¹ See [S/2023/356](#).

⁸² Resolution [2709 \(2023\)](#), para. 4.

⁸³ *Ibid.*, para. 20.

<i>Provisions relating to sanctions measures</i>	<i>Resolutions establishing measures</i>	<i>Resolutions adopted during the review period (paragraph)</i>	
		<i>2693 (2023)</i>	
Asset freeze	2134 (2014) , paras. 32, 34	Limited extension (4) Exemption (4)	
Travel ban or restrictions	2134 (2014) , para. 30	Limited extension (4) Exemption (4)	

(l) Yemen

In 2023, the Council adopted resolutions [2675 \(2023\)](#) and [2707 \(2023\)](#) concerning the sanctions measures in relation to Yemen. By resolution [2675 \(2023\)](#), the Council extended the asset freeze and travel ban established pursuant to resolution [2140 \(2014\)](#) concerning Yemen, as well as the relevant exemptions to those measures, until 15 November 2023 and reaffirmed the arms embargo as set out in resolution [2216 \(2015\)](#).⁸⁴ Additionally, by resolution [2707 \(2023\)](#), the Council extended the asset freeze and travel ban established pursuant to resolution [2140 \(2014\)](#) concerning Yemen, as well as the relevant exemptions to those measures, until 15 November 2024 and reaffirmed the arms embargo as set out in resolution [2216 \(2015\)](#).⁸⁵ Table 10 provides an overview of the changes to the measures during the period under review.

Table 10
Changes to the measures imposed pursuant to Article 41 of the Charter concerning Yemen in 2023

<i>Provisions relating to sanctions measures</i>	<i>Resolutions establishing measures</i>	<i>Resolutions adopted during the review period (paragraph)</i>	
		<i>2675 (2023)</i>	<i>2707 (2023)</i>
Arms embargo	2216 (2015) , paras. 14-16	Extension (1)	Extension (1)
Asset freeze	2140 (2014) , paras. 11, 13	Limited extension (1) Exemption (1)	Limited extension (1) Exemption (1)
Travel ban or restrictions	2140 (2014) , para. 15	Limited extension (1) Exemption (1)	Limited extension (1) Exemption (1)

(m) South Sudan

⁸⁴ Resolution [2675 \(2023\)](#), para. 1.

⁸⁵ Resolution [2707 \(2023\)](#), para. 1.

In 2023, the Council adopted resolution [2683 \(2023\)](#), by which it renewed the arms embargo, asset freeze and travel ban established pursuant to resolutions [2206 \(2015\)](#) and [2428 \(2018\)](#) concerning South Sudan, as well as the relevant exemptions to those measures, until 31 May 2024.⁸⁶ The Council further decided that the notification requirements set out in paragraph 2 of resolution [2633 \(2022\)](#) should no longer apply to the supply, sale or transfer of non-lethal military equipment, solely in support of the implementation of the terms of the peace agreement, and related technical assistance or training on non-lethal military equipment.⁸⁷ By the same resolution, the Council also reaffirmed the designation criteria set out in resolution [2206 \(2015\)](#) and underscored that actions or policies that had the purpose of impeding the conduct or legitimacy of free and fair elections in South Sudan, including by impeding or distorting pre-election preparatory activities, were also a basis for designation.⁸⁸ Table 11 provides an overview of the changes to the measures during the period under review.

The Council also requested the Secretary-General, in close consultation with the United Nations Mission in South Sudan (UNMISS) and the Panel of Experts, to conduct, no later than 15 April 2024, an assessment of progress achieved on the key benchmarks established in paragraph 2 of resolution [2577 \(2021\)](#).⁸⁹ The Council further reiterated its readiness to review the arms embargo measures in the light of progress achieved on key benchmarks and decided to keep the measures concerning the assets freeze and travel ban under continuous review in light of progress achieved implementing all provisions of the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan and developments related to human rights violations and abuses, including conflict-related sexual violence.⁹⁰

Additionally, in the context of the renewal of the mandate of UNMISS, in its resolution [2677 \(2023\)](#), the Council expressed its intention to consider all appropriate measures against those who took actions that undermined the peace, stability, and security of South Sudan and specifically underscored that individuals or entities that were responsible for or complicit in attacks against UNMISS personnel and premises and any humanitarian personnel, could meet the

⁸⁶ Resolution [2683 \(2023\)](#), paras. 1 and 12.

⁸⁷ *Ibid.*, para. 2.

⁸⁸ *Ibid.*, paras. 15-16.

⁸⁹ *Ibid.*, para. 5. See also [S/2024/309](#).

⁹⁰ Resolution [2683 \(2023\)](#), paras. 3 and 13.

designation criteria.⁹¹ The Council further demanded that all Member States complied with their obligations to prevent the direct or indirect supply, sale or transfer of arms and related materiel of all types to the territory of South Sudan as set out in relevant Council resolutions.⁹²

Table 11
Changes to the measures imposed pursuant to Article 41 of the Charter concerning South Sudan in 2023

<i>Provisions relating to sanctions measures</i>	<i>Resolutions establishing measures</i>	<i>Resolutions adopted during the review period (paragraph)</i> <i>2683 (2023)</i>
Arms embargo	2428 (2018) , para. 4	Limited extension (1) Exemption (1)
Asset freeze	2206 (2015) , paras. 12, 14	Limited extension (12) Exemption (12)
Travel ban or restrictions	2206 (2015) , para. 9	Limited extension (12) Exemption (12)

(n) Mali

In 2023, the Council did not renew the sanctions measures established pursuant to resolution [2374 \(2017\)](#) concerning Mali upon their expiration on 31 August,⁹³ after which the sanctions measures ceased to apply, and the mandate of the Committee expired.⁹⁴ Neither did the Council renew the mandate of the Panel of Experts on Mali beyond its expiration on 30 September.⁹⁵

(o) Haiti

In 2023, the Council adopted two resolutions concerning the Haiti sanctions regime, namely resolution [2699 \(2023\)](#) and [2700 \(2023\)](#). Table 12 provides an overview of the measures introduced in the period under review.

⁹¹ Resolution [2677 \(2023\)](#), para. 18.

⁹² *Ibid.*

⁹³ See resolution [2649 \(2022\)](#), para. 1.

⁹⁴ On 30 August, the Council considered two draft resolutions concerning the Mali sanctions regime, neither of which were adopted, see [S/2023/638](#) and [S/2023/639](#). For more about the discussion, see [S/PV.9408](#). See also case 2 below. For further details, see also part I, sect. 11.

⁹⁵ See resolution [2649 \(2022\)](#), para. 4.

By resolution [2699 \(2023\)](#), authorizing a Multinational Security Support mission in Haiti under Chapter VII of the Charter, the Council modified the arms embargo measures initially imposed by resolution [2653 \(2022\)](#), by replacing the targeted arms embargo pursuant to paragraph 11 of that resolution with a territorial arms embargo and elaborating on the related exemptions measures.⁹⁶ In that regard, the Council decided that the arms embargo measure should not apply to (i) the supply, sale, or transfer of small arms, light weapons, or ammunition to the United Nations or a United Nations-authorized mission or to a security unit that operated under the command of the Government of Haiti, intended to be used by or in coordination with those entities and intended solely to further the objectives of peace and stability in Haiti; and (ii) other supplies, sales, or transfers of small arms, light weapons, and ammunition to Haiti as approved in advance by the Committee established pursuant to resolution [2653 \(2022\)](#) to further the objectives of peace and stability in Haiti.⁹⁷

On 19 October, by resolution [2700 \(2023\)](#), the Council renewed for one year the asset freeze, arms embargo and travel ban measures concerning Haiti, as well as the related exemptions to those measures.⁹⁸ The Council also affirmed that it should keep the situation in Haiti under continuous review and be prepared to review the appropriateness of the measures contained in the resolution, including the strengthening, modification, suspension or lifting of the measures, as may be needed at any time in light of progress achieved on key benchmarks, including when the Government of Haiti has developed adequate judicial and rule of law capacity to address armed groups and criminal-related activities; progressive reduction in the amount of violence committed by armed groups and criminal networks; and progressive decrease in the number of incidents of illicit trafficking and diversion of arms, as well as illicit financial flows there from, including by increasing the number and volume of arms seizures.⁹⁹ In that regard, the Council requested the Secretary-General to conduct, no later than 1 October 2024, an assessment of progress achieved on the above key benchmarks.¹⁰⁰

Table 12

Measures imposed pursuant to Article 41 of the Charter concerning Haiti in 2023

⁹⁶ Resolution [2699 \(2023\)](#), para. 14.

⁹⁷ *Ibid.*, paras. 14 (a)-(b).

⁹⁸ Resolution [2700 \(2023\)](#), paras. 3, 6-9.

⁹⁹ *Ibid.*, para. 24.

¹⁰⁰ *Ibid.*, para. 25.

<i>Provisions relating to sanctions measures</i>	<i>Resolutions establishing measures</i>	<i>Resolutions adopted during the review period (paragraph)</i>	
		<i>2699 (2023)</i>	<i>2700 (2023)</i>
Arms embargo	2653 (2022), para. 11	Modification (14) Exemption (14(a)-(b))	Extension (6,8) Limited extension (7) Exemption (6(a)-(b), 9)
Asset freeze	2653 (2022), para. 6		Limited extension (3) Exemption (3)
Travel ban or restrictions	2653 (2022), para. 3		Limited extension (3) Exemption (3)

B. Discussion relating to Article 41

The present subsection covers the discussions in the Council regarding the use of sanctions and other measures pursuant to Article 41 of the Charter. In 2023, speakers made two explicit references to Article 41 at two Council meetings, held under the items entitled “Reports of the Secretary-General on the Sudan and South Sudan”¹⁰¹ and “Small arms”,¹⁰² respectively.

During the reporting period, the use and the role of sanctions were discussed by Council members and other speakers during the deliberations held in relation to both thematic and country- or region-specific items. As outlined below, in connection with thematic items, the most salient discussions on the role of sanctions took place during the meetings held under the item entitled “Small arms” (case 6), while the most pertinent deliberations about the measures imposed pursuant to Article 41 of the Charter in connection with country-specific items occurred during the meetings focused on Haiti (case 3), Mali (case 4) and Al-Shabaab (case 5).

Case 3 The question concerning Haiti

At a meeting held on 24 January under the item entitled “The question concerning Haiti”, Council members and other speakers generally welcomed the establishment of the Haiti sanctions regime by the Council in 2022 and exchanged views on the role of targeted sanctions measures in supporting the restoration of peace and stability in Haiti.¹⁰³

¹⁰¹ See S/PV.9416 (Sudan).

¹⁰² See S/PV.9509 (Resumption 1).

¹⁰³ See S/PV.9247. For more information, see part I, sect. 12.

In her briefing to the Council, the Special Representative of the Secretary-General for Haiti and Head of the United Nations Integrated Office in Haiti (BINUH) indicated that the unanimous adoption of resolution [2653 \(2022\)](#), establishing sanctions measures on those supporting criminal activities and violence involving armed groups, was one of the key developments which, if properly supported, could help chart a path back to accountability, the rule of law and the restoration of democratic institutions in Haiti.¹⁰⁴ She cautioned, however, that without the deployment of an international specialized force operating in an integrated way with the Haitian National Police, the very positive effects of the political process and the sanctions would remain fragile and vulnerable to being reversed.

During the discussion, several speakers noted the positive reaction of the people of Haiti to the Council-imposed targeted sanctions measures.¹⁰⁵ In that context, the representative of China expressed support for efforts to help the sanctions committee become operational as soon as possible, to urgently review and update the sanctions list and to monitor and ensure the full implementation of the sanctions measures in order to create the necessary deterrent to gang violence. The representative of the United States was encouraged that the establishment of a sanctions regime by the Council had deterred those who would have carried out and financed the violence causing Haiti's instability. Speaking on behalf of the African members of the Council, the representative of Mozambique held the view that the sanctions regime had to serve the purpose for which it had been established. Asserting that the full and swift implementation of the sanctions regime enacted by resolution [2653 \(2022\)](#) was a matter of priority, the representative of Albania underscored that the Council had to stand ready to strengthen and broaden targeted sanctions against perpetrators, adding that those responsible for the breakdown of law and order had to know that they would not be allowed to act with impunity. According to the representative of Malta, the unanimous adoption of resolution [2653 \(2022\)](#), which had established targeted sanctions measures for those engaging in, or supporting, criminal networks and gang violence, had been seen to have had positive effects. She held the view that sanctions should continue to be used as a tool to impede those seeking to perpetuate chaos and hold the Haitian people ransom for their own gain. The representative of Ecuador stated that the selective arms embargo pursuant

¹⁰⁴ See [S/PV.9247](#).

¹⁰⁵ *Ibid.*, (China, Mozambique (also on behalf of Gabon and Ghana) and Albania).

to resolution [2653 \(2022\)](#) was a starting point that must be strengthened through comprehensive efforts to combat illicit arms trafficking.

Some delegations highlighted that sanctions on their own would not be a sufficient tool to address the political instability and insecurity in Haiti. In that regard, the representative of the United Kingdom recognized the role of targeted sanctions in the restoration of effective governance through combating endemic gang violence and expressed readiness to consider further designations against those involved in criminal gang activity and the human rights violations that continued to threaten the peace, stability and security of Haiti. She was of the view, however, that sanctions alone did not offer a solution and called on Haitians to come together to find a solution to the political impasse. Affirming that sanctions alone would not solve every problem, the representative of France indicated that it was imperative to rebuild justice in Haiti and added that the fight against impunity and the strengthening of the entire criminal justice system must be a priority in order to put an end to the violence.

Other participants referred to the relationship between the Council-imposed sanctions and those established by individual countries. In that regard, the representative of Brazil expressed hope that the sanctions regime adopted in October 2022 would effectively establish targeted sanctions against those engaging in or supporting violence, irrespective of how powerful those individuals might be. He added that, as some members had already imposed unilateral sanctions against some Haitian individuals, it was high time for the Committee established pursuant to resolution [2653 \(2022\)](#) concerning Haiti to start its own deliberations so that sanctions could be considered and imposed with the full force of the international community. The representative of the Russian Federation expressed disappointment with the report of the Secretary-General,¹⁰⁶ in which “unilateral coercive measures were basically equated with Council sanctions, while those two very different instruments were covered in the same section of the report.”¹⁰⁷ He asserted, however, that such measures could not by any means be considered an expression of the will of the international community, which could be expressed only through the decisions of the Committee established pursuant to resolution [2653 \(2022\)](#). The representative of the Russian Federation also expected the Committee to intensify its work, including with a view to determining the true sources of funding of the gangs in Haiti and routes used for supplying

¹⁰⁶ See [S/2023/41](#).

¹⁰⁷ See [S/PV.9247](#).

illegal weapons to the island. Noting that that the sanctions which the Council had moved swiftly to establish were having an effect, the representative of Canada pointed out that his country had imposed autonomous sanctions against 15 members of the Haitian elite to date, in response to acts of significant corruption and other egregious conduct, including providing illicit financial and operational support to armed gangs. He added that Canada would continue to engage with the Council and with other countries to explore how it could do more and looked forward to reports from experts that could specifically state what else could be done.

Some speakers specifically referred to the need for the **Panel Experts** established pursuant to resolution [2653 \(2022\)](#) to visit Haiti and begin its work. The representative of Switzerland said that the sanctions measures could contribute to the stabilization of Haiti, respect for the rule of law and especially to the fight against impunity and corruption, and that they had to be implemented effectively. To that end, she expressed hope that the Panel of Experts would be able to begin its work on the ground quickly and noted that the Council had recognized the need for fair and clear procedures and had expressed its intention to authorize the Ombudsperson for that purpose. In the context of the restoration of a minimum level of order as a top priority, the representative of Japan expressed support for the sanctions introduced by resolution [2653 \(2022\)](#) as a means to help to bring security and stability to Haiti, and encouraged the Panel of Experts to visit the country as soon as possible. The representative of Haiti said that his Government welcomed the work of the Committee established pursuant to resolution [2653 \(2022\)](#) and the Panel of Experts, which, moreover, was due to visit the country very soon. In that regard, he expressed hope that they would work effectively to punish the real culprits.

Case 4 **The situation in Mali**

On 30 August, at a meeting held under the item entitled “The situation in Mali”, the Council considered two draft resolutions in connection with the Mali sanctions regime, neither of which was adopted.¹⁰⁸ The first draft resolution, submitted by France and the United Arab Emirates,¹⁰⁹ was not adopted, owing to the negative vote of a permanent member, while the

¹⁰⁸ See [S/PV.9408](#).

¹⁰⁹ See [S/2023/638](#).

second draft resolution, submitted by the Russian Federation,¹¹⁰ failed to obtain the required number of votes. During the meeting, Council members discussed the various aspects of the sanctions measures concerning Mali, which were due to expire on 31 August.¹¹¹

Prior to the vote on the first draft resolution, the representative of the United Arab Emirates recalled that the Council had established the sanctions regime in 2017¹¹² to help respond to challenges associated with the implementation of the peace agreement.¹¹³ Noting that the co-penholders had paid careful attention to the views of Mali's transitional Government, in particular the request for the lifting of the sanctions regime,¹¹⁴ the representative of the United Arab Emirates held the view that the draft resolution acknowledged Mali's request and emphasized the Council's readiness to review at any time the continuation of the sanctions measures. By contrast, the representative of the Russian Federation was of the view that the draft resolution submitted by France and the United Arab Emirates would undermine the sanctions regime and the Malian peace process and that it would further antagonize the parties.¹¹⁵ Affirming that the Russian Federation could not support the draft resolution, he urged Council members to support his delegation's alternative draft resolution, which took into consideration the position of African members of the Council that the sanctions regime needed to be maintained in order to uphold the peace agreement. However, he stated that it was fundamentally important that Council sanctions served only to address that issue and not be used as a means of foreign influence in Mali, adding that his delegation had proposed in its draft resolution to disband the Panel of Experts established pursuant to resolution [2374 \(2017\)](#) and to make that the final extension of the sanctions regime.

In explaining their votes after the draft resolution was not adopted, owing to the negative vote of a permanent member,¹¹⁶ speakers exchanged views on the role of sanctions measures and the impact of their non-renewal on security and political stability in Mali and the wider region. The representative of Mozambique indicated that the three African members of the Council had

¹¹⁰ See [S/2023/639](#).

¹¹¹ See resolution [2649 \(2022\)](#), para. 1.

¹¹² See resolution [2374 \(2017\)](#).

¹¹³ See [S/PV.9408](#).

¹¹⁴ See [S/2023/605](#), annex.

¹¹⁵ See [S/PV.9408](#).

¹¹⁶ The draft resolution received 13 votes in favour (Albania, Brazil, Ecuador, France, Gabon, Ghana, Japan, Malta, Mozambique, Switzerland, United Arab Emirates, United Kingdom and United States), 1 against (Russian Federation) and 1 abstention (China).

voted in favour of the renewal of the mandate and extension of measures against those who took actions to obstruct or threaten the implementation of the 2015 Agreement on Peace and Reconciliation in Mali, as they assessed that the measures should continue.¹¹⁷ The representative of the United Kingdom stated that his delegation had voted in favour because of its strong support for the renewal of the sanctions regime and Panel of Experts' mandate, which it saw as important Council tools in support of peace and stability in Mali. Regretting the use of the veto by the Russian Federation, the representative added that the United Kingdom could not support the Russian proposal to dissolve the Panel of Experts on Mali, or its attempt to predetermine the termination of sanctions measures. The representative of Switzerland regretted that the use of the veto called into question the renewal of sanctions measures and underscored that, when the Council adopted sanctions measures, its decisions should take into due account the information provided by the Panel of Experts, which assessed their implementation. The representative of the Russian Federation said that the text submitted by France and the United Arab Emirates completely failed to take into account the concerns of the Malian side or the position of the Russian Federation. The representative of Albania noted that her delegation had voted in favour of the draft resolution, as it saw value in maintaining targeted sanctions and the Panel of Experts and regretted the use of veto which had prevented the Council from achieving unity on the matter. Also regretting the use of the veto, the representative of Japan held the view that the Mali sanctions regime played a vital role regarding actions that jeopardized Mali's security and stability, including transnational organized crime, the obstruction of humanitarian assistance and abuse and violations of international human rights law and international humanitarian law.

The representative of China underscored that his country's position on the issue of Council sanctions had been consistent and clear in viewing sanctions as a mean to an end, not an end in and of themselves. He added that sanctions imposed by the Council should not be indefinite but should be reviewed periodically and adjusted or lifted in time, while taking into account the situation of the countries concerned. He recalled that the Council had established the sanctions measures in 2017 at the request of the Government of Mali and that they had played an important role in monitoring the ceasefire and supporting the implementation of the Agreement on Peace and Reconciliation. Noting that the situation had continued to evolve in recent years in

¹¹⁷ See [S/PV.9408](#).

Mali, the representative of China added that the Minister for Foreign Affairs of Mali had expressed the view that the sanctions measures were no longer needed in view of the situation and the dissatisfaction with the work of the Panel of Experts.¹¹⁸ He further noted that the Council had had the chance to make reasonable adjustments to the relevant sanctions measures and that it was regrettable that some members had pushed a draft resolution through the Council that had disregarded the wishes and efforts of other members to continue mediation efforts on the process. The representative of the United States, on the other hand, stated that the failure of the Council to agree on the urgent and necessary renewal of the Mali sanctions regime threatened peace and security in the entire region.¹¹⁹ He added that the United States had voted in favour because the Panel of Experts' reporting was a central source of information on the situation in Mali, while the travel ban and assets freeze remained necessary to stem the illicit financial transfers and ill-gotten gains both from Mali and into a region in which numerous malign actors operated and had proliferated.

Announcing that his delegation would vote against the second draft resolution, the representative of the United States noted that although the text called for maintaining the travel ban and assets freezes, the draft resolution ended the Panel of Experts' reporting mandate. He then questioned why the Russian Federation sought to renew the sanctions for only six months and then added a sunset clause, further expressing the view that the elimination of the Panel would render the sanctions regime ineffective and not useful for Mali. The representative of the Russian Federation clarified that the alternative draft resolution submitted by his delegation would maintain the sanctions measures for approximately one year and underscored that the sanctions regime would be maintained in order to try to harness it to help implement the Algiers accords. He added that it was of fundamental importance that the sanctions be aimed specifically at resolving the issue, and not turned into an instrument for placing external pressures on Mali's internal political problems. On the Panel of Experts, the representative of the Russian Federation said that its potential had long been exhausted, and that it should therefore be closed. He cited the example of the Council having closed the Panel of Experts on Guinea-Bissau and noted that "nothing dramatic happened after that." He further cautioned that if his delegation's draft resolution was not adopted, there would be no opportunity for further discussion on the matter.

¹¹⁸ See [S/2023/605](#), annex.

¹¹⁹ See [S/PV.9408](#).

In explaining their votes after the second draft resolution was not adopted, having failed to obtain the required number of votes,¹²⁰ the representatives of France and Malta regretted the use of the vote by the Russian Federation on the draft resolution submitted by France and the United Arab Emirates, with the representative of Malta adding that it abstained in the voting on the draft resolution submitted by the Russian Federation as it sought to eliminate the same measures that would have assisted Mali on its path towards genuine security and stability.¹²¹ Explaining his delegation's abstention, the representative of China stated that it was due to technical reasons as they had not received instructions from their capital, while underscoring that China supported some of the content and elements contained in the Russian draft resolution.

Case 5 **The situation in Somalia**

At a meeting held on 1 December under the item entitled "The situation in Somalia", the Council unanimously adopted resolution [2714 \(2023\)](#) in which it, inter alia, lifted the arms embargo on the Government of the Federal Republic of Somalia and the Somali national armed forces initially imposed in resolution [733 \(1992\)](#).¹²² Following the adoption, speakers discussed the adjustment of the sanctions regime and its focus on Al-Shabaab terrorist group.

Speaking on behalf of the African members of the Council and in explaining their vote, the representative of Ghana stated that their delegations particularly appreciated the resolution's clarification that there was no arms embargo on the Federal Government of Somalia, which they saw as an affirmation of Somalia's sovereignty and its right to equip its own military.¹²³ Noting that the penholder had guided the Council to agree on Somalia's proposal to divide the text into two distinct yet interconnected resolutions, the representative of Ghana held the view that such a division allowed a more focused approach to both the unique challenges that Somalia faced and the specific threats posed by Al-Shabaab.

¹²⁰ The draft resolution received 1 vote in favour (Russian Federation), 1 vote against (Japan) and 13 abstentions (Albania, Brazil, China, Ecuador, France, Gabon, Ghana, Malta, Mozambique, Switzerland, United Arab Emirates, United Kingdom and United States).

¹²¹ See [S/PV.9408](#).

¹²² See [S/PV.9491](#). See also meeting held on 1 December under the item entitled "Peace and security in Africa" ([S/PV.9490](#)) at which the Council adopted resolution [2713 \(2023\)](#) imposing sanctions measures on Al-Shaebab.

¹²³ See [S/PV.9491](#). See also resolution [2714 \(2023\)](#), fourth preambular paragraph and para. 1.

Welcoming the lifting of the arms embargo, the representative of the Russian Federation recalled that her delegation had consistently advocated for a review of temporary sanctions regimes in African States, as they impeded the development of their national law enforcement and security agencies.¹²⁴ She added that the Russian Federation expected that the lifting of the arms embargo would provide significant assistance to Mogadishu in overcoming the many years of difficulties they had encountered in the process of strengthening their statehood. Noting that her delegation also supported the Council resolution aimed at strengthening restrictions on Al-Shabaab,¹²⁵ which was a growing threat, not just for Somalia but for the whole region, she expressed hope that the measures therein would help to dismantle the destructive potential of that entity. Stating that her delegation's proposals concerning the impact of unilateral coercive measures had not been taken on board, the representative of the Russian Federation reiterated that those measures were illegitimate and could only lead to grave negative consequences for local populations. She added that they were particularly inhumane, as they affected the least developed States, for which additional sanctions became an obstacle to social and economic development.

The representative of Japan noted that her delegation had voted in favour of resolutions [2713 \(2023\)](#) and [2714 \(2023\)](#), which she said would allow the Federal Government of Somalia to acquire the necessary types of equipment, mostly to advance its urgently needed security sector reform, while continuing to make it difficult for Al-Shabaab to access weapons, ammunition and financial resources.¹²⁶ She held the view that the renewed sanctions regime reflected the reality on the ground, based on reports from United Nations entities and the Panel of Experts on Somalia and added that it would enhance greater regional cooperation, which was essential to degrading Al-Shabaab in the region.

Explaining his delegation's vote in favour of both resolutions, the representative of China welcomed the fact that the two resolutions, upon the requests of the Federal Government of Somalia and some Council members, substantively lifted the arms embargo on the Federal Government of Somalia and tightened the sanctions against Al-Shabaab. He noted, however, that the resolution still required the Federal Government of Somalia to submit to the Council a list of

¹²⁴ See [S/PV.9491](#).

¹²⁵ Resolution [2713 \(2023\)](#).

¹²⁶ See [S/PV.9491](#).

imported weapons — a measure which was restrictive, would unnecessarily pose obstacles to the Government’s efforts to enhance security capacity-building and thus needed further improving and refining.

The representative of the United Arab Emirates expressed full support for the lifting of the arms embargo on the Federal Government of Somalia and indicated that resolution [2714 \(2023\)](#) marked the culmination of a partnership between the Council and the Government of Somalia, and that it enabled the Council to respond to the calls made by the Government to review the sanctions regime, which had been also strongly supported by the African Union. She added that the resolution set a precedent on the way in which sanctions regimes could be adjusted according to developments on the ground.

The representative of Somalia noted that the adoption of resolution [2714 \(2023\)](#) on Somalia, which lifted the long-standing arms embargo on the Federal Government of Somalia, enabled his country to confront security threats, including those posed by Al-Shabaab. He further noted that it also allowed the country to bolster the capacity of the Somali security forces by accessing lethal arms and equipment to adequately safeguard its citizens and its nation.

Case 6 **Small arms**

At an open debate held on 15 December under the item entitled “ Addressing the threat posed by diversion, illicit trafficking and misuse of small arms and light weapons and their ammunition to peace and security” at the initiative of Ecuador, which held the presidency for the month,¹²⁷ Council members and other speakers discussed the role of sanctions measures imposed pursuant to Article 41 of the Charter, and more specifically arms embargoes, in addressing the threat posed by the diversion, illicit trafficking and misuse of small arms and light weapons and ammunition to peace and security.¹²⁸

In her briefing, the Deputy Director of the United Nations Institute for Disarmament Research noted that for the past ten years, the Council had increasingly included provisions for weapons and ammunition management in resolutions relating to sanctions, including arms

¹²⁷ A concept note was circulated by a letter dated 4 December 2023 ([S/2023/954](#)).

¹²⁸ See [S/PV.9509](#) and [S/PV.9509 \(Resumption 1\)](#).

embargoes.¹²⁹ In that context, she indicated that progress was seen in United Nations support for national weapons and ammunition management baseline assessments and weapons and ammunition management benchmarking assessments in countries subject to United Nations embargoes. She added that systematic data collection combining information about casualties and arms flows could support early warnings of conflict-related sexual violence and inform actions by the Council in areas such as sanctions and arms embargoes.

Several speakers discussed the ways in which sanctions measures, in particular arms embargoes, played a role in curbing the illicit flow of weapons, how their implementation could be ensured and improved, and their violations addressed. The representative of the United Arab Emirates held the view that combating the illicit flow of arms required Member States to adhere to all arms embargo resolutions adopted by the Council, in coordination with the sanctions committees and the panels of experts. He added that it was important to ensure that those resolutions were clear and consistent and that they considered the specific context of each conflict or situation that necessitated such a prohibition, given that certain States with limited capacity might face challenges in fully implementing them.

The representative of Ghana indicated that while the Council's imposition of sanctions on entities violating arms embargoes was crucial in curtailing the illicit flow of weapons to conflict zones, a nuanced approach was always necessary to enhance the effectiveness of such sanctions. He noted that an effective approach should be aimed at avoiding the undermining influence that arms embargoes had on legitimate State defence efforts and should focus instead on the armed groups, individuals and entities that exploited clandestine trade channels and profited from conflict. Such an approach also had to seek to ensure that the effects of sanctions extended to those responsible for manufacturing such tools of violence, holding them accountable for the trade in and use of such weapons.

Citing the example of Haiti, the representative of China stated that the Council's arms embargo was meant to help the country restore national stability and normal social order and should not impede the country's capacity-building efforts. He further noted that the Council should make targeted adjustments to its arms embargo measures in the light of the developments on the ground so as to help the Governments of the countries concerned bolster their security

¹²⁹ See [S/PV.9509](#).

capacities. The representative of Chile noted that the Council could respond to the problems for international peace and security posed by the misuse, illicit transfer and destabilizing accumulation of small arms and light weapons through the sanctions regimes enshrined in Article 41 of the Charter, either by adding that issue to existing regimes or by creating ad hoc mechanisms to establish arms embargoes for weapons for certain countries or regions, imposing economic sanctions and financial restrictions on companies and individuals who facilitated the diversion and trafficking in small arms and light weapons, their components and ammunition.¹³⁰

Expressing the view that the violation of international non-proliferation commitments should be paired with adequately dissuasive sanctions, the representative of Gabon underscored that the Council must make it a rule to take action automatically whenever it determined that such a violation had been committed.¹³¹ The Council should also take the principled position of underscoring the seriousness of such acts, while specifying the range of measures or sanctions it might consequently be called upon to impose. According to the representative of Algeria, it was important to ensure the effectiveness of the measures taken to prevent arms from reaching sanctioned entities, as it was the duty of the Council to see that the arms embargoes it decided were implemented.¹³²

According to the representative of Malta, the Council-mandated arms embargoes were a crucial tool for addressing the illicit trade in small arms and light weapons, which the Council had recognized when it had adopted resolution [2616 \(2021\)](#) with a view to addressing violations of those embargoes.¹³³ While welcoming those efforts, she expressed concern about the fact that circumventions of arms embargoes continued to be documented in several countries and called on all Member States to cooperate with the Sanctions Committees' panels of experts and to ensure that adequate legislation and measures were in place to trace those weapons.

The representative of Mexico held the view that when the Council adopted and renewed mandates of peacekeeping operations, it was imperative that it considered how such operations could support national authorities in monitoring the implementation of arms embargoes and added that States had to also support sanctions committees' groups of experts so that they could inspect seized military equipment that had been illegally transferred in violation of embargoes.

¹³⁰ See [S/PV.9509 \(Resumption 1\)](#).

¹³¹ See [S/PV.9509](#). For more information, see also part I, sect I.

¹³² See [S/PV.9509 \(Resumption 1\)](#).

¹³³ See [S/PV.9509](#).

The representative of Türkiye noted that the Council had a key role to play in post-conflict settings, as small arms issues could be integrated into peace operation mandates, country-specific resolutions and sanctions regimes. The representative of Portugal stated that the Council could seek synergies with legally binding and political instruments that addressed challenges related to the diversion of legal firearms, including in the context of peace operations and in the implementation and enforcement of arms embargoes.¹³⁴

The representative of the Republic of Korea underlined that Council-mandated arms embargoes were a unique tool at the disposal of the Council, which contributed to curbing the illicit flow of small arms and light weapons and thereby prevented the escalation of conflict and promoted peace all across the world.¹³⁵ He also underscored the constructive role played by the relevant subsidiary bodies of the Council and their panels of experts in reporting on the implementation of sanctions. At the same time, he held the view that United Nations sanctions regimes should be more efficient and strategically targeted, reflecting the developing situation on the ground while addressing relevant unintended humanitarian concerns. The representative of Belgium was of the view that panels of experts had a complementary role, since they monitored respect for arms embargoes, and their reports provided invaluable information about traffickers and trafficking routes.¹³⁶ The representative of Sierra Leone suggested that the Council should establish targeted sanctions regimes, including targeted arms embargoes, travel bans and assets freezes on designated individuals and entities involved in activities prohibited by Council-mandated embargoes, including the diversion, proliferation, misuse of small arms, light weapons and their ammunition, as in the case of Haiti.

The representative of South Africa expressed support for efforts to bring the work of the Council in line with, and complementary to, all other initiatives to prevent, combat and eradicate the illicit trade in small arms and light weapons. In that context, he held the view that the focus on the Council's support for the implementation of the broader United Nations initiatives, and not primarily on a punitive approach, for example, through arms embargoes – which had proven to be ineffective and reactive in his view – would prove valuable.

¹³⁴ See [S/PV.9509 \(Resumption 1\)](#).

¹³⁵ See [S/PV.9509](#).

¹³⁶ See [S/PV.9509 \(Resumption 1\)](#).

IV. Measures to maintain or restore international peace and security in accordance with Article 42 of the Charter

Article 42

Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

Note

Section IV covers the practice of the Council in relation to Article 42 of the Charter, regarding the authorization of the use of force by peacekeeping operations and multinational forces, as well as interventions by regional organizations.¹³⁷

During the year under review, the Council authorized the use of force under Chapter VII of the Charter with respect to the maintenance or restoration of international peace and security on several peacekeeping missions and multinational forces in Bosnia and Herzegovina, the Central African Republic, the Democratic Republic of the Congo, Haiti, Lebanon, Libya, Somalia, South Sudan and the Sudan (including Abyei).¹³⁸ In 2023, there were no communications of the Council containing explicit references to Article 42.

The present section is divided into two subsections. Subsection A outlines decisions in which the Council authorized the use of force under Chapter VII of the Charter. Subsection B covers discussions of the Council of relevance for Article 42.

¹³⁷ The Council's authorization of the use of force by regional organizations is covered in part VIII. The authorization of the use of force by peacekeeping operations is covered in part X in the context of the mandates of peacekeeping operations.

¹³⁸ For more information on the mandates of peacekeeping operations, see part X, sect. I.

A. Decisions relating to Article 42

During the reporting period, the Council made no explicit reference to Article 42 of the Charter in its decisions. That notwithstanding, the Council adopted several resolutions under Chapter VII of the Charter by which it authorized peacekeeping missions and multinational forces, including those deployed by regional organizations, to use “all necessary measures” or “all necessary means”, to take “all necessary action(s)” for the maintenance or restoration of international peace and security, or to “respond to imminent threats of violence to civilians”.

For information on the authorization of the use of force of missions in the past, including some of the missions covered below, see previous supplements. For more information on the specific mandates of each field mission, see part X of the present Supplement.

In 2023, the Council reiterated its authorization to use force in relation to various situations and disputes. In the Americas, regarding the situation in Haiti, the Council authorized the Member States participating in the Multilateral Security Support (MSS) mission in Haiti to take “all necessary measures” to fulfil its mandate, strictly adhering to all international law, including international human rights law, as applicable.¹³⁹

In Africa, in connection with the situation in Abyei, the Council extended the tasks of the United Nations Interim Security Force for Abyei (UNISFA) as set out in paragraph 3 of resolution [1990 \(2011\)](#), which included the authorization to take “necessary actions”.¹⁴⁰

In relation to the situation in the Central African Republic, the Council renewed the authorization granted to the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) to take “all necessary means” to carry out its mandate within its capabilities and areas of deployment.¹⁴¹

Consistent with past practice in connection with the situation in the Democratic Republic of the Congo, the Council authorized the United Nations Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) to take “all necessary measures” to carry out its mandate.¹⁴² The Council further specified that MONUSCO’s mandate shall include the

¹³⁹ Resolution [2699 \(2023\)](#), para. 5.

¹⁴⁰ Resolution [2708 \(2023\)](#), para. 1. See also resolution [1990 \(2011\)](#), para. 3.

¹⁴¹ Resolution [2709 \(2023\)](#), para. 35.

¹⁴² Resolution [2717 \(2023\)](#), para. 32.

protection of civilians under threat of physical violence by taking “all necessary measures” to ensure effective, timely, dynamic and integrated protection.¹⁴³

With regard to the flows of arms and related materiel transferred to or from Libya in violation of the arms embargo, the Council extended the authorizations first granted in paragraphs 4 and 8 of resolution [2292 \(2016\)](#) to Member States, acting nationally or through regional organizations, to use “all measures commensurate to the specific circumstances” when conducting inspections of vessels and seizing of items in the course of such inspections, emphasizing that the inspections should be carried out in compliance with international humanitarian law and international human rights law and “without causing undue delay to or undue interference with the exercise of freedom of navigation”.¹⁴⁴ Furthermore, in connection with smuggling of migrants into, through and from Libyan territory, the Council renewed the authorizations granted in paragraphs 7 to 10 of resolution [2240 \(2015\)](#) to Member States, acting nationally or through regional organizations, engaged in the fight against migrant smuggling and human trafficking, to use “all measures commensurate to the specific circumstances” in confronting migrant smugglers or human traffickers when carrying out inspections of vessels on the high seas off the coast of Libya that they had reasonable grounds to suspect were being used for migrant smuggling or human trafficking and to seize such vessels that were confirmed as being used for such activities. The Council also reaffirmed paragraph 11 of resolution [2240 \(2015\)](#), in which it had clarified that the authorization to use force applied only when confronting migrant smugglers and human traffickers on the high seas off the Libyan coast and should not affect the rights and obligations of Member States under international law.¹⁴⁵ Additionally, with regard to the illicit export of petroleum, the Council extended the authorizations first granted in resolution [2146 \(2014\)](#) to Member States to use “all measures commensurate to the specific circumstances”, in full compliance with international humanitarian law and international human rights law, to carry out inspections on the high seas of vessels designated by the Committee established pursuant to resolution [1970 \(2011\)](#) and to direct the vessels to take appropriate action to return the petroleum.¹⁴⁶

¹⁴³ Ibid., para. 34.

¹⁴⁴ Resolution [2684 \(2023\)](#), para. 1. See also resolution [2292 \(2016\)](#), paras. 4 and 8.

¹⁴⁵ Resolution [2698 \(2023\)](#), para. 3. See also resolution [2240 \(2015\)](#), paras. 7-11.

¹⁴⁶ Resolution [2701 \(2023\)](#), para. 2. See also resolutions [2146 \(2014\)](#), para. 5; [2441 \(2018\)](#) and [2509 \(2020\)](#).

Regarding the situation in Mali, the Council decided that, without prejudice to the primary responsibility of the Malian authorities and in consultation with them and acting within its means and capabilities in its immediate vicinity, the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) was authorized to respond to imminent threats of violence to civilians.¹⁴⁷

In connection with the situation in Somalia, the Council extended the authorizations first granted in paragraph 22 of resolution [2628 \(2022\)](#) to the Member States of the African Union to take “all necessary measures”, in full compliance with participating States’ obligations under international humanitarian and human rights law and in full respect for the sovereignty, territorial integrity, political independence and unity of Somalia, to carry out the mandate of the African Union Transition Mission in Somalia (ATMIS).¹⁴⁸

With regard to the situation in South Sudan, the Council reiterated the authorizations to the United Nations Mission in South Sudan (UNMISS) to use “all necessary means” to implement its mandate.¹⁴⁹ The Council further specified that UNMISS shall use all necessary means to ensure effective, timely and dynamic protection of civilians under physical violence and requested the Mission to maintain “a proactive deployment and a mobile, flexible, robust and effective posture”.¹⁵⁰

In Europe, with regard to the situation in Bosnia and Herzegovina, the Council renewed its authorization to Member States, under the European Union Force military operation in Bosnia and Herzegovina (EUFOR-Althea) and the North Atlantic Treaty Organization (NATO) presence, to take “all necessary measures” to effect the implementation of and to ensure compliance with annexes 1-A and 2 of the General Framework Agreement for Peace in Bosnia and Herzegovina.¹⁵¹ The Council also authorized Member States, at the request of either EUFOR-Althea or NATO, to take “all necessary measures” in the defense of EUFOR-Althea or the NATO presence, respectively, and recognized the right of both EUFOR-Althea and the NATO presence to take “all necessary measures” to defend themselves from attack or threat of

¹⁴⁷ Resolution [2690 \(2023\)](#), para. 5.

¹⁴⁸ Resolution [2687 \(2023\)](#), para. 17; and [2710 \(2023\)](#), para. 1. See also resolution [2628 \(2022\)](#), para. 22.

¹⁴⁹ Resolution [2677 \(2023\)](#), para. 3.

¹⁵⁰ *Ibid.*, para. 3 (a).

¹⁵¹ Resolution [2706 \(2023\)](#), para. 3.

attack.¹⁵² The Council further authorized Member States acting in accordance with annex 1-A of the Agreement for Peace, to take “all necessary measures” to ensure compliance with the rules and procedures governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic.¹⁵³

In the Middle East, in connection with the situation in Lebanon, the Council recalled its authorization to the United Nations Interim Force in Lebanon (UNIFIL) to take “all necessary action” in areas of deployment of its forces, to ensure that its area of operations was not utilized for hostile activities, to resist attempts by forceful means to prevent it from discharging its duties, to protect United Nations personnel, facilities, installations and equipment, to ensure the security and freedom of movement of United Nations personnel and humanitarian workers, and to protect civilians under imminent threat of physical violence.¹⁵⁴

B. Discussions relating to Article 42

During the period under review, speakers made no explicit references to Article 42 of the Charter at the meetings of the Council. The Council did, however, continue to discuss matters relating to the authorization of the use of force by United Nations peacekeeping operations and other multinational missions operating under Chapter VII of the Charter.

For example, at a meeting held on 2 October under the item entitled “The situation in Haiti”, Council members discussed the adoption of resolution [2699 \(2023\)](#), by which the Council authorized the formation and deployment of a Multinational Security Support (MSS) mission under Chapter VII of the Charter (see case 7).

In another instance, 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”,¹⁵⁵ the briefer, a professor of Public International Law at the University of Oxford, stated that force could only be used lawfully in two circumstances, namely when authorized in accordance with the collective security scheme established by the Charter, or when used in the

¹⁵² Ibid., para. 4.

¹⁵³ Ibid., para. 5.

¹⁵⁴ Resolution [2695 \(2023\)](#), para. 22. See also thirtieth preambular paragraph.

¹⁵⁵ See [S/PV.9241](#) and [S/PV.9241 Resumption 1](#)).

exercise of individual or collective self-defense.¹⁵⁶ The representative of Pakistan noted that the Charter placed explicit constraints on the use or threat of use of force except for self-defense or when collectively authorized by the Council.¹⁵⁷ He added that, to its credit, the Council had never endorsed or authorized the unilateral use of force yet, it had often been unable to actively prevent the use of force.

In connection with the United Nations Mission in South Sudan (UNMISS), at a meeting held on 6 March under the item “Reports of the Secretary-General on the Sudan and South Sudan”, the representative of Albania stated that her delegation was looking forward to continuing to engage with the Council to ensure that UNMISS was provided with a robust mandate to respond to the challenges it faced and to ensure the critical protection of civilians.¹⁵⁸ At a meeting held on 15 March under the same agenda item, the representative of China noted that the protection of civilians was an important task of UNMISS but stressed that in authorizing peacekeeping mandates, the Council must bear in mind that the country concerned had the primary responsibility to protect civilians.¹⁵⁹ The task of a peacekeeping mission was not to replace the Government, but to help strengthen its capacity-building and to fulfil its responsibility to protect civilians. The consent of the countries concerned, impartiality and the non-use of force except in self-defense or to fulfil Council mandates were fundamental principles of peacekeeping, which could not be transgressed.

In relation to the United Nations Interim Force in Lebanon (UNIFIL), the Council held a meeting on 28 July under the item “United Nations peacekeeping operations”, at which the Head of Mission and Force Commander of UNIFIL stressed that resolution [1701 \(2006\)](#) authorized UNIFIL to take all necessary action to protect civilians under imminent threat of physical violence in areas of deployment of its forces and as it deemed within its capabilities and without prejudice to the responsibility of the Government of Lebanon. UNIFIL was a traditional peacekeeping operation, operating under a mandate under Chapter VI of the Charter. That structure, as well as the operational context, set the implementation of a protection-of-civilians mandate apart from large multidimensional peacekeeping missions. At a meeting held on 31 August under the item entitled “The situation in the Middle East”, the representative of the

¹⁵⁶ See [S/PV.9241](#).

¹⁵⁷ See [S/PV.9241 Resumption 1](#)).

¹⁵⁸ See [S/PV.9274](#).

¹⁵⁹ See [S/PV.9281](#).

United Kingdom stressed that resolution [1701 \(2006\)](#) had always been clear. UNIFIL was authorized to take all necessary action to ensure the freedom of movement of its personnel and to fulfil its duties. Resolution [2695 \(2023\)](#) clearly upheld that principle and the United Kingdom was pleased that the language clarifying UNIFIL’s long-standing mandate to exercise freedom of movement, which allowed UNIFIL to conduct independent patrols and respond quickly to Blue Line violations, was retained.¹⁶⁰ The representative of Lebanon emphasized that the resolution to extend the mandate of UNIFIL fell under Chapter VI of the Charter and was prompted by Lebanon, not imposed on it. She therefore questioned why the Council resorted to language in the resolution that looked very similar to that in resolutions adopted under Chapter VII, as if it was dealing with a disguised Chapter VII resolution.

On 7 September, at a meeting held under the item “United Nations peacekeeping operations”, the representative of China stated that peacekeeping operations should use force with caution.¹⁶¹ The practice and doctrine of United Nations peacekeeping operations had continued to evolve over the past decades, but the three basic principles remained unchanged; namely, the consent of the parties, impartiality and the non-use of force, except in self-defense or to protect the mandate. He added that in the current context, there was a strong need to define the line between peacekeeping and peace enforcement, requiring a very cautious approach towards allowing peacekeeping forces to carry out offensive tasks or supporting relevant regions or countries in carrying out military operations. Every effort had to be made to avoid scenarios where the mission’s rules of engagement were too broad or where the imprudent use of force triggered conflicts between the parties. He also noted that, in highly exceptional circumstances, the Council could authorize the launching of peace enforcement operations or grant peacekeeping operations an offensive mandate but stressed that this must only be the last resort after all other options have been exhausted. The scenarios, mandates, responsible bodies and exit strategies must be clearly defined, and robust accountability mechanisms must be in place. The representative of Ecuador said that his delegation agreed with the Secretary-General that peacekeeping operations should be deployed in support of clearly defined political processes. He further opined that the other basic principles of peacekeeping, such as the consent of the parties,

¹⁶⁰ See [S/PV.9409](#).

¹⁶¹ See [S/PV.9413](#).

impartiality and the non-use of force except in self-defense and in the defense of a Council-authorized mandate, were also key to an operation's success.

At a meeting held on 28 September under the item “Maintenance of international peace and security”, the representative of the Russian Federation recalled that conducting operations involving the use of force on the high seas off the coast of Libya was authorized by the relevant Council resolution and that Council members should receive comprehensive and exhaustive information about the results.¹⁶² The representative of Brazil stated that the coercive measures exceptionally authorized under Chapter VII of the Charter, through resolution [2240 \(2015\)](#), had been justified as necessary to combat the smuggling of migrants and trafficking of persons in the Mediterranean Sea off the Libyan coast, since they undermined the process of stabilization of Libya and endangered the lives of thousands of people. Those measures did not, and should not be taken to, criminalize migration and had to be implemented in a manner that was fully consistent with international humanitarian law, international human rights law and international refugee law for the benefits of all migrants and refugees that crossed the Mediterranean Sea. He added that the coercive measures authorized by the Council under resolution [2240 \(2015\)](#) had been in place for eight years but stressed that the situation today was worse than ever and that migration flows would continue to increase without peace and sustainable development.

In addition, at a meeting held on 20 November under the same item and focused on “Promote sustaining peace through common development”,¹⁶³ the representative of Djibouti opined that United Nations peacekeeping operations had saved many lives;¹⁶⁴ nonetheless, because of the changing nature of conflict, what was required now in many situations were peace enforcement operations and those missions should have a robust mandate, be financed through assessed contributions and be adequately equipped to tackle the multiple challenges of today's hostile environment, mainly due to the threat of terrorism.

Case 7 **The question concerning Haiti**

¹⁶² See [S/PV.9428](#).

¹⁶³ See [S/PV.9482](#) and [S/PV.9482 \(Resumption 1\)](#).

¹⁶⁴ See [S/PV.9482 \(Resumption 1\)](#).

At a meeting held on 2 October under the item entitled “The question concerning Haiti”, the Security Council adopted resolution [2699 \(2023\)](#) under Chapter VII of the Charter of the United Nations with thirteen votes in favor and two abstentions by China and the Russian Federations. By that resolution, the Council authorized Member States to form and deploy a Multinational Security Support (MSS) mission to support the efforts of the Haitian National Police to re-establish security in Haiti and build security conditions conducive to holding free and fair elections.¹⁶⁵

After the voting, several Council members and other Member States underscored their support for, and the importance of, authorizing the MSS Mission by resolution [2699 \(2023\)](#).¹⁶⁶ The representative of the United States stated that the Council had made history in authorizing the MSS Mission to Haiti, stepping up to create a new way of preserving global peace and security. The resolution under Chapter VII was a legal requirement for many countries that had pledged personnel to the Mission and others that were willing to contribute and participate. The representative of the United Kingdom opined that the MSS Mission was an important step in helping the Haitian National Police address the deteriorating security situation in their country and paved the way for further efforts to address the connected security, humanitarian, political and economic crises. The representative of Haiti emphasized that the vote on resolution [2699 \(2023\)](#) was a significant step towards resolving Haiti’s multidimensional crises. He further stated that by authorizing the deployment of a Multilateral Security Support Mission, Council members had taken a decision that was commensurate to the challenges and that the adoption of the resolution under Chapter VII responded to the need to assist a member of the United Nations that was in danger. The representative of Jamaica, on behalf of the Caribbean Community (CARICOM), considered the early deployment of the MSS Mission as a sine qua non for a Haitian recovery. The representative of Kenya was of the view that the adoption of this resolution would be a seminal contribution to the renaissance of Haiti’s security and a catalyst for the fortification of governance, socioeconomic uplift and the rule of law. The representative of the United Arab Emirates noted that the text of the resolution recognized the dynamic nature

¹⁶⁵ See [S/PV.9430](#); see also resolution [2699 \(2023\)](#), para. 1. For more information about “The question concerning Haiti”, see part I, sect. 12.

¹⁶⁶ See [S/PV.9430](#) (United States, Mozambique, also on behalf of Gabon and Ghana, Switzerland, Japan, United Kingdom, United Arab Emirates, Albania, Ecuador, Haiti, Jamaica (on behalf of the Caribbean Community (CARICOM)), Kenya and Guyana).

of the situation in Haiti and therefore, welcomed that the authorization of the MSS Mission was time-bound.

Several delegations addressed the importance of principles including sovereignty and non-interference in relation to the authorization of the use of force. The representative of China noted that, proceeding from the principles of State sovereignty and non-interference in internal affairs, China had always taken a cautious and responsible approach to the Council's invocation of Chapter VII in authorizing the use of force. While there had been some precedents for abuse of that authorization in previous practice, China had taken a constructive position on the Council's adoption of resolution [2699 \(2023\)](#) in view of the current security situation in Haiti and the concerns and appeals of the international community, especially those of the CARICOM nations, and based on China's trust in friendly countries. The representative of the Russian Federation stated that authorizing an operation under Chapter VII was an extremely serious step that required a full acknowledgement of the responsibility for it and its possible consequences. The Russian Federation did not feel confident of this during the negotiations on the draft and, as a permanent member of the Council, could not agree to what was essentially a blind invocation of Chapter VII. Nonetheless, the representative of the Russian Federation expressed hope that the Mission would help to stabilize the situation in Haiti, while respecting the country's sovereignty and the rights of its people. The representative of Brazil reaffirmed the importance of respect for the sovereignty, independence, territorial integrity and unity of Haiti but explained that, in view of Haiti's urgent security needs, Brazil had voted in favor of authorizing the MSS Mission under Chapter VII. The representative of Haiti expressed appreciation for the fact that the Council had reaffirmed its commitment to the sovereignty, independence, integrity and unity of Haiti. In that regard, the text clearly stated that the rules of engagement and the use of force by the Mission must be carried out in consultation with Haiti and the other participating States and in strict compliance with Haitian sovereignty and international law.

V. Consideration of Articles 43 to 45 of the Charter

Article 43

1. All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.

2. Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.

3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional processes.

Article 44

When the Security Council has decided to use force it shall, before calling upon a Member not represented on it to provide armed forces in fulfilment of the obligations assumed under Article 43, invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of that Member's armed forces.

Article 45

In order to enable the United Nations to take urgent military measures, Members shall hold immediately available national air-force contingents for combined international enforcement action. The strength and degree of readiness of these contingents and plans for their combined action shall be determined within the limits laid down in the special agreement or agreements referred to in Article 43, by the Security Council with the assistance of the Military Staff Committee.

Note

Under Article 43 of the Charter, all Member States undertake to make available to the Council, for the maintenance of international peace and security, armed forces, assistance and

facilities in accordance with special agreements. Such agreements, to be entered into by the Council and Member States, were conceived to regulate the numbers and types of troops, their readiness and location and the nature of facilities to be provided.

No agreements under Article 43 were ever concluded, however, and in the absence of such agreements, there is therefore no practice in application of Article 43. The United Nations has developed practical arrangements to carry out military operations in the absence of such agreements. In that context, the Council authorizes peacekeeping forces (under the command and control of the Secretary-General and assembled pursuant to ad hoc agreements entered by the United Nations and Member States) and national or regional forces (under national or regional command and control) to conduct military action. Peacekeeping operations, as well as their mandates, are covered in detail in part X of the present Supplement and peacekeeping operations led by regional arrangements are featured in part VIII of the present Supplement.

Articles 44 and 45 of the Charter contain explicit references to Article 43 and are therefore intimately linked. As with Article 43, there is no prior practice in the application of Articles 44 and 45. Nonetheless, the Council has developed, through its decisions, a practice by which to: (a) call upon Member States to contribute armed forces, assistance and facilities, including rights of passage, (b) consult with Member States contributing troops for United Nations peacekeeping activities and (c) call on Member States to contribute military air assets in the context of peacekeeping. Some of those decisions of the Council are also featured in section VII of the present part, which relates to Article 48, to the extent that they concern action required to carry out decisions of the Council for the maintenance of international peace and security.

During the period under review, in its decisions, the Council called for the provision of troops and other assistance to the African Union Transition Mission in Somalia (ATMIS) and the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA). While the Council did not engage in any constitutional discussion concerning Articles 43 and 45 during the reporting period, some speakers at Council's meetings addressed the need to provide additional troops, military equipment and other assistance to peacekeeping operations to ensure effective mandate implementation. Throughout 2023, the Council also adopted decisions in which it emphasized, and held meetings at which participants deliberated upon, the importance of consulting troop- and police-contributing countries on issues pertaining to the mandates of peacekeeping operations.

Set out below is an overview of the practice of the Council during 2023 concerning the need for Member States to contribute, support and provide assistance to peacekeeping operations (subsection A) and the need for consultation with troop- and police-contributing countries (subsection B).

A. Need for Member States to contribute, support and provide assistance, including military air assets, to peacekeeping operations

In 2023, the Council made no explicit reference to Article 43 or Article 45 in its decisions or discussions, but it did call upon Member States to contribute, support and provide assistance to peacekeeping operations.

In resolutions [2687 \(2023\)](#) and [2710 \(2023\)](#), adopted on 27 June and 15 November, respectively, the Council underlined the need to enhance the predictability, sustainability and flexibility of financing for African Union-led peace support operations authorised by the Council and under the Council's authority consistent with Chapter VIII of the Charter, and encouraged the Secretary-General, African Union and Member States to continue efforts to explore in earnest funding arrangements for the African Transition Mission in Somalia (ATMIS), bearing in mind the full range of options available to the United Nations, African Union, the European Union, and to other partners, and considering the limitations of voluntary funding, in order to establish secure future funding arrangements for ATMIS.¹⁶⁷ In resolution [2687 \(2023\)](#), the Council also encouraged Member States to contribute to the cost of ATMIS and/or towards the Somalia Trust Fund administered by the United Nations Support Office in Somalia (UNSOS) and emphasized that additional support would enable Somalia to accelerate its fight against Al-Shabaab and improve peace and security in Somalia and the region. The Council further encouraged Member States to support ATMIS until the end of the security transition by 31 December 2024.¹⁶⁸ In resolution [2710 \(2023\)](#), the Council encouraged the traditional donors to ATMIS to continue supporting ATMIS until its planned exit by 31 December 2024, and called for the enlargement and diversification of the donor base to provide the necessary funding for ATMIS and for the UNSOS administered Somalia Trust Fund.¹⁶⁹

¹⁶⁷ Resolution [2687 \(2023\)](#), para. 35; and [2710 \(2023\)](#), para. 5.

¹⁶⁸ Resolution [2687 \(2023\)](#), para. 37.

¹⁶⁹ Resolution [2710 \(2023\)](#), para. 9.

In addition, on 14 November, the Council adopted resolution [2708 \(2023\)](#), in which it underscored the need for the Secretary-General and troop- and police-contributing countries and Member States to work together to ensure that the United Nations Interim Security Force for Abyei (UNISFA) was adequately resourced and all peacekeepers in the field were willing, capable and equipped effectively and safely to implement their mandate.¹⁷⁰

By resolution [2709 \(2023\)](#) of 15 November, the Council reiterated its concern at the continuing lack of key capabilities for the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) and the need to fill gaps, as well as the importance of current and future troop- and police-contributing countries providing troops and police with adequate capabilities, equipment and pre-deployment training to enhance the capacity of MINUSCA and its ability to operate effectively in an increasingly complex security environment.¹⁷¹ Recognizing that the effective implementation of peacekeeping mandates was the responsibility of all stakeholders and contingent upon several critical factors, including adequate resources, training and equipment, the Council urged Member States to provide troops and police that had adequate capabilities and mindset, pre-deployment and where appropriate, in situ training and equipment, including enablers specific to the operating environment.¹⁷² The Council called on Member States to declare all national caveats, prior to the contingent's deployment, provide troops and police with the minimum of declared caveats, and fully and effectively implement the provisions of the Memoranda of Understanding signed with the United Nations.¹⁷³

During the period under review, several discussions of the Council touched upon matters related to the importance of providing peacekeeping operations with adequate troops, equipment, including military air assets, and other assistance in meetings under country- and region-specific items. At a meeting held on 27 January under the item entitled “The situation in Mali”, the Special Representative of the Secretary-General and Head of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) stated that MINUSMA's capacity to contribute more effectively to improving the security situation in support of the Malian Defence and Security Forces would, among other factors, depend on

¹⁷⁰ Resolution [2708 \(2023\)](#), para. 4.

¹⁷¹ Resolution [2709 \(2023\)](#), para. 40.

¹⁷² *Ibid.*, para. 41.

¹⁷³ *Ibid.*

making available the capacities required and the timely replacement of troop-contributing countries that had decided to leave the Mission.¹⁷⁴ In that context, it was encouraging that additional air resources from India, Bangladesh and Pakistan were set to be deployed in various locations. The representative of France noted that several major troop-contributing countries had already decided to withdraw from MINUSMA, which was in danger of being progressively emptied of its substance, both externally because of the constraints placed on it and internally because of the weakening of some of its critical capacities. The representative of the Russian Federation expressed regret about the fact that some troop-contributing countries had decided to withdraw or suspend their participation in MINUSMA.

In connection with the item entitled “The situation in the Central African Republic”, at a meeting held on 21 February, the Special Representative of the Secretary-General and Head of United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) reported on the closure of temporary operating bases to maximize the effectiveness and mobility of MINUSCA.¹⁷⁵ That required that MINUSCA implement effective mitigation measures, which, in turn, required greater mobility and information. It also meant that the MINUSCA force and police must have adequate preparation and be able to use all available assets for deployments, particularly in high-risk areas. She added that the lack of military helicopters, among other factors, had constrained MINUSCA’s ability to do that effectively and consistently.

Speakers also discussed the provision of support to the African Transition Mission in Somalia (ATMIS) at meetings held under the item entitled “The situation in Somalia”. On 22 February, the Special Representative of the Chairperson of the African Union Commission for Somalia and Head of ATMIS expressed his appreciation for the support of ATMIS troop-contributing countries, particularly through their recent commitment to do more to support the ongoing offensive against Al-Shabaab.¹⁷⁶ Troop-contributing countries had already committed to deploying critical force enablers, were seeking robust long-range intelligence, surveillance and reconnaissance capabilities and would create quick reaction or mobile forces at a faster pace, when it was feasible for Somali security forces to begin taking over agreed forward operating

¹⁷⁴ See [S/PV.9251](#).

¹⁷⁵ See [S/PV.9265](#).

¹⁷⁶ See [S/PV.9267](#).

bases. That needed to be encouraged, and more support was needed to sustain the success of the Somali security forces-led offensive. Further, at a meeting held on 22 June, the representative of China discussed the issue of ATMIS transition and stressed that, pending the withdrawal of ATMIS, the European Union and other relevant financial contributors should provide ATMIS with adequate, sustainable and predictable funding support.¹⁷⁷

In relation to thematic items, the need to provide peacekeeping operations with adequate resources and assistance was discussed at meetings under the item “United Nations peacekeeping operations”. On 28 July, the representative of Mozambique reiterated his delegation’s appeal to the international community to continue its financial support to the multifaceted United Nations peacekeeping missions around the world.¹⁷⁸ The representative of Japan stated that the protection of civilians was an indispensable force enabler for missions but that its implementation was often understood to pose risks to the safety and security of peacekeepers. The Council and its members shared the responsibility with other stakeholders to take that into consideration and to ensure that missions and peacekeepers were adequately prepared to effectively carry out the protection-of-civilians mandate by guaranteeing their own safety and security at the same time. The representative of China stressed that additional resources and efforts should be invested to keep peacekeepers safe and secure. In recent years, there had been a steady rise in security risks to peacekeepers and China encouraged the comprehensive implementation of resolution [2518 \(2020\)](#) to provide peacekeepers with multidimensional, multitier safety and security assurances. He added that all stakeholders, including the Secretariat, missions, troop-contributing countries and host countries, should make solid efforts to that end.

In addition, at a meeting held on 7 September under the same agenda item, the Under-Secretary-General for Peace Operations reiterated that undeclared caveats had no place in United Nations peacekeeping, stating that they could significantly hamper the missions’ effectiveness, lead to operational setbacks and create risks for troop and police-contributing countries.¹⁷⁹ He further appealed to Member States to fill existing capability gaps and described the Peacekeeping Ministerial meeting in Accra on 5 and 6 December as a pivotal opportunity to reaffirm and make new commitments to peacekeeping. He invited Member States to tailor their pledges at the

¹⁷⁷ See [S/PV.9356](#).

¹⁷⁸ See [S/PV.9389](#).

¹⁷⁹ See [S/PV.9413](#).

Ministerial meeting to the precise needs and stressed that the meeting was a critical opportunity for Member States to express their political support for United Nations peacekeeping. The representative of Japan noted that risks to peacekeepers and missions were becoming more wide-ranging, including improvised explosive devices, misinformation and disinformation. The Secretariat and Member States could support troop- and police-contributing countries' efforts to ensure that their personnel were well-prepared to mitigate those risks.

B. Recognition of the need to consult troop- and police-contributing countries

During the period under review, the Council adopted four decisions concerning the need to consult troop- and police-contributing countries on matters pertaining to peacekeeping.

By resolution [2687 \(2023\)](#), adopted on 27 June on the situation in Somalia, the Council recalled its request in resolutions [2628 \(2022\)](#) and [2670 \(2022\)](#) for an updated logistical support plan and requested, within agreed budget authorizations, the United Nations to work with the African Transition Mission in Somalia (ATMIS) troop-contributing countries to expedite the process for the deployment of additional air assets, up to a total of 24 helicopters, as well as counter IED, surveillance and other capabilities to enhance ATMIS capabilities for the effective implementation of Phases 2 and 3.¹⁸⁰ The Council also requested the United Nations to begin consultations with the African Union, troop- and police-contributing countries, donors and the Government of Somalia on the implications of ATMIS drawdown for in-country military and police equipment and potential options for disposal, extraction or transfer thereof.¹⁸¹

On 29 June and 21 December, respectively, the Council adopted resolutions [2689 \(2023\)](#) and [2718 \(2023\)](#) on the situation in the Middle East. In those resolutions, the Council emphasized the importance of the Council and troop-contributing countries having access to reports and information related to the redeployment configuration of the United Nations Disengagement Observer Force (UNDOF) and reinforced that such information assisted the Council with evaluating, mandating, and reviewing UNDOF and with effective consultation with troop-contributing countries.¹⁸² The Council also urged for prompt reporting by the Secretary-

¹⁸⁰ Resolution [2687 \(2023\)](#), para. 20.

¹⁸¹ *Ibid.*, para. 27.

¹⁸² Resolutions [2689 \(2023\)](#), thirteenth preambular paragraph; and [2718 \(2023\)](#), thirteenth preambular paragraph.

General to the Council and troop-contributing countries of any actions that impeded the ability of UNDOF to fulfil its mandate.¹⁸³

By resolution [2695 \(2023\)](#), adopted on 31 August on the situation in the Middle East, the Council, welcoming the report of the Secretary-General on the assessment of the continued relevance of the resources and options of the United Nations Interim Force in Lebanon (UNIFIL) for improving the efficiency and effectiveness between UNIFIL and the Office of the United Nations Special Coordinator for Lebanon, requested the Secretary-General to continue the implementation of his detailed plan, with timelines and specific modalities, in full and close consultation with the parties, including Lebanon, the troop-contributing countries and the members of the Council, to implement recommendations, and further requested him to periodically update the Council on that process.¹⁸⁴

During 2023, no explicit references to Article 44 were made during discussions of the Council. Nonetheless, in meetings under country- and region-specific items, Council members discussed the need to consult with troop- and police-contributing countries in relation to specific peacekeeping missions.

With regards to ATMIS, at a meeting held on 22 February on the situation in Mali, the representative of Ghana recalled the provision of resolution [2670 \(2022\)](#) relating to the decision to convene a formal meeting on the transition in Somalia no later than 31 March with the participation of Somalia, the African Union, the European Union and ATMIS, as well as troop-contributing countries.¹⁸⁵ Such a meeting could provide a unique platform for discussing ways and means of aligning priorities between the ATMIS CONOPS and the Somalia Transition Plan.

In connection with MINUSMA, at a meeting held on 28 August on the situation in Mali, the representative of China addressed the Mission's withdrawal operation and stated that MINUSMA and the United Nations Secretariat should strictly implement the mandate given by the Council, strengthen the communication with the Malian Government and troop-contributing countries, and refine plans for the handover of camps, withdrawal of personnel and liquidation of assets, with a view to implementing them carefully.¹⁸⁶

¹⁸³ Resolutions [2689 \(2023\)](#), para. 6 and [2718 \(2023\)](#), para. 6.

¹⁸⁴ Resolution [2695 \(2023\)](#), para. 8.

¹⁸⁵ See [S/PV.9267](#). See also resolution [2670 \(2022\)](#), para. 3.

¹⁸⁶ See [S/PV.9407](#).

With respect to MONUSCO, the representative of China addressed the Congolese position on future arrangements for the Mission and stressed that the Council should promote constructive and responsible discussions among the Secretariat, MONUSCO, the Congolese Government and troop- and police-contributing countries.¹⁸⁷

Consistent with recent practice, during the annual open debate on the working methods of the Council, held on 5 September under the item entitled “Implementation of the note by the President of the Security Council ([S/2017/507](#))”, several participants highlighted the importance of cooperation and consultation by the Council with troop- and police-contributing countries, including on matters pertaining to the formulation and implementation of mandates.¹⁸⁸

The importance of consulting, coordinating and cooperating with troop- and police-contributing countries on matters related to peacekeeping also continued to be discussed at meetings held under the item entitled “United Nations peacekeeping operations”.

At a meeting held on 7 September, the representative of the United States stated that his delegation would host a side event for the 2023 Accra peacekeeping ministerial to explore innovative partnerships with troop- and police-contributing countries to meet key United Nations environmental management goals.¹⁸⁹ The representative of China emphasized that peacekeeping operations were closely connected to the development, social, humanitarian and human rights and other work of the United Nations and could not be successful without coordination and cooperation among the Council, the Secretariat, troop- and police-contributing countries, donors, host countries, regional organizations and other stakeholders. The representative of Malta stressed the need for comprehensively addressing the environmental impact of peacekeeping operations in close coordination with parties involved, including troop- and police-contributing countries.

Further, at a meeting held on 14 November, the United Nations Police Advisor stated that at headquarters, the United Nations Inter-Agency Task Force on Policing continued to strengthen trilateral collaboration, including through the biennial United Nations Chiefs of Police

¹⁸⁷ See [S/PV.9427](#).

¹⁸⁸ See [S/PV.9410](#) (Austria, Norway (on behalf of the Accountability, Transparency and Coherence group), Denmark (on behalf of the Nordic and Baltic States), Egypt, Viet Nam, Portugal, Sierra Leone, Slovakia, Argentina) and [S/PV.9410 \(Resumption 1\)](#) (Morocco).

¹⁸⁹ See [S/PV.9413](#).

summit.¹⁹⁰ Efforts were under way for a fourth summit, which would be convened in 2024 and would contribute to triangular cooperation between the Council, police-contributing countries and the Secretariat on all policing matters.

¹⁹⁰ See [S/PV.9475](#).

VI. Role and composition of the Military Staff Committee in accordance with Articles 46 and 47 of the Charter

Article 46

Plans for the application of armed force shall be made by the Security Council with the assistance of the Military Staff Committee.

Article 47

1. There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.

2. The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the United Nations not permanently represented on the Committee shall be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires the participation of that Member in its work.

3. The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. Questions relating to the command of such forces shall be worked out subsequently.

4. The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional sub-committees.

Note

Section VI covers the practice of the Security Council under Articles 46 and 47 of the Charter regarding the Military Staff Committee, including instances in which the Council considered the role of the Military Staff Committee in planning the application of armed force, and in advising and assisting the Council on the military requirements for the maintenance of international peace and security.

During the period under review, the Council did not explicitly refer to either Article 46 or Article 47 in any of its decisions. Articles 46 and 47 were also not referred to in any of the

Council's discussions. Nonetheless, 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",¹⁹¹ the representative of Costa Rica emphasized that it was more urgent than ever that the Security Council, with the assistance of the Military Staff Committee, submit plans for the establishment of a system for the regulation of weapons, which should include plans to strengthen efforts in the monitoring and enforcing of Council arms embargoes at the national and regional levels.¹⁹²

In 2023, the Military Staff Committee continued the practice first established in 2022 to issue its annual report in the form of a communication addressed to the Council. By a letter dated 19 December 2023 addressed to the President of the Council,¹⁹³ the Chair of the Military Staff Committee conveyed its annual report, which contained two explicit references to Article 47. The report stated that the Military Staff Committee had been established in accordance with Article 47 of the Charter and resolution [1 \(1946\)](#), and that the Committee remained prepared to carry out the functions assigned to it under the terms of Article 47 of the Charter.¹⁹⁴

Further, by a letter dated 16 June 2023 addressed to the President of the Council, the Chair of the Military Staff Committee informed the Council that the members of the Military Staff Committee had agreed to undertake a one-week assessment mission to the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) and that, during the visit, the delegation would also deploy in Addis Ababa to engage with the African Union Peace and Security Council Military Staff Committee to discuss the military approach of the African Union in the conduct of peacekeeping operations.¹⁹⁵ By the same letter, the Chair of the Military Staff Committee transmitted the provisional terms of reference for the mission.

As customary, the annual report of the Council to the General Assembly issued during the reporting period also referred to the activities of the Military Staff Committee.¹⁹⁶

¹⁹¹ See [S/PV.9250](#) and [S/PV.9250 \(Resumption 1\)](#).

¹⁹² See [S/PV.9250 \(Resumption 1\)](#).

¹⁹³ See [S/2023/1009](#).

¹⁹⁴ *Ibid.*, annex, paras. 2 and 11.

¹⁹⁵ See [S/2023/449](#), annex.

¹⁹⁶ See [A/78/2](#), part IV. For further details on the annual report, see part IV, sect. I.F.

VII. Action required of Member States under Article 48 of the Charter

Article 48

1. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine.

2. Such decisions shall be carried out by the Members of the United Nations directly and through their action in the appropriate international agencies of which they are members.

Note

Section VII covers the practice of the Council in relation to Article 48 of the Charter, regarding the obligation of all or some Member States to carry out the decisions of the Council for the maintenance of international peace and security. Under Article 48 (2), Member States shall carry out the decisions directly, or through international organizations of which they are members. The section is focused on the types of obligations imposed on Member States pursuant to Article 48, and on the range of addressees designated by the Council to implement, or comply with, decisions adopted.

While Article 48 relates to requests to Member States to carry out action decided upon by the Council, during 2023, as in previous periods, the Council also addressed some of its pleas to “actors” or “parties”, reflecting the intra-State and increasingly complex nature of many contemporary conflicts dealt with by the Council. In its requests to carry out actions, the Council also addressed “regional and subregional organizations”, signalling the importance of such entities in tackling disputes and situations before the Council. Additional information on the engagement of regional arrangements in the maintenance of international peace and security is provided in part VIII of the present Supplement.

During the year under review, the Council did not explicitly invoke Article 48 in any of its decisions. The Council, however, adopted resolutions in which it underlined the obligation of Member States and other entities concerned to comply with the measures imposed under Chapter VII of the Charter pursuant to Article 48. The section is divided into two subsections: subsection

A, covering decisions of the Council requiring Member States to carry out actions in relation to measures under Article 41; and subsection B, covering decisions of the Council requiring Member States to carry out action in relation to measures under Article 42. During 2023, no explicit references to Article 48 were made in communications to the Council nor were there any discussions held in relation to the interpretation or application of that Article.

A. Decisions in which the Security Council required Member States to carry out action in relation to measures under Article 41 of the Charter

In 2023, the Council did not adopt any decision concerning judicial measures taken under Article 41. The Council, however, adopted several decisions under Article 41 concerning sanctions, in which it frequently requested or stressed the importance of specific measures being implemented by all Member States or all States, as well as regional organizations. The Council also requested the countries specifically targeted by the measures to carry out the actions required.

In relation to the Central African Republic, the Council urged all parties and all Member States, as well as international, regional and subregional organizations, to ensure cooperation with the Panel of Experts established pursuant to resolution [2127 \(2013\)](#) and the safety of its members.¹⁹⁷ It further urged all Member States and all relevant United Nations bodies to ensure unhindered access, in particular, to persons, documents and sites in order for the Panel of Experts to execute its mandate and recalled the value of information-sharing between the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) and the Panel of Experts.¹⁹⁸ The Council also requested the Central African Republic authorities to report, by 15 May 2024, to the Committee established pursuant to resolution [2127 \(2013\)](#) on the progress achieved regarding the security sector reform, disarmament, demobilization, reintegration and repatriation process in line with the Peace Agreement via the roadmap, and the management of weapons and ammunition.¹⁹⁹

Concerning the Democratic People's Republic of Korea, the Council urged all States, relevant United Nations bodies and other interested parties, to cooperate fully with the

¹⁹⁷ Resolution [2693 \(2023\)](#), para. 10.

¹⁹⁸ *Ibid.*, para. 11.

¹⁹⁹ *Ibid.*, para. 13.

Committee established pursuant to resolution [1718 \(2006\)](#) and the Panel of Experts established pursuant to resolution [1874 \(2009\)](#), in particular, by supplying any information at their disposal on the implementation of the measures imposed by the relevant resolutions.²⁰⁰

With respect to the Democratic Republic of the Congo, the Council called for enhanced cooperation between all States, particularly those in the region, and the Group of Experts established pursuant to resolution [1533 \(2004\)](#).²⁰¹

In relation to Haiti, the Council urged all parties and all Member States, as well as international, regional and subregional organizations, and the Multinational Security Support mission to ensure cooperation with the Panel of Experts established pursuant to resolution [2653 \(2022\)](#) and further urged all Member States involved to ensure the safety of the members of the Panel and unhindered access, in particular to persons, documents and sites in order for the Panel to execute its mandate.²⁰²

Regarding Lebanon, the Council emphasized to all parties the importance of full compliance with the prohibition on sales and supply of arms and related materiel established by resolution [1701 \(2006\)](#) and reiterated its call for the Government of Lebanon to secure its borders and other entry points to prevent the entry in Lebanon without its consent of arms or related materiel. The Council further recalled paragraph 15 of resolution [1701 \(2006\)](#) according to which all States were to take the necessary measures to prevent, by their nationals or from their territories or using flag vessels or aircraft, the sale or supply of arms and related materiel to any entity or individual in Lebanon other than those authorized by the Government of Lebanon or the United Nations Interim Force in Lebanon (UNIFIL).²⁰³

With regard to Libya, the Council requested the Government of Libya to inform the Committee established pursuant to resolution [1970 \(2011\)](#) of any vessels transporting petroleum illicitly exported from Libya and urged the Government of Libya to provide the Committee with regular updates on ports, oil fields, and installations that were under its control, and to inform the Committee about the mechanism used to certify legal exports of petroleum.²⁰⁴ The Council

²⁰⁰ Resolution [2680 \(2023\)](#), para. 6.

²⁰¹ Resolution [2688 \(2023\)](#), para. 6.

²⁰² Resolution [2699 \(2023\)](#), para. 22.

²⁰³ Resolution [2695 \(2023\)](#), para. 21.

²⁰⁴ Resolution [2701 \(2023\)](#), para. 3.

demanded full compliance by all Member States with the arms embargo.²⁰⁵ It further requested the Government of Libya to provide updated information, relevant to the Committee's work, on the structure of the security forces under its control and other relevant information as per paragraph 6 of resolution [2278 \(2016\)](#).²⁰⁶ Concerning the travel ban and asset freeze, the Council called on Member States, particularly those in which designated individuals and entities were based, as well as those in which their assets frozen under the measures were suspected to be present, to report to the Committee on actions taken to implement effectively the travel ban and asset freeze measures in relation to all individuals on the sanctions list.²⁰⁷ It also reiterated that all States were to take necessary measures to prevent entry into or transit through their territories of all persons designated by the Committee and called upon the Government of Libya to enhance its cooperation and information-sharing with other States in that regard.²⁰⁸ In addition, the Council called upon all relevant Member States to protect frozen assets for the future benefit of the Libyan people, including by preventing its misuse and misappropriation.²⁰⁹

Furthermore, the Council urged all States, relevant United Nations bodies, including the United Nations Support Mission in Libya (UNSMIL), and other interested parties, to cooperate fully with the Committee and the Panel of Experts established pursuant to resolution [1973 \(2011\)](#), in particular by supplying any information at their disposal on the implementation of the measures decided in the relevant resolutions, in particular incidents of non-compliance, and called on UNSMIL and the Government of Libya to support the Panel's investigatory work inside Libya, including by sharing information, facilitating transit and granting access to weapons storage facilities.²¹⁰ The Council also called upon all parties and all States to ensure the safety of the Panel's members, and further called upon all parties and all States, including Libya and countries of the region, to provide unhindered and immediate access, in particular to persons, documents and sites the Panel deemed as relevant to the execution of its mandate.²¹¹

Concerning Somalia, the Council requested the Government of Somalia to continue to strengthen cooperation and coordination with other Member States, particularly those in the

²⁰⁵ Resolutions [2701 \(2023\)](#), para. 5 and [2702 \(2023\)](#), para. 10.

²⁰⁶ Resolution [2701 \(2023\)](#), para. 9.

²⁰⁷ *Ibid.*, para. 11.

²⁰⁸ *Ibid.*, para. 12.

²⁰⁹ *Ibid.*, para. 14.

²¹⁰ *Ibid.*, para. 19.

²¹¹ *Ibid.*, para. 20.

region, to prevent and counter the financing of terrorism.²¹² The Council also urged Somalia to work together with the international community to implement the measures set out in resolution [2662 \(2022\)](#), including those measures imposed against individuals and groups designated by the Committee pursuant to resolution [751 \(1992\)](#).²¹³

In addition, with regards to Al-Shabaab, the Council urged all parties to engage constructively with the Panel of Experts pursuant to resolution [2713 \(2023\)](#) and the Government of the Federal Republic of Somalia on the violation of the charcoal ban by the vessel *MV Fox*.²¹⁴ The Council decided that all States were to take the necessary measures to prevent all deliveries of weapons and military equipment to Somalia, including prohibiting the financing of all acquisitions and deliveries of weapons, ammunition and military equipment, and further decided that those measures were not to apply to the Government of the Federal Republic of Somalia and some Somali security agencies.²¹⁵ The Council affirmed that the Government of the Federal Republic of Somalia, in cooperation with the African Union Transition Mission in Somalia (ATMIS) shall document and register all weapons, ammunition and military equipment captured from Al-Shabaab as part of offensive operations or in the course of carrying out their mandate.²¹⁶ The Council further called on Member States to take reasonable steps to prevent smuggling of weapons and ammunition into Somalia.²¹⁷

Concerning the disruption of Al-Shabaab's finances, the Council requested the Government of the Federal Republic of Somalia, working with international partners as appropriate, to continue to develop a comprehensive plan to disrupt Al-Shabaab's operations.²¹⁸ It also called upon the Government of the Federal Republic of Somalia to continue working with Somali financial authorities, private sector financial institutions and the international community to: (a) identify, assess and mitigate money laundering and terrorist financing risks; (b) improve compliance; (c) strengthen supervision and enforcement; (d) address priority areas relating to terrorist financing and money laundering risks; (e) prioritize the continued development of a secure national identification system to improve financial access and compliance and counter the

²¹² Resolution [2687 \(2023\)](#), para. 16.

²¹³ Ibid.

²¹⁴ Resolution [2713 \(2023\)](#), sixteenth preambular paragraph.

²¹⁵ Ibid., para. 4.

²¹⁶ Ibid., para. 6.

²¹⁷ Ibid., para. 7.

²¹⁸ Ibid., para. 8.

financing of terrorism; (f) improve monitoring, reporting and investigations into money laundering and terrorist financing; and (g) develop a plan to mitigate the risks posed by Al-Shabaab to personnel working in anti-money laundering and counter terrorist financing roles within national competent authorities and the private sector.²¹⁹ Further, the Council called upon the Government of the Federal Republic of Somalia to improve collaboration and coordination among regulatory and law enforcement agencies and undertake coordinated and joint approaches to terrorist finance investigations and implement disruption strategies to counter-Al-Shabaab's finances and its exploitation of the licit financial system.²²⁰ It also requested the Federal Government of Somalia, the United Nations Office on Drugs and Crime and the Panel of Experts pursuant to resolution [2713 \(2023\)](#) to continue exchanging information about Al-Shabaab's operations and to continue working with stakeholders to develop a plan to disrupt Al-Shabaab's operations and exploitation of the licit financial system.²²¹

The Council reiterated its request that the African Union Transition Mission in Somalia (ATMIS) support and assist Somalia in implementing the charcoal ban and facilitate regular access for the Panel to charcoal exporting ports.²²² In relation to the one-off disposal of charcoal stockpiles in and around Kismayo, authorized by resolution [2696 \(2023\)](#), it requested the Government of the Federal Republic of Somalia to continue to engage with the Committee established pursuant to resolution [2713 \(2023\)](#) throughout the disposal process.²²³ In addition, the Council reaffirmed that all States were to prevent the direct or indirect sale, supply or transfer of the items specified in annex C of resolution [2662 \(2022\)](#) to Somalia from their territories or by their nationals outside their territories, or using their flag vessels or aircraft if there was sufficient evidence to demonstrate that the item(s) would be used, or a significant risk they might be used, in the manufacture in Somalia of improvised explosive devices.²²⁴ It called upon Member States to undertake appropriate measures to promote the exercise of vigilance by their nationals, persons subject to their jurisdiction and firms incorporated in their territory or subject to their

²¹⁹ Ibid., para. 9.

²²⁰ Ibid., para. 10.

²²¹ Ibid., para. 11.

²²² Ibid., para. 15.

²²³ Ibid., para. 17(b).

²²⁴ Ibid., para. 18.

jurisdiction that were involved in the sale, supply, or transfer of explosive precursors and materials to Somalia that might be used in the manufacture of improvised explosive devices.²²⁵

The Council also recalled the importance of full cooperation between Member States and the Panel requested the Government of the Federal Republic of Somalia to facilitate for the Panel interviews with suspected members of Al-Shabaab and other persons of interest held in custody.²²⁶ The Council reiterated its request for the Government of the Federal Republic of Somalia, Somalia's Federal Member States and regional governments, Member States and ATMIS to provide information to the Panel, and assist them in their investigations.²²⁷ It requested the Government of the Federal Republic of Somalia to facilitate access for the Panel to armouries, imported weapons and ammunition, military storage facilities and captured weaponry and to allow photographs of weapons and ammunition in Somali custody and access to logbooks and distribution records.²²⁸ Finally, the Council urged the Government of the Federal Republic of Somalia, the Federal Member States, ATMIS and partners to share information with the Panel regarding conduct or activities, in particular on illicit flows of finances, weapons, ammunition and military equipment by Al-Shabaab and other actors intent on undermining peace and security in Somalia and the region.²²⁹

With respect to South Sudan, the Council demanded that all Member States comply with their obligations to prevent the direct or indirect supply, sale or transfer of arms and related materiel of all types, including weapons and ammunition, to the territory of South Sudan as set out in relevant Council resolutions.²³⁰ The Council also urged all parties and Member States, as well as international, regional and subregional organizations, to ensure cooperation with the Panel of Experts on South Sudan, and further urged all Member States involved to ensure the safety of the members of the Panel and unhindered access, in particular to persons, documents and sites in order for the Panel to execute its mandate.²³¹ Underscoring that arms shipments in violation of resolution [2683 \(2023\)](#) risked fueling conflict and contributing to further instability, the Council strongly urged all Member States to take urgent action to identify and prevent such

²²⁵ Ibid., para. 21.

²²⁶ Ibid., para. 26.

²²⁷ Ibid., para. 27.

²²⁸ Ibid., para. 27(a).

²²⁹ Ibid., para. 27(c).

²³⁰ Resolution [2677 \(2023\)](#), para. 18.

²³¹ Resolutions [2677 \(2023\)](#), para. 23 and [2683 \(2023\)](#), para. 21.

shipments within their territory.²³² The Council reiterated its call upon all Member States, in particular States neighboring South Sudan, to inspect, in accordance with their national authorities and legislation and consistent with international law, all cargo to South Sudan, in their territory, including seaports and airports, if the State concerned had information providing reasonable grounds to believe the cargo contained items of which the supply, sale, or transfer was prohibited.²³³ It further decided that all Member States were to seize and dispose of such items upon discovery and that all Member States were to cooperate in such efforts.²³⁴

B. Decisions in which the Security Council required Member States to carry out action in relation to measures under Article 42 of the Charter

During the period under review, the Council urged, called upon and requested action by a particular Member State, a designated group of Member States, as well as on all Member States and all parties in relation to measures adopted under Article 42 of the Charter.

With respect to the situation in Abyei, the Council urged the Governments of Sudan and South Sudan to provide full support for the United Nations Interim Security Force for Abyei (UNISFA) in the implementation of its mandate and deployment of its personnel, including to facilitate the smooth functioning of all UNISFA bases and Joint Border Verification and Monitoring Mechanism (JBVMM) teams sites.²³⁵ The Council also reiterated that the Abyei Area was to be demilitarized from any forces, as well as armed elements of the local communities, other than UNISFA and the Abyei Police Service when it was gradually established, and urged the Governments of Sudan and South Sudan and the local communities to take all necessary steps in this regard.²³⁶

Concerning the situation in the Central African Republic, the Council condemned in the strongest terms all attacks, provocations and incitement to hatred and violence against MINUSCA and other international forces by armed groups and other perpetrators, and urged the Central African Republic authorities to work with the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) to enhance the

²³² Resolution 2683 (2023), para. 8.

²³³ *Ibid.*, para. 9.

²³⁴ *Ibid.*, para. 10.

²³⁵ Resolution 2708 (2023), para. 4.

²³⁶ *Ibid.*

safety and security of MINUSCA's personnel and to take all possible measures to ensure the arrest and prosecution of perpetrators, including in line with resolution [2518 \(2020\)](#) and [2589 \(2021\)](#).²³⁷ It requested the Secretary-General, Member States, and the Central African Republic authorities to continue to take all appropriate measures to ensure the safety, security and freedom of movement of MINUSCA's personnel with unhindered and immediate access throughout the Central African Republic, in line with resolution [2518 \(2020\)](#), including by authorising night flights.²³⁸ The Council further urged all parties to cooperate fully with the deployment and activities of MINUSCA, in particular by ensuring safety, security and freedom of movement with unhindered and immediate access throughout the territory of the Central African Republic to enable MINUSCA to carry out fully its mandate.²³⁹ The Council also called upon Member States, especially those in the region, to ensure the free, unhindered and expeditious movement to and from the Central African Republic of all personnel, as well as equipment, provision, supplies and other goods that were for the exclusive and official use of MINUSCA.²⁴⁰

In relation to the situation in Cyprus, stressing that the mandated authority of the United Nations Peacekeeping Force in Cyprus (UNFICYP) extended throughout Cyprus, the Council called on all parties to continue to cooperate with UNFICYP and strongly urged full respect for UNFICYP's freedom of movement throughout Cyprus and the cessation of all restrictions on the mission's movement and access.²⁴¹ The Council further requested the Secretary-General, Member States and all parties to strengthen their efforts to take all appropriate measures to ensure the safety and security and freedom of movement of UNFICYP personnel with unhindered and immediate access.²⁴²

In connection with the situation concerning the Democratic Republic of the Congo, the Council reiterated its call on all parties to cooperate fully with the United Nations Stabilization Mission in the Democratic Republic of Congo (MONUSCO)²⁴³ and to remain committed to the full and objective implementation of the Mission's mandate, including during the whole withdrawal period, and further reiterated the importance of continued compliance with the Status

²³⁷ Resolution [2709 \(2023\)](#), twenty-second preambular paragraph.

²³⁸ *Ibid.*, para. 42.

²³⁹ *Ibid.*, para. 55.

²⁴⁰ *Ibid.*, para. 56.

²⁴¹ Resolution [2674 \(2023\)](#), para. 13.

²⁴² *Ibid.*

²⁴³ [S/PRST/2023/5](#), second paragraph; and resolution [2717 \(2023\)](#), nineteenth preambular paragraph.

of Forces Agreement, including the unhindered entry and rotation of MONUSCO's peacekeepers and their equipment.²⁴⁴ The Council also requested the Secretary-General, Member States and the Government of the Democratic Republic of the Congo to take all appropriate measures to ensure the best level possible of safety and security of MONUSCO's personnel.²⁴⁵

Concerning the situation in Haiti, the Council called on all parties in Haiti to cooperate fully with the Multinational Security Support mission in the execution of its mandate and to respect the security and freedom of movement of the Multinational Security Support mission.²⁴⁶

With regard to the situation in Lebanon, the Council called upon all parties to respect the cessation of hostilities, prevent any violation of the Blue Line and to respect it in its entirety, and to cooperate fully with United Nations Interim Force in Lebanon (UNIFIL).²⁴⁷ The Council further urged all parties to abide scrupulously by their obligation to respect the safety of UNIFIL and other United Nations personnel; and to ensure that the freedom of movement of UNIFIL in all its operations and UNIFIL's access to the Blue Line in all its parts was fully respected and unimpeded, in conformity with its mandate and its rules of engagement.²⁴⁸ The Council also called on the Government of Lebanon to facilitate prompt and full access requested by UNIFIL, including all relevant locations north of the Blue Line related to the discovery of tunnels crossing the Blue Line which UNIFIL reported as a violation of resolution 1701 (2006), and unauthorized firing ranges in line with resolution 1701 (2006).²⁴⁹ In addition, the Council demanded that the parties cease any restrictions and hindrances to the movement of UNIFIL personnel and guaranteed the freedom of movement of UNIFIL.²⁵⁰ The Council reaffirmed its call on all States to fully support and respect the establishment between the Blue Line and the Litani River of an area free of any armed personnel, assets and weapons other than those of the Government of Lebanon and UNIFIL.²⁵¹ The Council also urged the Government of Israel to expedite the withdrawal of its army from northern Ghajar and the adjacent area north of the Blue Line without further delay in coordination with UNIFIL.²⁵²

²⁴⁴ Resolution 2717 (2023), nineteenth preambular paragraph.

²⁴⁵ *Ibid.*, para. 44.

²⁴⁶ Resolution 2699 (2023), para. 15.

²⁴⁷ Resolution 2695 (2023), para. 11.

²⁴⁸ *Ibid.*, paras. 14 and 15.

²⁴⁹ *Ibid.*, para. 15.

²⁵⁰ *Ibid.*, para. 16.

²⁵¹ *Ibid.*, para. 20.

²⁵² *Ibid.*, para. 19.

With respect to the situation in Mali, the Council called upon the Transition Government of Mali to cooperate fully with the United Nations during the drawdown, withdrawal and liquidation of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) to ensure the orderly and safe withdrawal of the Mission, and requested the Transition Government of Mali to fully respect all provisions of the Status of Forces Agreement until the departure of the final element of MINUSMA from Mali.²⁵³

In connection with the situation in the Middle East (Israel and Syria), the Council stressed the obligation on both parties to scrupulously and fully respect the terms of the 1974 Disengagement of Forces Agreement and called on the parties to exercise maximum restraint and prevent any breaches of the ceasefire and the area of separation.²⁵⁴ It called on all parties to cooperate fully with the operations of the United Nations Disengagement Observer Force (UNDOF), to respect its privileges and immunities and to ensure its freedom of movement, as well as the security of and unhindered and immediate access for the United Nations personnel carrying out their mandate, including the unimpeded delivery of UNDOF equipment and the temporary use of alternative ports of entry and departure, as required, to ensure safe and secure troop rotation and resupply activities.²⁵⁵

In connection with the situation in South Sudan, the Council called upon the Government of South Sudan and all relevant actors to end all obstructions to the United Nations Mission in South Sudan (UNMISS).²⁵⁶ The Council also reiterated its call on the Government of South Sudan to comply with the obligations set out in the Status-of-Forces Agreement between the Government of South Sudan and the United Nations, and immediately cease obstructing UNMISS in the performance of its mandate.²⁵⁷ It further called on the Government of South Sudan to take action, to deter, and to hold those responsible to account for any hostile or other actions that impede UNMISS or international and national humanitarian actors, and to continue to take all appropriate measures to ensure the safety and security and freedom of movement of UNMISS personnel with unhindered and immediate access.²⁵⁸ Lastly, the Council urged the

²⁵³ Resolution 2690 (2023), para. 4.

²⁵⁴ Resolution 2689 (2023), para. 2; and 2718 (2023), para. 2.

²⁵⁵ Resolution 2689 (2023), para. 6; and 2718 (2023), para. 6.

²⁵⁶ Resolution 2677 (2023), para. 9.

²⁵⁷ *Ibid.*, para. 10.

²⁵⁸ *Ibid.*

Government of South Sudan to facilitate the smooth functioning of all UNMISS bases and to build an environment of mutual cooperation for UNMISS and its partners to conduct their work.²⁵⁹

With respect to the situation in Western Sahara, the Council reiterated its call upon all parties to cooperate fully with the United Nations Mission for the Referendum in Western Sahara (MINURSO), including its free interaction with all interlocutors, and to take the necessary steps to ensure the security of as well as unhindered movement and immediate access for the United Nations and associated personnel in carrying out their mandate, in conformity with agreements made with the United Nations.²⁶⁰

²⁵⁹ Ibid.

²⁶⁰ Resolution 2703 (2023), para. 7.

VIII. Mutual assistance pursuant to Article 49 of the Charter

Article 49

The Members of the United Nations shall join in affording mutual assistance in carrying out the measures decided upon by the Security Council.

Note

Section VIII covers the practice of the Council in relation to Article 49 of the Charter, concerning mutual assistance among Member States in carrying out the measures decided upon by the Council.

In 2023, the Council did not explicitly invoke Article 49 in any of its decisions. However, in its decisions adopted during the reporting period, the Council called upon Member States to cooperate with each other or to assist specific States in the implementation of measures imposed under Chapter VII of the Charter. The present section is divided into two subsections. Subsection A covers decisions in which the Council urged cooperation among Member States with respect to measures under Article 41. Subsection B covers decisions in which the Council requested mutual assistance in relation to measures under Article 42.

In 2023, there was no constitutional discussion in the Council relating to the interpretation or application of Article 49 of the Charter. No reference to Article 49 was made in the communications received by the Council.

A. Decisions in which the Security Council requested mutual assistance in the implementation of measures under Article 41 of the Charter

During the period under review, the Council called upon Member States to enhance their cooperation in implementing specific sanctions measures. The addressees of the Council's calls for mutual assistance ranged from individual Member States in particular, concerned and neighboring States, to "all Member States", as well as regional and subregional organizations. The types of assistance requested of Member States varied greatly, from requests to share information and requests for the provision of technical assistance to requests for cooperation in carrying out inspections.

Concerning the situation in Haiti, the Council demanded cooperation between Member States to prevent illicit arms trafficking and diversion, including through inspecting cargo to Haiti, in their territory, as necessary and in a manner consistent with national and international law, and through providing and exchanging timely and up to date information to identify and combat illicit trafficking sources and supply chains.²⁶¹

In connection with the situation in Libya, the Council called upon the Government of Libya to improve the implementation of the arms embargo, and upon all Member States to cooperate in such efforts.²⁶²

With respect to the situation in Somalia, the Council requested the Government of Somalia to strengthen cooperation and coordination with other Member States, particularly other Member States in the region, to prevent and counter the financing of terrorism, consistent with resolutions [1373 \(2001\)](#), [2178 \(2014\)](#) and [2462 \(2019\)](#).²⁶³ The Council also urged Somalia, with the support of the African Union, the United Nations, European Union and other Member States to work closer together to increase the delivery of non-military activities to degrade Al-Shabaab and ISIL/Da'esh, to prevent them conducting activities that harm the sovereignty, territorial integrity, political independence and unity of Somalia, to counter their terrorist activities, illicit finance, organized crime, access to, and trafficking in, arms and ammunition, including small arms and light weapons, IED manufacture, and to work together with the international community, to implement the measures set out in resolution [2662 \(2022\)](#), including those measures imposed against individuals and groups designated by the Council Committee established pursuant to resolution [751 \(1992\)](#).²⁶⁴

In relation to Al-Shabaab, the Council called upon Member States to share information with Somalia, the Committee pursuant to resolution [2713 \(2023\)](#) concerning Al-Shabaab and the Panel of Experts pursuant to resolution [2713 \(2023\)](#) regarding suspicious purchases of or enquiries into explosive precursors and materials that may be used in the manufacture of improvised explosive devices by individuals in Somalia and to ensure that Somalia is provided

²⁶¹ Resolution [2692 \(2023\)](#), para. 7.

²⁶² Resolution [2701 \(2023\)](#), para. 9.

²⁶³ Resolution [2687 \(2023\)](#), para. 16.

²⁶⁴ Ibid.

with adequate financial and technical assistance to establish appropriate safeguards for the storage and distribution of materials.²⁶⁵

Concerning the situation in South Sudan, the Council decided that all Member States were to cooperate in efforts to seize and dispose of items for which the supply, sale, or transfer was prohibited by paragraph 4 of resolution [2428 \(2018\)](#).²⁶⁶

B. Decisions in which the Security Council requested mutual assistance in the implementation of measures under Article 42 of the Charter

During the period under review, the Council also adopted several resolutions in which it requested cooperation among Member States in carrying out measures under Article 42 of the Charter, under which the use of force is authorized. The types of assistance requested included sharing information and capacity-building to deter various criminal acts, and coordination among Member States to deter such acts.

For example, concerning the situation in Lebanon, the Council called upon Member States to urgently assist the Lebanese Armed Forces as needed to enable them to perform their duties in line with resolution [1701 \(2006\)](#).²⁶⁷

With respect to the situation in Libya and the question of migration, the Council reiterated its calls made in previous resolutions to “all flag States involved“ to cooperate in efforts aimed at inspecting vessels suspected of being used for migrant smuggling or human trafficking from Libya.²⁶⁸ The Council also reiterated previous resolutions which called upon Member States acting nationally or through regional organizations, including the European Union to cooperate with the Government of Libya and with each other, including by sharing information to assist Libya in building capacity secure its borders and to prevent, investigate and prosecute acts of smuggling of migrants and human trafficking through its territory and in its territorial sea.²⁶⁹

²⁶⁵ Ibid., para. 21.

²⁶⁶ Resolution [2683 \(2023\)](#), para. 10.

²⁶⁷ Resolution [2695 \(2023\)](#), thirty-first preambular paragraph.

²⁶⁸ Resolution [2698 \(2023\)](#), para. 3.

²⁶⁹ Ibid.

IX. Special economic problems of the nature described in Article 50 of the Charter

Article 50

If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems.

Note

Section IX covers the practice of the Council in relation to Article 50 of the Charter, regarding the right of States to consult the Council with a view to resolving economic problems arising from the implementation of preventive or enforcement measures, such as sanctions, imposed by the Council.

During the period under review, the Council continued its practice of imposing targeted instead of comprehensive economic sanctions, thereby minimizing the unintended adverse impact on third States.²⁷⁰ In 2023, none of the Council-mandated sanctions committees received formal requests for assistance under Article 50 of the Charter. While the Council did not explicitly invoke Article 50 in any of its decisions during the reporting period, in its resolution [2716 \(2023\)](#) adopted under the item “Threats to international peace and security caused by terrorist acts”, it urged States, when designing and applying sanctions measures, to take into account the potential effect of those measures on exclusively humanitarian activities, including medical activities, that were carried out by impartial humanitarian actors in a manner consistent with international humanitarian law in accordance with resolution [2462 \(2019\)](#).²⁷¹

During the period under review, Article 50 of the Charter was not explicitly referred to in any of the Council’s discussions. Nonetheless, speakers made numerous implicit references to the unintended consequences of sanctions which were of relevance for the interpretation and

²⁷⁰ For more information on sanctions measures, see sect. III.

²⁷¹ Resolution [2716 \(2023\)](#), seventh preambular paragraph.

application of Article 50, both in relation to specific sanctions regimes and in the context of thematic discussions.

For example, several Council members addressed the unintended consequences of sanctions against the Democratic People’s Republic of Korea. At a meeting held on 23 March under the item entitled “Non-proliferation/Democratic People’s Republic of Korea”, the representative of the Russian Federation stated that his country had voted in favour of resolution [2680 \(2023\)](#), which extended the mandate of the Panel of Experts and the Committee established pursuant to resolution [1718 \(2006\)](#), but stressed that he found it regrettable that the United States as penholder had not incorporated important proposals put forward by his delegation, amongst others concerning the need to minimize the unintended adverse impact of sanctions on the population of the Democratic People’s Republic of Korea.²⁷² 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 stressed that his delegation continued to be troubled by findings of the Panel of Experts established pursuant to resolution [1718 \(2006\)](#), which concluded that the sanctions regime itself had unintended effects on the humanitarian situation. More had to be done to mitigate those effects.²⁷³

At a meeting held on 30 May under the item entitled “Reports of the Secretary-General on the Sudan and South Sudan”, the representative of Mozambique, speaking also on behalf of Gabon and Ghana, emphasized that sanctions regimes could have negative effects on people’s lives, particularly by exacerbating pre-existing socioeconomic vulnerabilities. Therefore, the Council should thoroughly consider listing criteria to avoid ambiguity in the implementation of sanctions.²⁷⁴

On 15 June, at a meeting held under the item entitled “The situation in Somalia”, the representative of Japan, in his capacity as Chair of the Security Council Committee established pursuant to resolution [751 \(1992\)](#), concerning Al-Shabaab, noted that one recommendation contained in a report by the Panel of Experts for the Council’s consideration was to mandate the Panel to monitor and report on the unintended humanitarian consequences of the sanctions regime.²⁷⁵

²⁷² See [S/PV.9292](#).

²⁷³ See [S/PV.9398](#).

²⁷⁴ See [S/PV.9332](#).

²⁷⁵ See [S/PV.9349](#).

In addition, at meetings held under the item entitled “The situation in Libya”, the representative of Brazil stressed that reports about the erosion, misappropriation or confiscation of Libyan frozen assets should be considered and addressed.²⁷⁶ The assets freeze was preventive rather than punitive and was designed to preserve the sovereign wealth of Libya for the future benefit of the Libyan people. Technical responses and solutions were therefore necessary to mitigate the risk of losses as an unintended consequence of the assets freeze.

The unintended impact of Council-mandated sanctions and counter-terrorism measures was also discussed in thematic meetings of the Council. On 23 May, at a high-level open debate held at the initiative of Switzerland under the item entitled “Protection of civilians in armed conflict”,²⁷⁷ the President of Malta stressed that in crises and complex humanitarian emergencies, the protection of civilians and sustained humanitarian access and support must be safeguarded by the Council.²⁷⁸ He added that arbitrary, discriminatory and bureaucratic impediments that hindered the rapid delivery of vital aid were unacceptable. Given that sanctions, unless targeted, might have adverse and unintended humanitarian consequences, directly or indirectly, on innocent civilian populations, Malta welcomed the recent adoption of resolution [2664 \(2022\)](#), which provided a humanitarian exemption for all United Nations sanctions. He further emphasized that monitoring to ensure civilians did not inadvertently pay the price by suffering unintended consequences for the actions of the sanctioned was a collective responsibility.

At a meeting held on 25 August under the item entitled “Threats to international peace and security caused by terrorist acts”, the representative of Brazil highlighted that the Council had the responsibility to ensure that its decisions did not impede impartial humanitarian assistance from reaching civilians in need nor cause more suffering.²⁷⁹ He added that the unintended consequences of counter-terrorism measures must be thoroughly addressed and counter-terrorist action should be regulated in such a manner as to allow the humane, neutral and impartial work of humanitarian and medical practitioners, in full compliance with international humanitarian law. That was crucial to ensure that the Council’s actions effectively contributed to eradicating terrorism without creating collateral damage.

²⁷⁶ See [S/PV.9405](#).

²⁷⁷ See [S/PV.9327](#) and [S/PV.9327 Resumption 1](#)).

²⁷⁸ See [S/PV.9327](#).

²⁷⁹ See [S/PV.9405](#).

Lastly, on 15 December, at a meeting held under the item entitled “Small arms”, the representative of the Republic of Korea underscored the constructive role played by the relevant subsidiary bodies of the Council and their Panels of Experts in reporting on the implementation of sanctions.²⁸⁰ At the same time, he stated that United Nations sanctions regimes should be more efficient and strategically targeted, reflecting the developing situation on the ground while addressing relevant unintended humanitarian concerns.

²⁸⁰ See [S/PV.9509](#).

X. Right of individual or collective self-defence in accordance with Article 51 of the Charter

Article 51

Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

Note

Section X deals with the practice of the Security Council in relation to Article 51 of the Charter, regarding the “inherent right of individual or collective self-defence” in the event of an armed attack against a Member State. The section is divided into two subsections. Subsection A covers the discussions of the Council of relevance to the interpretation and application of Article 51, and subsection B covers references to Article 51 and the right to self-defence in communications addressed to the Council. The Council did not refer to Article 51 or the right of self-defence in its decisions during the reporting period.

A. Discussions relating to Article 51

In 2023, Article 51 of the Charter was explicitly invoked 96 times during the deliberations of the Council at 32 Council meetings,²⁸¹ representing a double increase compared

²⁸¹ See, in connection with the item entitled “The promotion and strengthening of the rule of law in the maintenance of international peace and security”, [S/PV.9241](#) (Brazil and Russian Federation); and [S/PV.9241 \(Resumption 1\)](#) (Armenia and Mexico); in connection with the item entitled “The situation concerning Iraq”, [S/PV.9253](#) (Brazil and Iraq); in connection with the item entitled “Maintenance of peace and security of Ukraine”, [S/PV.9254](#) (Ukraine); [S/PV.9269](#) (Czechia and Estonia); [S/PV.9286](#) (Lithuania); [S/PV.9357](#) (France); [S/PV.9380](#) (United States); [S/PV.9431](#) (Malta); and [S/PV.9523](#) (Malta); in connection with the item entitled “Threats to international peace and security”, [S/PV.9256](#) (Albania, United States, Mozambique, Ecuador and Ukraine); [S/PV.9262](#) (Germany); [S/PV.9300](#) (United Kingdom and Ukraine); [S/PV.9301](#) (United Kingdom, Ecuador, Ghana and Poland); [S/PV.9325](#) (Ghana, Albania, Ecuador, France, Malta and Ukraine); [S/PV.9364](#) (Russian Federation, Malta, Albania, Ecuador and Ukraine); [S/PV.9390](#) (Ecuador and Ukraine); [S/PV.9399](#) (France, Malta, Albania, Brazil and Ukraine);

with the previous year and an eightfold increase compared with 2021.²⁸² Moreover, the right of self-defence was discussed at several meetings of the Council held under thematic and country- and region-specific items on its agenda.

Discussions on thematic items

At an open debate held on 12 January at the initiative of Japan under the item entitled “The promotion and strengthening of the rule of law in the maintenance of international peace and security”,²⁸³ Council members and other Member States discussed the right of self-defence in relation to the sub-item of the meeting entitled “The rule of law among nations” (see case 8).

At an open debate held on 24 April, in relation to the item entitled “Maintenance of international peace and security”,²⁸⁴ the representative of Mozambique opined that collective security meant that the security of one was the security of all, with security being a global concept and global good that could not be divided or fragmented.²⁸⁵ Therefore, Article 51 of the Charter came as an exception and a reminder of the fact that all States deserved to live in peace and security. The representative of France called for respect of the Charter and the system of collective security established by it, reiterating that the use of force, except in self-defence, was illegal. The representative of Ecuador was of the view that none of the pretexts invoked for attacking Ukraine in violation of the Charter had any basis whatsoever, including the argument that Russia was acting in self-defence against Ukraine’s anti-Russian policies towards certain inhabitants. The representative of Mexico reiterated concern over the frequent invocations of legitimate self-defence against non-State actors, which may be an abuse of Article 51. The

[S/PV.9415](#) (France, Ecuador, Malta, Brazil, Albania and Ukraine); [S/PV.9436](#) (France, Malta, Albania, Brazil, Ukraine); [S/PV.9457](#) (Malta, France and Ukraine); [S/PV.9470](#) (Malta, Ecuador and Ukraine); [S/PV.9501](#) (United States, Malta, France and Ukraine); and [S/PV.9524](#) (Malta, United States and Russian Federation); in connection with the item entitled “Maintenance of international peace and security”, [S/PV.9308](#) (Mozambique and Mexico); [S/PV.9308 \(Resumption 1\)](#) (Canada); and [S/PV.9421](#) (Malta and Brazil); in connection with the item “Children and armed conflict”, [S/PV.9366 \(Resumption 1\)](#) (Türkiye); in connection with the item entitled “The situation in the Middle East”, [S/PV.9426](#) (Türkiye); [S/PV.9459](#) (United States and Türkiye); and [S/PV.9487](#) (United States, Syrian Arab Republic and Türkiye); in connection with the item entitled “The situation in the Middle East, including the Palestinian question”, [S/PV.9442](#) (United States); [S/PV.9451 \(Resumption 1\)](#) (Iran (Islamic Republic of) and Ukraine); [S/PV.9462](#) (United States); and [S/PV.9472](#) (Mozambique); and in connection with the item “Small arms”, [S/PV.9509](#) (Albania and Ukraine); and [S/PV.9509 \(Resumption 1\)](#) (Myanmar and Bahrain).

²⁸² For more information, see *Repertoire, Supplement 2022*, part VII, sect. X; and *Repertoire, Supplement 2021*, part VII, sect. X.

²⁸³ See [S/PV.9241](#); and [S/PV.9241 \(Resumption 1\)](#).

²⁸⁴ See [S/PV.9308](#); and [S/PV.9308 \(Resumption 1\)](#).

²⁸⁵ See [S/PV.9308](#).

representative of Canada stated that the Russian Federation had launched a full-scale invasion and war of aggression against Ukraine which continued to defend itself with the support of many partners.²⁸⁶ That was envisaged under Article 51, which specifically granted nations the right to defend themselves and for other countries, the right to help a nation that was defending itself.

At a meeting held on 20 September, under the same agenda item,²⁸⁷ the President of Ukraine spoke about the aggression by Russia against Ukraine and stated that his country was exercising its right to self-defence.²⁸⁸ The President of Ecuador stressed that no narrative that sought to justify the war in Ukraine had any legal standing, including the argument that Russia was acting in self-defence against anti-Russian policies towards certain inhabitants or aimed at Russian culture. The Prime Minister of Malta underlined Ukraine's inherent right to self-defence, as enshrined in Article 51 of the Charter. The Minister for Europe and Foreign Affairs of France stressed that France would continue to act in accordance with common principles, the first of which was self-defence, as set forth in the Charter. The Minister for Foreign Affairs of Brazil said that Brazil fully respected and upheld the right to self-defence of all Member States under Article 51 but stressed the need to recognize that the recent escalation in the conflict seriously undermined peace and security well beyond the battlefield, violating the core principles and provisions of the Charter.

At a meeting held on 5 July under the item entitled "Children and armed conflict",²⁸⁹ the representative of Türkiye stated that Türkiye's counter-terrorism operations in Syria and Iraq were conducted as part of Türkiye's inherent right to self-defence, in line with Article 51 of the Charter and in full compliance with international law and international humanitarian law.²⁹⁰

At a meeting held on 25 August under the item entitled "Non-proliferation/Democratic People's Republic of Korea", the representative of the United States opined that the Democratic People's Republic of Korea claimed, as it always had, that its pursuit of a nuclear weapons programme was an act of self-defence. But it threatens its neighbours and is a grave threat to global peace.²⁹¹ The representative of Japan stressed that the latest intercontinental ballistic

²⁸⁶ See [S/PV.9308 \(Resumption 1\)](#).

²⁸⁷ See [S/PV.9421](#); [S/PV.9421 \(Resumption 1\)](#); and [S/PV.9421 \(Resumption 2\)](#).

²⁸⁸ See [S/PV.9421](#).

²⁸⁹ See [S/PV.9366](#); and [S/PV.9366 \(Resumption 1\)](#).

²⁹⁰ See [S/PV.9366 \(Resumption 1\)](#).

²⁹¹ See [S/PV.9406](#).

missile launch was not about the right to use outer space or exercising the right to self-defence but rather, the violations of Council resolutions and the non-proliferation of weapons of mass destruction. The representative of the Democratic People's Republic of Korea stated that the launch of the reconnaissance satellite was an exercise of the legitimate right to self-defence to deter the ever-increasing hostile military acts of the United States and its followers, and also aimed at building capabilities for its self-defence.

At a meeting held on 27 November under the same agenda item, the representative of Albania said that false narrative by the regime of the Democratic People's Republic of Korea portrayed the launch of a military reconnaissance satellite as a full-fledged exercise of self-defence.²⁹² However, sending such satellites into space may have provided the regime with additional opportunities to develop technologies useful to its ballistic missile and nuclear programs. The representative of the Democratic People's Republic of Korea emphasized that the launch was a legitimate and righteous exercise of the right to self-defence, which fully belonged within the legal sphere of his country's self-defence. The representative of the United States reiterated a statement made by the representative of China, in which he stated that the Democratic People's Republic of Korea's pursuit of self-defence could not come at the expense of the security of its neighbours or the global non-proliferation regime²⁹³.

At an open debate held on 15 December in connection with the item entitled "Small arms",²⁹⁴ the Minister for Europe and Foreign Affairs of Albania pointed out that children continued to be disproportionately affected by armed conflict.²⁹⁵ Therefore, it was important to emphasize the right to individual and collective self-defence, as recognized in Article 51 of the Charter, and for the legitimate security demands of all countries be fully considered. In that context, small arms and light weapons should be manufactured, traded and retained by States for their legitimate security in line with international standards and rules. The representative of Ukraine emphasized that all weapons received by Ukraine from its partners were used to exercise the right of self-defence pursuant to Article 51. The representative of Myanmar stressed that legal sales and transfers of arms were important to all Member States for purposes related to their

²⁹² See [S/PV.9485](#).

²⁹³ *Ibid.*

²⁹⁴ See [S/PV.9509](#); and [S/PV.9509 \(Resumption 1\)](#).

²⁹⁵ See [S/PV.9509](#).

legitimate national security needs, as stipulated in Article 51.²⁹⁶ The representative of Bahrain emphasized the need to differentiate between combating the illicit trade in small arms and light weapons and legitimately trading in conventional weapons among governments, as well as the legitimate right of States to provide for their needs for conventional weapons in accordance with Article 51.

In 2023 and under the item entitled “Threats to international peace and security” the Council also discussed the right to self-defence in the context of the situation in Ukraine on numerous occasions, as further elaborated upon in case 9 below.

Discussions on country- and region-specific items

During its deliberations, the Council also addressed issues relevant to the interpretation and application of Article 51 and/or the right to self-defence under several country- and region-specific items, relating to Ukraine, the Middle East, and Iraq, which are featured below in descending order based on the volume of references to Article 51. In addition, Council members and other participants in the Council’s meetings frequently discussed the right to self-defence in connection with the item entitled “The situation in the Middle East, including the Palestinian question”, as further elaborated upon in case 10 below.

Ukraine

In 2023, the right of self-defence of Ukraine was discussed in multiple meetings held under the item entitled “Maintenance of peace and security of Ukraine”. At a meeting held on 8 February, the representative of France stressed that his country would continue to provide the Ukrainian people with all the support they needed to exercise their legitimate right to self-defence and preserve their freedom.²⁹⁷ The representative of Ukraine noted that his country was fully implementing its international obligations in exercising its right to self-defence in accordance with Article 51 of the Charter.

At a meeting held on 24 February, the Minister for Foreign Affairs of Czechia underscored his delegation’s commitment to Ukraine’s wish for a just peace and its undeniable

²⁹⁶ See [S/PV.9509 \(Resumption 1\)](#).

²⁹⁷ See [S/PV.9254](#).

right, in line with Article 51, to defend itself against the aggression.²⁹⁸ The Minister for Foreign Affairs of Estonia noted that Article 51 granted every country the right to self-defence and that it was necessary to collectively ensure that Ukraine could defend itself against its aggressor.

At a meeting held on 17 March, the representative of Ukraine emphasized that his country would continue to defend itself, the principles of the Charter and the rules-based order until the Russian Federation abandoned its aggressive course.²⁹⁹ The representative of Lithuania, on behalf of the Baltic States, stated that his country stood with Ukraine as it exercised its inherent right to self-defence against Russia's war of aggression, in accordance with international law, notable Article 51, and that Lithuania would continue doing so for so long as it took.

At a meeting held on 23 June, the representative of the United States stated that all efforts to broker peace must be rooted in the fundamental principles of sovereignty, territorial integrity and the inherent right to self-defence enshrined in the Charter.³⁰⁰ The United States would continue to support Ukraine in its principled self-defence. The representative of France emphasized that it was necessary to support Ukraine in every possible way so that it could conduct an effective counter-offensive and exercise its right to self-defence in accordance with Article 51 of the Charter. The Head of the Delegation of the European Union to the United Nations stated that, under the Charter, Ukraine had the right to self-defence against Russia's attacks in order to restore its territorial integrity and also the right to request international support for such efforts. The European Union was committed to supporting Ukraine in that regard for as long as it took. On 17 July, the representative of the United States pointed out that the security assistance, including weapons, that the United States and more than 50 other countries were providing, were for Ukraine's self-defence, to which Ukraine had an inherent right, as reflected in Article 51.³⁰¹

At a meeting held on 9 October, the representative of Malta stated that her country would continue to provide the Ukrainian people with all the support they needed to exercise their right to self-defence, as enshrined in Article 51 of the Charter.³⁰² The representative of the United

²⁹⁸ See [S/PV.9269](#).

²⁹⁹ See [S/PV.9286](#).

³⁰⁰ See [S/PV.9357](#).

³⁰¹ See [S/PV.9380](#).

³⁰² See [S/PV.9431](#).

Kingdom also stressed that her country would continue to support Ukraine in its exercise of its right to self-defence. Also in relation to the situation in Ukraine, at a meeting held on 29 December, the representative of Malta underscored that Ukraine had the right to defend itself from Russia's aggression, as enshrined in Article 51, until Russia had ceased all hostilities and had unconditionally and completely withdrawn all its forces and military equipment from the entire territory of Ukraine within its internationally recognized borders.³⁰³ Ukraine also had the right to rely on its allies to do the same, as any other member of the Organization, to protect its citizens, its borders, its sovereignty and its territorial integrity. The representative of France stressed that his delegation would continue to provide military and civilian support to Ukraine to enable it to defend itself.

Middle East

The Council also addressed the right to self-defence in relation to the military activities conducted in the territory of the Syrian Arab Republic in meetings held on 27 September, 30 October, 28 November and 21 December under the item entitled "The situation in the Middle East". On 27 September, the representative of the Türkiye emphasized that his country was entitled to take appropriate measures against direct and imminent threats posed to its security by terrorist organizations operating in Syria and that Türkiye would continue to exercise its inherent right of self-defence, as outlined in Article 51 of the Charter and relevant Council resolutions.³⁰⁴

At the meeting held on 30 October, the representative of the United States pointed out that her country had made clear that it would respond to attacks on its own personnel and facilities in Syria or against United States interests and, where appropriate, would exercise its right to self-defence forcefully, proportionately and in a manner that minimized civilian harm.³⁰⁵ She added that the narrowly tailored United States strikes on Iranian militia sites in eastern Syria conducted on 27 October had been in response to the repeated attacks made on United States forces in Syria and Iraq since 17 October, and had been an appropriate exercise of its right to self-defence under Article 51. The representative of the Russian Federation stated that the United States had declared that its attack in eastern Syria had been carried out within the framework of

³⁰³ See [S/PV.9523](#).

³⁰⁴ See [S/PV.9426](#).

³⁰⁵ See [S/PV.9459](#).

the United States' so-called right to self-defence, "thousands of kilometers from United States territory", which he described as illegitimate action and a violation of Syria's sovereignty and the norms of international law. The representative of the Islamic Republic of Iran opined that the United States and some Western countries were attempting to equate the self-defence and right to self-determination of the Palestinian people and the Palestinian resistance with terrorism, attempting to grant what he referred to as "the occupying regime, Israel", an unjust right to self-defence. The representative of Türkiye said that the presence of "the Kurdistan Workers' Party/Democratic Union Party (PKK/PYD) terrorist organization" in Syria posed a vital threat to Türkiye's national security and that the group had been using the refuge and support it received in Syria to attack Türkiye. . She stressed that Türkiye conducted counterterrorism operations against PKK-PYD terrorism in exercise of its inherent right to self-defence, in line with Article 51 and relevant Council resolutions, and that those operations exclusively targeted terrorists and terrorist capabilities that were directly linked to the functioning and financing of that terrorist organization.

At the meeting held on 28 November, the representative of the Russian Federation pointed to what he described as the "double standards" of Western countries, stating that they baselessly asserted a certain right to self-defence for Israel, "the occupying Power", with regard to the occupied Palestinian territory, while clearly denying that right to Syrians and Lebanese when Israelis arbitrarily attacked their territories.³⁰⁶ The representative of the United States condemned the attacks by Iranian-aligned militia groups on United States personnel and facilities in Iraq and Syria, stressing that the mission of those United States forces remained to lead the international effort to defeat Da'esh. Just like any other Member State, the United States had the right to self-defence, as outlined in Article 51 of the Charter. The United States had therefore conducted targeted response strikes and stood ready to take further action, as necessary and appropriate, to address further threats of attacks. The representative of the Syrian Arab Republic opined that the "Israeli aggression" against the Gaza Strip could not in any circumstances be justified under the pretext of self-defence or countering terrorism. He further stated that the United States Ambassador invoked Article 51 to justify what he described as her country's ongoing crimes committed on the territory of the Syrian Arab Republic. The representative of

³⁰⁶ See [S/PV.9487](#).

Türkiye said that the presence in Syria of the Kurdistan Workers' Party/People's Protection Units (PKK/YPG) and its terrorist attacks constituted a vital threat to Türkiye's national security. Türkiye was entitled to take appropriate measures against that direct and imminent threat and would continue its fight against that terrorist organization, in accordance with Article 51.

At a meeting held on 21 December, the representative of Türkiye emphasized that Türkiye's counter-terrorism operations in Syria were an exercise of its inherent right of self-defence.

Iraq

At a meeting held on 2 February under the item "The situation concerning Iraq", the representative of Brazil noted that, while countering the global threat of terrorism in Iraq required cooperation among States, there had been a number of actions that were in disregard of the most fundamental tenets of the Charter.³⁰⁷ He reiterated that there could be no legitimate right to self-defence against any State unless it was in response to an actual armed attack attributable to that State. Furthermore, there was no right to preventive self-defence and attempts to justify violations of the prohibition on the use of force on those grounds had no place under Article 51 of the Charter or in customary international law. The representative of Iraq strongly condemned the repeated aggressions by Türkiye and Iran targeting Iraq's territories under the pretexts of self-defence and invoking Article 51.

Case 8

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,³⁰⁸ 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 sub-item entitled "The rule of law among nations".³⁰⁹ Council members heard briefings by the Secretary-General, the President of the International Court of Justice and a

³⁰⁷ See [S/PV.9253](#).

³⁰⁸ A concept note was circulated by a letter dated 3 January ([S/2023/1](#)).

³⁰⁹ See [S/PV.9241](#) and [S/PV.9241 \(Resumption 1\)](#). For more information on the discussion held at that meeting in relation to the prohibition of the use of force, see part III, sect. II.B.

Professor of Public International Law at the University of Oxford. In his briefing, the Professor of Public International Law pointed out that force may be used lawfully only in two circumstances - when authorized in accordance with the collective security scheme established by the Charter or when used in the exercise of individual or collective self-defence.³¹⁰

In the ensuing discussion, the representatives of Brazil and Pakistan similarly pointed out that the right of self-defence was an exception to the prohibition of the use of force. Specifically, the representative of Brazil stated that the right to individual or collective self-defence enshrined in Article 51 of the Charter of the United Nations was the only exception to the prohibition of the use of force and had to be interpreted in a restrictive manner, as had already been decided by the International Court of Justice. The representative of Pakistan noted that it was the Charter that, for the first time, had placed explicit constraints on the use or threat of use of force except for self-defence or when collectively authorized by the Council.

Multiple delegations further addressed issues related to the undue invocation of the right of self-defence. The Minister of Foreign Affairs of Japan stressed that actions by any country to rewrite borders by force or through the flexing of muscles could by no means be justified through arbitrary interpretations of the Charter and international law, including the right of self-defence. The representative of the Russian Federation opined that the United States and its allies had developed a practice of broadly interpreting of Article 51 as allowing self-defence against non-State actors on the territory of third countries.³¹¹

The representative of Jordan was of the view that the expansive interpretation of the right to self-defence had been an affront to the sovereignty and territorial integrity of States.³¹² The representative of Slovakia stated that the Russian Federation had been promoting an alternative concept of the rule of law, under which an aggression was allegedly self-defence and any damage or suffering were alleged to be caused by the victim-State daring to simply defend itself or by States providing support in exercise of its right to self-defence. The representative of Mexico noted that there had been occasions where invocations of Article 51 against non-State actors in a third State under the so-called doctrine of unwillingness and inability had gone

³¹⁰ See [S/PV.9241](#).

³¹¹ See [S/2023/1](#).

³¹² See [S/PV.9241 \(Resumption 1\)](#).

beyond the provisions of that Article and constituted an abuse of the principle of the right to self-defence, which in turn exacerbated conflicts by fueling hatred and extremism.

In addition, the representative of Armenia stated that his delegation had repeatedly brought to the attention of the Council that Azerbaijan had been engaging in the illegal practice of the acquisition of territories by force and had duly reported such acts of aggression under Article 51.

Case 9 **Threats to international peace and security**

On 18 May, the Security Council held a meeting under the item entitled “Threats to international peace and security”³¹³ in which the Director and Deputy to the High Representative for the United Nations Office for Disarmament Affairs briefed the Council on the topic of transfers of military assets to Ukraine. In the ensuing discussion, the representative of the Russian Federation stated that Western countries insisted that they were not parties to the conflict but were only helping Ukraine to defend itself; however, the reality was the polar opposite, a proxy war being waged with Russia in Ukraine. Conversely, the representative of Ukraine said that, when addressing the Russian aggression, it was enough to return to Article 51 of the Charter of the United Nations, which envisaged the inherent right of individual or collective self-defence if an armed attack occurred against a Member State until the Council had taken measures necessary to maintain international peace and security. Ukraine would continue to exercise its right of self-defence in strict accordance with Article 51 and would continue to fight until its land is liberated.

Several Council members reaffirmed the right of self-defence, while explicitly referring to Article 51 of the Charter. The representative of Ghana reaffirmed her country’s unwavering commitment to the sovereignty, political independence and territorial integrity of Ukraine and its inherent right to self-defence, enshrined in Article 51. While the use of force had long been outlawed by customary international law, the framers of the Charter had rightly asserted the rights of States to individual or collective defence when an armed attack occurred, and that legitimate endeavor had engaged the resources of Ukraine for close to 16 months. The

³¹³ See [S/PV.9325](#).

representative of Albania stressed that Russia was the aggressor, and that Ukraine was trying to defend itself. The military support that Ukraine was receiving complied with transparency and equality, in accordance with Article 51.

The representative of Ecuador reiterated his country's historical position of rejecting armed violence, militarization and a focus on armaments. This position had always been accompanied by a recognition of the right of peoples to legitimate self-defence, in accordance with international law, which was the pillar of peaceful coexistence among nations and was enshrined in the Charter, including in Article 51. Ecuador therefore recognized the right of Member States to equip themselves with tools for the defence of their territorial integrity, provided that the equipment, its transfer and use did not contravene international law or international humanitarian law. The representative of France stressed that, along with its partners, France had chosen to support the Ukrainian people in their right to self-defence, as established in Article 51, and would continue to do so, bilaterally and through the European Union, taking account Ukraine's most urgent needs to strengthen its defence capabilities. The representative of Malta reminded the Council that it was Russia that had launched a full-scale invasion against a sovereign, independent Member State and that Ukraine had a legitimate right to self-defence, enshrined in Article 51.

Some Council members also discussed the right of self-defence without referring to Article 51 of the Charter. The representative of the United Arab Emirates stressed that the development of security and defence capabilities was integral to the right of self-defence. She added that the right of States to self-defence was a fundamental principle of the Charter, but it was more than a year since the beginning of the conflict, and the necessary willingness to dialogue and the abandonment of the illusions of military victory were still not visible. The representative of Japan underscored Ukraine's right to self-defence to defend itself against aggression, noting that the international community was lending its support to Ukraine in order to stop Russia's aggression and maintain international peace and security.

The representative of the United Kingdom opined that the Ukrainian people wanted peace but faced a choice between annihilation and taking up arms in self-defence, which they had done in accordance with the Charter. The United Kingdom therefore supported Ukraine in defending its sovereignty and territorial integrity in line with the Charter and would continue to respond to Ukraine's requests for the means to defend itself against Russia's aggression until Russia ended

the war by withdrawing its troops. She also pointed out that her country had provided defensive weapons that could defeat Russian cruise missiles to help Ukraine defend its skies and its people from Russia's indiscriminate attacks. The representative of the United States said that Council members were once again listening to Russia's allegations that arms shipments from the United States and other countries providing support for Ukraine and its self-defence were the grave threat in the Ukraine conflict, and not Russia's invasion of its sovereign neighbour. The United States had staunchly supported Ukraine's right to defend itself against Russia's brutal, unprovoked war of aggression and, alongside 50 other States, would continue to do so. He added that, by supporting Ukraine and its self-defence, the United States was upholding the Charter. The representative of Switzerland noted that, like all States, Ukraine had the right to ensure its security and defend its territorial integrity and that his country did not accept the responsibility for this war and its consequence being diverted.

Case 10 **The situation in the Middle East, including the Palestinian Question**

On 24 October, the Security Council held its quarterly open debate under the item entitled "The situation in the Middle East, including the Palestinian Question".³¹⁴ At the meeting, the Secretary-General, the Special Coordinator for the Middle East Process and the Deputy Special Coordinator, Resident Coordinator and Humanitarian Coordinator for the Occupied Palestinian Territory briefed the Council on the deteriorating situation in the Middle East amidst an escalation of the conflict in the Gaza Strip following the 7 October attacks launched by Hamas in Israel and the Israeli military operations.

In the ensuing discussion, the Minister for Foreign Affairs of Israel emphasized that Israel not only had the right to defend itself but also had the duty to do so.³¹⁵ Numerous other speakers reaffirmed Israel's right of self-defence but noted that it must be consistent and in accordance with international law, including international humanitarian law and the principles of

³¹⁴ See [S/PV.9451](#); and [S/PV.9451 \(Resumption 1\)](#). For a detailed account of the discussions at that meeting on Article 1 (2) of the Charter and the principle of equal rights and self-determination of peoples, see part III, sect. I.B.

³¹⁵ See [S/PV.9451](#).

proportionality and distinction, and that Israel must ensure the protection of civilians.³¹⁶ For example, the Secretary of State of the United States stressed that Israel had the right, and indeed the obligation, to defend itself but that the way it did so mattered.³¹⁷ Hamas did not represent the Palestinian people, and Palestinian civilians were not to blame for the carnage committed by Hamas and had to be protected. The Minister for Foreign Affairs of the Kingdom of the Netherlands stressed that all Member States should stand united by supporting Israel and its right to self-defence against the terror threat of Hamas. He added that the use of force in self-defence must be necessary and proportionate, and international humanitarian law must be respected by all parties, meaning that every possible measure must be taken to protect civilians, humanitarian workers must be able to do their job safely and United Nations premises and personnel must remain safe from harm.³¹⁸ The Federal Minister for Foreign Affairs of Germany stated that Israel had the right to defend itself against terrorism within the framework of international law. The fight was against Hamas, and not against civilians, which is why it was crucial that the fight be carried out in line with humanitarian law and the greatest possible consideration for civilians in Gaza. The representative of Chile pointed out that the use of force in the framework of the legitimate defence of a State that had been attacked must be guided by the principles of proportionality, distinction and precaution but added that those principles had not been upheld.

In addition, the representative of Guatemala opined that the Council's failure to recognize the right of Israel to self-preservation and to defend its people did not contribute to the pursuit of dialogue, peace and security in the region or in the world. For the Council to effectively exercise its responsibility to prevent and resolve conflicts that affect international peace and security, it had to adopt balanced resolutions that took into account all the elements that arise in a situation, including, in this case, the legitimate right to self-defence of Israel.

Conversely, several Member States opposed the invocation of the right to self-defence on behalf of Israel. The Minister for Foreign Affairs and Expatriates of Jordan pointed out that six thousand Palestinians had been killed and that hospitals, schools, mosques and churches had

³¹⁶ See, for example, [S/PV.9451](#) (United States, France, Gabon, Albania, Malta, United Kingdom, Ecuador and Japan); and [S/PV.9451 \(Resumption 1\)](#) (Luxembourg, the Netherlands, Slovenia, Poland, Liechtenstein, New Zealand, Canada, Sierra Leone, European Union, Argentina, Norway, Australia, Ireland, Belgium, Czechia, Spain, Peru, Holy See, Iceland and Italy).

³¹⁷ See [S/PV.9451](#).

³¹⁸ See [S/PV.9451 \(Resumption 1\)](#).

been bombarded while civilians took shelter in them, adding that this does not constitute self-defence. The Minister for Foreign Affairs of Egypt stated that, in the face of the humanitarian shock and the loss of life that was seen around the clock, it was regrettable, and indeed shameful, that some continued to justify what was happening, citing the right to self-defence and to resist terrorism. The Secretary-General of the League of Arab States expressed surprise by those who clung to what they called the right to self-defence as a justification for committing the most heinous crimes and by those who accepted that this war was being waged outside the scope of international humanitarian law and without any red lines. The representative of Pakistan opined that, under the Charter, States had the right to self-defence against attacks on their sovereignty and territorial integrity but that a State that was in forcible occupation of a foreign territory could not invoke the right to self-defence against those whose territory it had illegally occupied. The representative of Plurinational State of Bolivia stated that Israel had decided to inflict collective punishment on all Palestinians in Gaza and had done so while using the false argument of the right to self-defence. The representative of the Syrian Arab Republic was of the view that a number of Western countries gave Israel *carte blanche*, which they falsely called the right to self-defence. The representative of Tunisia opined that it was unacceptable for the purposes and principles of the Charter to be subverted at the expense of the lives, security and rights of millions of Palestinians and for the “occupying Power” to exploit that as a cover and justification for continuing to perpetrate and intensify its crimes with total impunity, under the pretext of the right to self-defence and a policy of *fait accompli*.

In addition, some delegations addressed the right of self-defence in relation to the Palestinian people. The Minister for Foreign Affairs of the Observer State of Palestine stated that Israel had killed thousands of Palestinians over the years and yet no one had suggested that that entitled Palestine to start killing Israeli civilians, neither under the right to defend itself, or to protect its own, or to resist.³¹⁹ The representative of the Islamic Republic of Iran was of the view there was no provision for an occupying regime to invoke the right to self-defence under Article 51 of the Charter, but international law and that the Charter did recognize the legitimate right to self-determination, as well as to self-defence, of the Palestinian people. The representative of the Syrian Arab Republic reiterated that his country would spare no effort in supporting the

³¹⁹ See [S/PV.9451](#).

“brotherly Palestinian people” in their legitimate struggle to restore their stolen rights, including their inalienable rights to self-defence.

B. References to Article 51 and the right of self-defence in communications addressed to the Security Council

In 2023, Article 51 of the Charter was explicitly referenced in 17 communications from Member States addressed to the President of the Council. Those communications concerned a variety of disputes and situations. A complete list of letters from Member States explicitly invoking Article 51 is featured in table 13 below. Explicit references to Article 51 of the Charter were also found in the reports of the Secretary-General on the implementation of resolutions [2631 \(2022\)](#) and [2682 \(2023\)](#) concerning the mandate of the United Nations Assistance Mission for Iraq (UNAMI),³²⁰ a letter from the representative of the Russian Federation addressed to the Secretary-General transmitting outcome documents of the second Russia-Africa Summit³²¹ and a letter from the Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People addressed to the Secretary-General transmitting a study entitled “The legality of the Israeli occupation of the Occupied Palestinian Territory, including East Jerusalem”.³²² References to the principle of self-defence also continued to be found in other communications from several Member States as listed in table 14 below.

Table 13
Communications from Member States containing explicit references to Article 51 of the Charter, 2023

<i>Document symbol</i>	<i>Document title</i>
S/2023/116	Letter dated 16 February 2023 from the Permanent Representative of Türkiye to the United Nations addressed to the President of the Security Council
S/2023/190	Letter dated 13 March 2023 from the Permanent Representative of Türkiye to the United Nations addressed to the President of the Security Council
S/2023/227	Letter dated 27 March 2023 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council
S/2023/240	Letter dated 31 March 2023 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council

³²⁰ [S/2023/58](#) and [S/2023/700](#).

³²¹ [S/2023/577](#).

³²² [A/78/378-S/2023/694](#).

<i>Document symbol</i>	<i>Document title</i>
S/2023/242	Letter dated 3 April 2023 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council
S/2023/349	Letter dated 12 May 2023 from the Permanent Representative of Türkiye to the United Nations addressed to the President of the Security Council
S/2023/570	Letter dated 31 July 2023 from the Chargé d'affaires a.i. of the Permanent Mission of Türkiye to the United Nations addressed to the President of the Security Council
S/2023/636	Letter dated 28 August 2023 from the Chargé d'affaires a.i. of the Permanent Mission of the Niger to the United Nations addressed to the President of the Security Council
S/2023/714	Letter dated 27 September 2023 from the Permanent Representative of Türkiye to the United Nations addressed to the President of the Security Council
S/2023/813	Letter dated 30 October 2023 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council
S/2023/845	Letter dated 7 November 2023 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council
S/2023/853	Identical letters dated 9 November 2023 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council
S/2023/877	Letter dated 14 November 2023 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council
S/2023/923	Letter dated 28 November 2023 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council
S/2023/949	Letter dated 4 December 2023 from the Chargé d'affaires a.i. of the Permanent Mission of Türkiye to the United Nations addressed to the President of the Security Council
S/2023/1047	Identical letters dated 27 December 2023 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council
S/2023/1070	Letter dated 29 December 2023 from the Chargé d'affaires a.i. of the United States Mission to the United Nations addressed to the President of the Security Council

Table 14
Communications from Member States containing references to the principle of self-defence, 2023

<i>Document symbol</i>	<i>Document title</i>
S/2023/143	Letter dated 8 February 2023 from the Chargé d'affaires a.i. of the Permanent Mission of South Africa to the United Nations addressed to the President of the Security Council

<i>Document symbol</i>	<i>Document title</i>
S/2023/143	Letter dated 8 February 2023 from the Chargé d'affaires a.i. of the Permanent Mission of South Africa to the United Nations addressed to the President of the Security Council
S/2023/258	Identical letters dated 7 April 2023 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council
S/2023/330	Identical letters dated 9 May 2023 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council
S/2023/412	Letter dated 6 June 2023 from the Permanent Representative of Albania to the United Nations addressed to the President of the Security Council
S/2023/50	Letter dated 18 January 2023 from the Chargé d'affaires a.i. of the Permanent Mission of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council
S/2023/503	Letter dated 6 July 2023 from the Chargé d'affaires a.i. of the Permanent Mission of Egypt to the United Nations addressed to the Secretary-General and the President of the Security Council
S/2023/595	Letter dated 14 August 2023 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General
S/2023/636	Letter dated 28 August 2023 from the Chargé d'affaires a.i. of the Permanent Mission of the Niger to the United Nations addressed to the President of the Security Council
S/2023/689	Letter dated 20 September 2023 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General
S/2023/695	Letter dated 22 September 2023 from the Permanent Representative of Mali to the United Nations addressed to the President of the Security Council
S/2023/771	Identical letters dated 13 October 2023 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council
S/2023/790	Letter dated 20 October 2023 from the Permanent Representative of Mauritania to the United Nations addressed to the President of the Security Council
S/2023/826	Letter dated 1 November 2023 from the Permanent Representative of Armenia to the United Nations addressed to the President of the Security Council
S/2023/826	Letter dated 1 November 2023 from the Permanent Representative of Armenia to the United Nations addressed to the President of the Security Council
S/2023/843	Identical letters dated 6 November 2023 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council
S/2023/854	Letter dated 8 November 2023 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council_Annex to the letter dated 8 November 2023 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council
