

## **Part VIII**

### **Regional arrangements**

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## Introductory note

### Article 52

1. *Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.*

2. *The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.*

3. *The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.*

4. *This Article in no way impairs the application of Articles 34 and 35.*

### Article 53

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

2. *The term enemy state as used in paragraph 1 of this Article applies to any state which during the Second World War has been an enemy of any signatory of the present Charter.*

### Article 54

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

Chapter VIII of the Charter of the United Nations provides the constitutional basis for the involvement of regional arrangements in the maintenance of international peace and security.<sup>1</sup> While Article 52 encourages the engagement of regional arrangements in the pacific

settlement of disputes prior to the Council's consideration, Article 53 allows the Council to utilize regional arrangements for enforcement action under its authority and with its explicit authorization. Article 54 stipulates that regional arrangements should inform the Council of their activities at all times.

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<sup>1</sup> Chapter VIII of the Charter refers to "regional arrangements or agencies". The *Repertoire* follows the practice of the Council in its use of these terms synonymously with regional and subregional organizations and other international organizations.

During the period under review, the Security Council expanded and deepened its interaction with regional and subregional arrangements for the maintenance of international peace and security. In

addition to its annual meetings with the Peace and Security Council of the African Union and the Organization for Security and Cooperation in Europe (OSCE), the Council adopted decisions to strengthen cooperation with the League of Arab States and the Organization of Islamic Cooperation, under Chapter VIII of the Charter. The Council also welcomed the efforts made by the Economic Community of West African States (ECOWAS) and the African Union, including with regard to the situation in the Sahel and West Africa involving challenges associated in those areas with drug trafficking, transnational organized crime, and, in the Gulf of Guinea, piracy. The Council authorized two new peacekeeping operations led by regional organizations, one in Mali and another in the Central African Republic, and increased the authorized strength of the African Union Mission in Somalia (AMISOM). Notwithstanding these developments, the Council continued to grapple with the question of complementarity and subsidiarity, including the issue of funding regional and subregional bodies in their efforts to prevent and manage crises.

The practice of the Council under Chapter VIII (Articles 52 to 54) of the Charter, as reflected in its decisions and deliberations in 2012 and 2013, is described in five sections. Section I sets out the relevant decisions and debates of the Council on thematic issues regarding cooperation with regional and subregional arrangements for the maintenance of international peace and security. Section II illustrates the various ways in which the Council, in dealing with specific situations under its consideration, reacted to the efforts by regional arrangements in the peaceful settlement of disputes, or called upon the parties in conflict to cooperate with regional organizations. Section III sets out regional peacekeeping operations which the Council supported and, in some cases, authorized under Chapter VII of the Charter, including the use of force. Section IV describes instances in which the Council authorized enforcement action by regional arrangements under Chapter VII. Section V refers to the modalities and mechanisms of reporting between the Council and regional arrangements.

## I. Consideration of the provisions of Chapter VIII of the Charter under thematic issues

### Note

Section I covers the practice of the Security Council, during the period under review, in connection with its cooperation with regional arrangements in the maintenance of international peace and security, with a focus on thematic issues. The section is divided into two subsections: (a) decisions on thematic issues relating to Chapter VIII of the Charter; and (b) discussions on thematic issues concerning the interpretation and application of Chapter VIII of the Charter.

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

In several decisions adopted during the period under review, the Council reiterated that cooperation with regional and subregional arrangements was an integral part of collective security, as provided for in Chapter VIII. The Council also cited Chapter VIII in seeking to enhance engagement with the African Union, the League of Arab States and the Organization of Islamic Cooperation. In those decisions, the Council reaffirmed its primary responsibility for the maintenance of

international peace and security, while acknowledging that regional organizations were well positioned to understand the causes of armed conflicts, given their knowledge of their regions, and to enable early responses in their prevention or resolution. As in previous years, the need for predictable, sustainable and flexible funding was acknowledged as a major constraint for some regional organizations, but the Council maintained its view that it was the responsibility of regional and subregional organizations to secure resources, including through contributions by their members and support from partners.<sup>2</sup> Specifically in relation to the African Union, the Council stressed that common and coordinated efforts undertaken by the Security Council and the African Union in matters of peace and security should be based on their respective authorities, competencies and capacities.

Table 1 provides a list of decisions containing explicit references to Chapter VIII, together with other key provisions in the same decisions relevant to the

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<sup>2</sup> The principle was reiterated in the joint communiqué of the Security Council and the African Union Peace and Security Council adopted on 13 June 2012 (S/2012/444, para. 11).

interpretation and application of Chapter VIII which were the subject of constitutional debates or discussions held during the period under review, as described in section I. B. The provisions mainly touched upon the issues of complementarity, comparative advantage and

the financing of peace operations led by regional and subregional organizations. It was not found necessary to list in the table provisions reiterating the primary responsibility of the Council for the maintenance of international peace and security.

Table 1

**Decisions on thematic issues containing explicit and other relevant references to Chapter VIII of the Charter**

<i>Item/sub-item</i>	<i>Decision and date</i>	<i>Provision</i>
Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security: strengthening the relationship between the United Nations and regional organizations, in particular the African Union	<a href="#">Resolution 2033 (2012)</a> 12 January 2012	Chapter VIII (third and tenth preambular paragraphs; para. 1)  Knowledge of the region benefits regional and subregional organizations in their efforts at conflict prevention or resolution (fourth preambular paragraph)  Regional and subregional organizations at all times to keep the Security Council informed of peace initiatives (eighth preambular paragraph)  Common and coordinated efforts by the Security Council and the African Union Peace and Security Council to be based on their respective authorities, competencies and capacities (para. 5)  Need to enhance the predictability of resources for initiatives by regional and subregional organizations (twelfth preambular paragraph and paras. 19-20)
United Nations peacekeeping operations: a multidimensional approach	<a href="#">Resolution 2086 (2013)</a> 21 January 2013	Chapter VIII (para. 18)
Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security	<a href="#">S/PRST/2013/12</a> 6 August 2013	Chapter VIII (fourth, fourteenth, sixteenth and thirty-third paragraphs)  Knowledge of the region benefits regional and subregional organizations in conflict prevention or resolution efforts (seventh paragraph)  Need to enhance the predictability of resources for initiatives by regional and subregional organizations (twenty-ninth paragraph)
Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security: strengthening the partnership synergy between the United Nations and the Organization of Islamic Cooperation	<a href="#">S/PRST/2013/16</a> 28 October 2013	Chapter VIII (second paragraph)

Without explicitly invoking Chapter VIII, the Council recognized the role of regional and subregional arrangements in its decisions on a range of topics relating to the maintenance of international peace and security. Some of these decisions pertained to emerging issues, such as border security against illicit cross-border trafficking and movement,<sup>3</sup> piracy<sup>4</sup> and threats to international peace and security caused by terrorist acts.<sup>5</sup> Other decisions referred to the importance of regional and subregional organizations in connection with recurrent items, such as “Children and armed conflict”,<sup>6</sup> “Post-conflict peacebuilding”,<sup>7</sup> “Protection of civilians in armed conflict”,<sup>8</sup> “Small arms”<sup>9</sup> and “Women and peace and security”.<sup>10</sup>

## **B. Discussions under thematic issues concerning the interpretation and application of Chapter VIII of the Charter**

At a number of Security Council meetings held in 2012 and 2013, participants urged the Council to advance further the progress made in terms of cooperation with regional and subregional arrangements under Chapter VIII. The most noteworthy discussions on the subject touched upon the respective responsibilities of the Council and regional and subregional arrangements in dealing with erupting crises. While agreeing on the importance of partnership with regional arrangements, Council members diverged in their views on the nature and extent of complementarity and subsidiarity in respect of the United Nations and regional and subregional organizations.<sup>11</sup> The following three case studies highlight the key elements of these discussions.

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<sup>3</sup> S/PRST/2012/16, ninth paragraph.

<sup>4</sup> S/PRST/2012/24, tenth, fourteenth, fifteenth, sixteenth and twenty-first paragraphs.

<sup>5</sup> S/PRST/2013/1, fourth, twenty-second and twenty-fourth paragraphs.

<sup>6</sup> S/PRST/2013/8, twelfth paragraph.

<sup>7</sup> S/PRST/2012/29, twelfth paragraph.

<sup>8</sup> S/PRST/2013/2, twenty-first paragraph.

<sup>9</sup> Resolution 2117 (2013), sixth, seventh and seventeenth preambular paragraphs and paras. 1, 10, 12, 15, 16 and 19.

<sup>10</sup> Resolution 2122 (2013), eighteenth preambular paragraph and para. 15.

<sup>11</sup> See also the report of the tenth annual workshop for newly elected members of the Security Council (S/2013/280), p. 10.

### **Case 1**

#### **Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security: strengthening the relationship between the United Nations and regional organizations, in particular the African Union**

In a concept note prepared by the presidency (South Africa) for the debate scheduled for 12 January 2012 on strengthening the relationship between the United Nations and regional organizations, in particular the African Union, concern was expressed about African Union support in peace operations at times being used in a manner to absolve the Council of its primary responsibility under the Charter for the maintenance of international peace and security. It was argued in the concept note that the African Union was often involved in situations where conditions were not conducive to United Nations peacekeeping or where the Council had been divided on a course of action and the African Union had a comparative advantage. It was also stated in the concept paper that the United Nations and the African Union still faced challenges in achieving greater strategic political coherence in preventing and managing conflicts and that disregard for regional initiatives by the Security Council could undermine the confidence of regional organizations in the Council as an impartial and widely respected mediator in conflicts.<sup>12</sup>

At the 6702nd meeting, the representative of Kenya warned against a framework of cooperation that could compromise the value of the African Union and other regional organizations as first responders to a crisis.<sup>13</sup> He stated that the African Union looked forward to a more innovative interpretation of Chapter VIII and to the development of consensus on a set of principles, such as support for African ownership and priority setting; flexible and innovative application of the principle of complementarity; and mutual respect and adherence to the principle of comparative advantage.<sup>14</sup> Similarly, the representative of Ethiopia argued that regional and subregional organizations were better placed with regard to regional peace and security initiatives, and concluded that it should not be too difficult to apply Chapter VIII with flexibility and wisdom.<sup>15</sup> The representatives of Ethiopia, Kenya, Azerbaijan and Togo called for the

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<sup>12</sup> S/2012/13.

<sup>13</sup> S/PV.6702, p. 9.

<sup>14</sup> *Ibid.*, p. 10.

<sup>15</sup> S/PV.6702 (Resumption 1), p. 7.

provision of financial and other resources to regional organizations.<sup>16</sup>

The representative of Colombia opined that Chapter VIII of the Charter envisioned the contribution of regional organizations as an integral part of collective security and valued the vision, actions and initiatives of regional organizations to find solutions within their range of competence.<sup>17</sup> The representative of Guatemala noted that the link between the Security Council and regional entities was not limited to the preventive actions and mediation contemplated in Article 52 of the Charter, or to the enforcement action provided for in Article 53, but extended to the increasing participation of regional arrangements in peacekeeping operations and peacebuilding activities.<sup>18</sup>

The representative of the United States emphasized that the Council, with its unique, universal and primary mandate to maintain international peace and security, was not subordinate to other bodies, nor could there be a blank cheque, politically or financially, for independent decisions of regional organizations.<sup>19</sup> The representative of the United Kingdom emphasized that a one-size-fits-all approach to the institutional relationship was not realistic and that the relationship developed with one regional organization should not set a precedent for relations with others.<sup>20</sup> He added that coordination between the Security Council and the Peace and Security Council of the African Union could occur only in the context of the primacy of the Security Council regarding the maintenance of international peace and security.<sup>21</sup>

Several speakers referred to the experience of a situation such as that in Libya in 2011 as an example of discord between the Council and the African Union and other regional organizations. The representative of South Africa stated that the political road map developed by the African Union to resolve the conflict in Libya in was ignored in favour of the bombing of Libya by North Atlantic Treaty Organization (NATO) forces, and appealed for the views of the African Union to be listened to, in order to prevent further conflict.<sup>22</sup> The representative of Kenya also regretted the manner in which the African position had been either ignored or partially considered in the cases of Libya and Côte

d'Ivoire in 2011, while in relation to the Sudan there had been "a good mix" of United Nations material, logistical and political support, combined with the political legitimacy of the African Union and the Intergovernmental Authority on Development (IGAD).<sup>23</sup> In contrast, the representative of the United Kingdom recalled that there were major differences of substance between the League of Arab States and the African Union on Libya, between the Economic Community of West African States (ECOWAS) and the African Union on Côte d'Ivoire, and between IGAD and some members of the African Union on Eritrea. He concluded that the relationship with regional and subregional organizations should be taken forward in a manner consistent with the Charter of the United Nations, making the most of the complementarities between the United Nations and individual regional organizations.<sup>24</sup>

## Case 2 Cooperation between the United Nations and regional organizations in maintaining international peace and security

At the 7015th meeting, held on 6 August 2013, in connection with cooperation between the United Nations and regional and subregional organizations, participants emphasized the need to ensure coherence, synergy and collective effectiveness in the efforts of the United Nations and regional and subregional organizations regarding early warning and conflict prevention, peacekeeping and peacebuilding. A number of speakers also raised the issue of resource allocation for regional and subregional arrangements.<sup>25</sup>

Concerning the African Union specifically, the representative of Ethiopia proposed that the African Union could be considered as occupying a privileged position in terms of formal interaction with the Security Council.<sup>26</sup> The representative of Rwanda said that the Council should take into consideration regularly the position of the African Union and its regional economic communities.<sup>27</sup> The representative of Togo called it essential to clarify the relationship between the Security Council and the Peace and Security Council of the

<sup>16</sup> S/PV.6702, p. 9 (Kenya); p. 12 (Azerbaijan); p. 24 (Togo); and S/PV.6702 (Resumption 1), p. 7 (Ethiopia).

<sup>17</sup> S/PV.6702, p. 11.

<sup>18</sup> Ibid., p. 13.

<sup>19</sup> Ibid., p. 15.

<sup>20</sup> Ibid., p. 25.

<sup>21</sup> S/PV.6702 (Resumption 1), p. 10.

<sup>22</sup> S/PV.6702, p. 3.

<sup>23</sup> Ibid., pp. 9 -10.

<sup>24</sup> Ibid., p. 24.

<sup>25</sup> S/PV.7015, p. 7 (Ethiopia); p. 17 (Rwanda); p. 30 (Togo); S/PV.7015 (Resumption 1), pp. 31-32 (Uganda); p. 32 (South Africa); p. 43 (Nigeria); p. 45 (Botswana); and p. 47 (Sudan).

<sup>26</sup> S/PV.7015, p. 7.

<sup>27</sup> Ibid., p. 17.

African Union, in order to prevent frustration and misunderstandings arising from differences in strategies between the two organizations.<sup>28</sup>

The representative of the United Kingdom cautioned against prioritizing the establishment of, or overly codifying, strict guidelines for institutional cooperation, and the representative of France indicated the danger of a “fragmentation of collective security.”<sup>29</sup> The representative of the Russian Federation concluded that regional and subregional organizations must position themselves to actualize their potential in the interests of the United Nations, in strict compliance with the principles of the universality of the Organization and the Security Council.<sup>30</sup> The representative of China concurred that the actions taken by regional organizations should be in accordance with the provision of Security Council resolutions and as mandated by the Council.<sup>31</sup>

The representative of Colombia was of the view that priority should be given to regional and subregional mechanisms to resolve matters relating to the maintenance of international peace and security before they were referred to the Security Council.<sup>32</sup> The representative of Haiti said that the principle underpinning cooperation between the United Nations and regional organizations was enshrined in the Charter of the United Nations, specifically in Articles 53 and 54, and called for a new model of cooperation that was based on well-defined principles and a precise legal framework.<sup>33</sup> The representative of Honduras suggested that a higher level of cooperation with regional and subregional organizations would not only lighten the burden of the Council but provide it with greater legitimacy through the participation of regional partners in times of crisis.<sup>34</sup>

Other speakers supported a context-specific approach to promoting cooperation between the United Nations and regional organizations.<sup>35</sup> The representative of Guatemala opined that the scope of partnership between regional organizations and the United Nations would vary, depending on changing circumstances, and that differences of decisions made by regional

organizations and the United Nations, if not reconciled through dialogue, should be resolved in accordance with Article 103 of the Charter.<sup>36</sup> The representatives of the Republic of Korea and India added that efforts to strengthen cooperation with one organization should not be made at the expense of an imbalance or to the disadvantage of other regional voices.<sup>37</sup> The representative of Pakistan called the principles of consultation, primacy of the United Nations, the effective division of labour and consistency of approach the broad parameters for the evolving interpretations of Chapter VIII, through which to achieve complementarity.<sup>38</sup> The representative of Ukraine underscored the need to identify areas in which regional and subregional organizations could work most effectively together or in parallel, but not in competition.<sup>39</sup>

### **Case 3 Implementation of the note by the President of the Security Council: working methods of the Security Council**

At the 6870th and 7052nd meetings, on the working methods of the Council, held on 26 November 2012 and 29 October 2013 respectively, many participants made references to Chapter VIII of the Charter in the context of cooperation with regional organizations.

At the 6870th meeting, the representative of Colombia called for a mechanism to improve links between the Security Council and regional organizations with subsidiary or complementary responsibilities for the maintenance of peace and security.<sup>40</sup> The representative of Togo recalled the informal interactive dialogues that took place between the Security Council, ECOWAS and the African Union on the crises in Mali and Guinea-Bissau, and underscored the advantage of enabling direct exchanges with regional organizations in the context of subsidiarity, under Chapter VIII.<sup>41</sup> The representative of India argued that the eagerness of the Council to apply methods of coercion under Chapter VII, to the neglect of provisions under Chapters VI and VIII, had proved to be counterproductive in resolving several crises, and stated that the Council must improve its cooperation with

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<sup>28</sup> Ibid., p. 30.

<sup>29</sup> Ibid., p. 26 (United Kingdom); and p. 27 (France).

<sup>30</sup> Ibid., p. 29.

<sup>31</sup> Ibid., p. 31.

<sup>32</sup> S/PV.7015 (Resumption 1), p. 11.

<sup>33</sup> Ibid., pp. 13-14.

<sup>34</sup> Ibid., p. 24.

<sup>35</sup> Ibid., p. 18 (European Union); p. 28 (Ukraine); p. 35 (Malaysia); pp. 37-38 (Indonesia); and p. 41 (Lithuania).

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<sup>36</sup> S/PV.7015, p. 14.

<sup>37</sup> Ibid., p. 32 (Republic of Korea); and S/PV/7015 (Resumption 1), p. 38 (India).

<sup>38</sup> S/PV.7015, p. 25.

<sup>39</sup> S/PV.7015 (Resumption 1), p. 28 (Ukraine).

<sup>40</sup> S/PV.6870, p. 5. (Colombia).

<sup>41</sup> Ibid., p. 13.



regional organizations, particularly the African Union.<sup>42</sup> The representative of New Zealand agreed that the quality of the Council's interaction with the Peace and Security Council of the African Union was still much less than it could and should be.<sup>43</sup> The representatives of South Africa and Senegal regretted the selectivity of the Council in addressing decisions of regional organizations, despite progress in the annual consultation between the Security Council and the Peace and Security Council of the African Union.<sup>44</sup> The representative of the Republic of Korea suggested that the annual consultation mechanism between the Security Council and the Peace and Security Council of the African Union could be replicated with other regional organizations.<sup>45</sup>

At the 7052nd meeting, the representatives of Brazil and Belgium welcomed the expansion of the cooperation with regional and subregional organizations, in accordance with Chapter VIII.<sup>46</sup> The representative of Rwanda urged the Council to respect the decisions of the African Union, as well as to hold timely and meaningful consultations with the continent.<sup>47</sup> The representative of South Africa reiterated his view that engagement with regional organizations should be based on the principle of subsidiarity and done in a cohesive and organized manner.<sup>48</sup> The representative of Chile noted the need to deepen consultations with regional organizations, in line with the distribution of functions under Chapter VIII.<sup>49</sup>

<sup>42</sup> Ibid., pp. 20-21.

<sup>43</sup> Ibid., p. 23.

<sup>44</sup> Ibid., p. 17 (South Africa); and [S/PV.6870 \(Resumption 1\)](#), p. 10 (Senegal).

<sup>45</sup> [S/PV.6870 \(Resumption 1\)](#), p. 4.

<sup>46</sup> [S/PV.7052](#), p. 24 (Brazil); and [S/PV.7052 \(Resumption 1\)](#), p. 9 (Belgium).

<sup>47</sup> [S/PV.7052](#), p. 11.

<sup>48</sup> [S/PV.7052 \(Resumption 1\)](#), p. 16.

<sup>49</sup> Ibid., p. 4.

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

### Note

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

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

In a number of decisions adopted in 2012 and 2013, the Council welcomed and supported the efforts of a wide range of regional and subregional organizations in the pacific settlement of disputes, and called upon parties to engage in the political process led by regional and subregional arrangements, independently or jointly with the United Nations. Table 2 sets out a list of those decisions, featuring the regional organizations mentioned in each decision and highlighting in brief their actions as noted by the Council in relation to the pacific settlement of disputes. Additional details are given in the text at the end of the table.

Table 2  
 Decisions concerning the pacific settlement of disputes by regional arrangements

<i>Item/sub-item</i>	<i>Decision and date</i>	<i>Regional organizations mentioned</i>	<i>Actions of regional organizations noted by the Council</i>
<b>With explicit reference to Chapter VIII</b>			
Peace and security in Africa: prevention of conflicts in Africa: addressing the root causes	<a href="#">S/PRST/2013/4<sup>a</sup></a> 15 April 2013	African Union, International Conference on the Great Lakes Region, Economic Community of West African States (ECOWAS), South African Development Community (SADC), Inter-Governmental Authority for Development (IGAD), Economic Community of Central African States (ECCAS) Arab Maghreb Union	Conflict prevention through focus on the root causes of conflict
Peace and security in Africa: the Sahel - towards a more comprehensive and coordinated approach	<a href="#">S/PRST/2012/26<sup>b</sup></a> 10 December 2012	African Union, ECOWAS, Arab Maghreb Union, Community of Sahelo-Saharan States, European Union, Organization of Islamic Cooperation	Initiatives to tackle complex challenges facing the Sahel region
Reports of the Secretary-General on the Sudan and South Sudan <sup>c</sup>	Resolution <a href="#">2063 (2012)<sup>d</sup></a>	African Union, African Union High-level Implementation Panel	Facilitation of the Darfur peace process
The situation in the Middle East	<a href="#">S/PRST/2012/20<sup>e</sup></a> 26 September 2012	League of Arab States	Efforts to settle conflicts in the Middle East; peacekeeping and peacebuilding; support for the Joint Special Representative of the United Nations and the League of Arab States for Syria
<b>Without explicit reference to Chapter VIII</b>			
Peace and security in Africa: the challenges of the fight against terrorism in Africa in the context of maintaining international peace and security	<a href="#">S/PRST/2013/5</a> 13 May 2013	African Union, European Union, Organization of Islamic Cooperation, League of Arab States, ECOWAS, Community of Sahelo-Saharan States, IGAD, Arab Maghreb Union	Counter-terrorism
Peace and security in Africa; The situation in Mali <sup>f</sup>	<a href="#">S/PRST/2012/9</a> 4 April 2012	ECOWAS	Mediation efforts
	Resolution <a href="#">2056 (2012)</a> 5 July 2012	ECOWAS, African Union	Mediation and other efforts for the restoration of constitutional order
	Resolution <a href="#">2071 (2012)</a> 12 October 2012	ECOWAS	Conflict resolution

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<i>Item/sub-item</i>	<i>Decision and date</i>	<i>Regional organizations mentioned</i>	<i>Actions of regional organizations noted by the Council</i>
	Resolution <a href="#">2085 (2012)</a> 20 December 2012	ECOWAS, Organization of Islamic Cooperation, African Union	Mediation efforts
	Resolution <a href="#">2100 (2013)</a> 25 April 2013	ECOWAS, African Union, European Union	Support for an inclusive negotiation process and transitional road map
Reports of the Secretary-General on the Sudan and South Sudan	Resolution <a href="#">2035 (2012)</a> 17 February 2012	African Union High-level Implementation Panel	Promotion of peace and stability in Darfur
	<a href="#">S/PRST/2012/5</a> 6 March 2012	African Union, African Union High-level Implementation Panel, League of Arab States	Conflict resolution in Southern Kordofan and Blue Nile States; negotiations between the Sudan and South Sudan
	Resolution <a href="#">2046 (2012)</a> 2 May 2012	African Union, African Union High-level Implementation Panel, IGAD	Negotiations between the Sudan and South Sudan
	Resolution <a href="#">2047 (2012)</a> 17 May 2012	African Union, African Union High-level Implementation Panel	Negotiations between the Sudan and South Sudan
	<a href="#">S/PRST/2012/19</a> 31 August 2012	African Union, African Union High-level Implementation Panel, IGAD	Negotiations between the Sudan and South Sudan
	Resolution <a href="#">2075 (2012)</a> 16 November 2012	African Union High-level Implementation Panel	Negotiations between the Sudan and South Sudan
	Resolution <a href="#">2104 (2013)</a> 29 May 2013	African Union, African Union High-level Implementation Panel	Negotiations between the Sudan and South Sudan
	<a href="#">S/PRST/2013/14</a> 23 August 2013	African Union, African Union High-level Implementation Panel, IGAD	Negotiations between the Sudan and South Sudan
	Resolution <a href="#">2091 (2013)</a> 14 February 2013	African Union, African Union High-level Implementation Panel	Promotion of peace and stability in Darfur
	Resolution <a href="#">2126 (2013)</a> 25 November 2013	African Union, African Union High-level Implementation Panel	Negotiations between the Sudan and South Sudan
Resolution <a href="#">2132 (2013)</a> 24 December 2013	African Union, IGAD	Dialogue and mediation between key leaders of South Sudan	

## Repertoire of the Practice of the Security Council, 2012-2013

<i>Item/sub-item</i>	<i>Decision and date</i>	<i>Regional organizations mentioned</i>	<i>Actions of regional organizations noted by the Council</i>
The situation in Afghanistan	Resolution <a href="#">2069 (2012)</a> 9 October 2012  Resolution <a href="#">2120 (2013)</a> 10 October 2013	South Asian Association for Regional Cooperation, Shanghai Cooperation Organization, Collective Security Treaty Organization, European Union, Organization for Security and Cooperation in Europe (OSCE)	Initiatives to strengthen regional security and cooperation
The situation in Bosnia and Herzegovina	Resolution <a href="#">2123 (2013)</a> 12 November 2013	European Union, NATO, OSCE	Contributions to the implementation of the Peace Agreement
The situation in the Central African Republic	Resolution <a href="#">2088 (2013)</a> 24 January 2013  Resolution <a href="#">2121 (2013)</a> 10 October 2013  Resolution <a href="#">2127 (2013)</a> 5 December 2013	ECCAS, African Union   ECCAS	Mediation
The situation in Côte d'Ivoire	Resolution <a href="#">2045 (2012)</a> 26 April 2012  Resolution <a href="#">2062 (2012)</a> 26 July 2012  Resolution <a href="#">2112 (2013)</a> 30 July 2013	African Union, ECOWAS	Promotion of national reconciliation and consolidation of peace
The situation concerning the Democratic Republic of the Congo	<a href="#">S/PRST/2012/22</a> 19 October 2012  Resolution <a href="#">2076 (2012)</a> 20 November 2012  Resolution <a href="#">2098 (2013)</a> 28 March 2013  <a href="#">S/PRST/2013/17</a> 14 November 2013	International Conference on the Great Lakes Region, SADC, African Union	Efforts to restore peace and security in eastern Democratic Republic of the Congo
The situation in Guinea-Bissau	Resolution <a href="#">2048 (2012)</a> 18 May 2012  Resolution <a href="#">2092 (2013)</a> 22 February 2013  Resolution <a href="#">2103 (2013)</a> 22 May 2013	African Union, ECOWAS, Community of Portuguese-speaking Countries, European Union  ECOWAS, Community of Portuguese-speaking Countries	Efforts in response to the crisis, including mediation efforts led by ECOWAS  Coordination with the United Nations on the dialogue process among political parties

<i>Item/sub-item</i>	<i>Decision and date</i>	<i>Regional organizations mentioned</i>	<i>Actions of regional organizations noted by the Council</i>
The question concerning Haiti	Resolution 2070 (2012) 12 October 2012  Resolution 2119 (2013) 10 October 2013	Organization of the American States, Union of South American Nations, Caribbean Community	Stabilization and reconstruction
The situation in the Middle East	S/PRST/2012/6 21 March 2012  Resolution 2042 (2012) 14 April 2012  Resolution 2051 (2012) 12 June 2012  S/PRST/2013/3 15 February 2013	League of Arab States   Gulf Cooperation Council  Gulf Cooperation Council	Appointment of the Joint Special Envoy of the United Nations and the League of Arab States to Syria  Support for the Joint Special Envoy to Syria  Support for the Gulf Cooperation Council initiative on Yemen  Support for political transition in Yemen
The situation in Sierra Leone	Resolution 2065 (2012) 12 September 2012  Resolution 2097 (2013) 26 March 2013	African Union, ECOWAS, Mano River Union	Peacebuilding and development
The situation in Somalia	Resolution 2124 (2013) 12 November 2013	African Union, IGAD	Inclusive dialogue

<sup>a</sup> The fifth and nineteenth paragraphs contain explicit references to Chapter VIII.

<sup>b</sup> The first paragraph contains an explicit reference to Chapter VIII.

<sup>c</sup> Pursuant to the note by the President of the Security Council dated 11 November 2013 (S/2013/657), the wording of the item “Reports of the Secretary-General on the Sudan” was revised to read “Reports of the Secretary-General on the Sudan and South Sudan”.

<sup>d</sup> The ninth preambular paragraph contains an explicit reference to Chapter VIII.

<sup>e</sup> The second and fourteenth paragraphs contain explicit references to Chapter VIII.

<sup>f</sup> Pursuant to the note by the President of the Security Council dated 20 December 2012 (S/2012/961), issues pertaining to Mali were, from that date, considered under the item entitled “The situation in Mali”, under which was subsumed the earlier consideration by the Council of those issues under the item entitled “Peace and security in Africa”.

The Council, in its decision on the prevention of conflicts in Africa under the item “Peace and security in Africa”, encouraged the peaceful settlement of local disputes through regional and subregional arrangements, provided that their activities were not inconsistent with the purposes and principles of the United Nations.<sup>50</sup> With respect to the Sahel, the Council welcomed the initiatives taken by regional organizations to tackle the complex multidimensional challenges facing the region, but stressed the importance of strengthening transregional and interregional cooperation on the basis of a common

<sup>50</sup> S/PRST/2013/4, nineteenth paragraph.

and shared responsibility.<sup>51</sup> In another decision on peace and security in Africa, the Council recognized the support provided by regional and subregional actors to efforts aimed at combating terrorism.<sup>52</sup>

Concerning the Central African Republic, the Council commended the swift efforts made by the Economic Community of Central African States (ECCAS) and the African Union after the “Séléka” coalition of armed groups began military advances in December 2012. The Council also welcomed the signature in Libreville of ceasefire and political

<sup>51</sup> S/PRST/2012/26, tenth paragraph.

<sup>52</sup> S/PRST/2013/5, twenty-second paragraph.

agreements under the auspices of ECCAS on 11 January 2013, and requested the Secretary-General to provide support for the ongoing mediation efforts of ECCAS.<sup>53</sup>

In relation to the Democratic Republic of the Congo, the Council welcomed the continued efforts of the International Conference on the Great Lakes Region, the Southern African Development Community (SADC) and the African Union to restore peace and security in the eastern part of the country. The Council welcomed the signing on 24 February 2013 of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region, under the auspices of the Secretary-General of the United Nations and the Chairpersons of the African Union Commission, SADC and the International Conference on the Great Lakes Region, and demanded that the signatory States fully implement their commitments in good faith.<sup>54</sup>

In the aftermath of the coup in Guinea-Bissau on 12 April 2012, the Council took note of the efforts made by the African Union, ECOWAS, the Community of Portuguese-speaking Countries and the European Union to restore constitutional order. In 2013, the Council welcomed the efforts of ECOWAS to support the security sector reform process in Guinea-Bissau.<sup>55</sup>

Following the coup in Mali on 22 March 2012, the Council acknowledged the signing on 6 April 2012 of a framework agreement under the auspices of the ECOWAS mediator, and decided that the transitional authorities in Mali should develop a road map for the restoration of constitutional order, with the support of ECOWAS and other international partners.<sup>56</sup>

In connection with the facilitation of negotiations between the Sudan and South Sudan on post-secession issues, including border arrangements and the final status of Abyei, the Council continued to express its support for the African Union and the African Union High-level Implementation Panel.<sup>57</sup> The Council expressed its full support for the road map adopted by the Peace and

Security Council of the African Union for the Sudan and South Sudan on 24 April 2012,<sup>58</sup> and in its resolution 2046 (2012) of 2 May 2012, expressed its intention, in the event of non-compliance by the parties with the measures identified in that resolution, to take appropriate additional measures under Article 41 of the Charter. The Council also referred to a number of mechanisms established by the African Union, including the Ad Hoc Investigative Mechanism into allegations of support to armed rebel groups; the African Union Border Programme Technical Team; and the Abyei Area Joint Investigation and Inquiry Committee to investigate the killing of a peacekeeper and a Ngok Dinka paramount chief in Abyei on 4 May 2013, and restated its full support for the African Union-United Nations joint mediation efforts for Darfur.<sup>59</sup> After the outbreak of the conflict in South Sudan on 15 December 2013, the Council commended the mediation efforts between the parties in South Sudan led by the Intergovernmental Authority on Development (IGAD), with the support of the United Nations and the African Union.<sup>60</sup>

The Council commended the African Union and ECOWAS for their efforts to consolidate peace and stability in Côte d'Ivoire,<sup>61</sup> and welcomed the role played by the African Union, ECOWAS and the Mano River Union in support of peacebuilding and development in Sierra Leone.<sup>62</sup> Concerning Somalia, the Council encouraged the Federal Government to lead an inclusive national dialogue, with the support of the United Nations Assistance Mission, IGAD and the African Union.<sup>63</sup>

With respect to the situation in Afghanistan, the Council noted the regional initiatives to strengthen regional security and cooperation, including those being implemented by the South Asian Association for Regional Cooperation, the Shanghai Cooperation Organization, the Collective Security Treaty Organization, the European Union and OSCE.<sup>64</sup>

With regard to the situation in Bosnia and Herzegovina, the Council repeated its appreciation for the personnel of OSCE, the European Union and other organizations and agencies, including the North Atlantic

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<sup>53</sup> Resolutions 2088 (2013), sixth and seventh preambular paragraphs; and 2121 (2013), para. 4.

<sup>54</sup> S/PRST/2012/22, eighth paragraph; and resolution 2098 (2013), sixth preambular paragraph and para. 2.

<sup>55</sup> Resolutions 2048 (2012), fourth preambular paragraph; and 2103 (2013), eighth preambular paragraph.

<sup>56</sup> Resolution 2056 (2012), fourth preambular paragraph and para. 8. The Council also recognized the efforts made by regional and subregional organizations such as the African Union and ECOWAS in response to the humanitarian impact of the Malian crisis in the region (see S/PRST/2012/7 and S/PRST/2013/20).

<sup>57</sup> Resolution 2104 (2013), eighth preambular paragraph.

<sup>58</sup> Resolution 2047 (2012), seventh preambular paragraph.

<sup>59</sup> Resolutions 2126 (2013), paras. 4 and 13; and 2091 (2013), ninth preambular paragraph.

<sup>60</sup> Resolution 2132 (2013), seventh preambular paragraph.

<sup>61</sup> Resolutions 2062 (2012), twelfth preambular paragraph; and 2112 (2013), seventeenth preambular paragraph.

<sup>62</sup> Resolutions 2065 (2012), thirteenth preambular paragraph; and 2097 (2013), ninth preambular paragraph.

<sup>63</sup> Resolution 2124 (2013), para. 25.

<sup>64</sup> Resolution 2069 (2012), fourteenth preambular paragraph.

Treaty Organization (NATO), for their contributions to the implementation of the General Framework Agreement, signed in 1995.<sup>65</sup>

In connection with the situation in Haiti, the Council emphasized the role of the Organization of American States, the Union of South American Nations and the Caribbean Community in supporting stabilization and reconstruction.<sup>66</sup>

Concerning the Middle East, the Council recognized and further encouraged efforts by the League of Arab States to settle conflicts in the region.<sup>67</sup> Specifically, at the request of the League of Arab States,<sup>68</sup> the Council held a meeting on the Syrian Arab Republic on 31 January 2012. It welcomed the appointment of, and expressed its support for, the Joint Special Envoy of the United Nations and the League of Arab States to Syria.<sup>69</sup> In connection with Yemen, the Council also acknowledged the initiative of the Gulf Cooperation Council to set up a political transition process and emphasized the need for continued support for that process.<sup>70</sup>

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

During the period under review, various Council members referred to several crisis situations, including those in Libya, Côte d'Ivoire and the Syrian Arab Republic, in their discussions on the evolving cooperation between the United Nations and regional and subregional arrangements in the pacific settlement of disputes, as described below in cases 4 and 5. Council members also

discussed the relationship between the Council and the African Union in relation to the prevention of conflicts in Africa, as described in case 6.

### **Case 4 Peace and security in Africa: the Sahel**

During the deliberations on the situation in the Sahel, at the 6709th meeting, held on 26 January 2012, Council members referred to the lessons learned from the experience in Libya in terms of cooperation with regional organizations. The representative of India stated that, with respect to the strategy for addressing the impact of the Libyan crisis on the Sahel, the United Nations must integrate its plans with the efforts of the African Union.<sup>71</sup> The representative of South Africa repeated that a strategic political process to resolve the crisis in Libya and beyond should include the central role of the African Union.<sup>72</sup>

### **Case 5 The situation in the Middle East**

During the 6841st meeting, held on 26 September 2012 under the item entitled "The situation in the Middle East," the representative of the United States said that the Council remained paralysed, despite the creation by the League of Arab States of a plan for peaceful political transition in the Syrian Arab Republic, which had been endorsed by an overwhelming majority in the General Assembly.<sup>73</sup> The representative of South Africa affirmed that the League of Arab States was the organization best placed to have a deeper appreciation of the dynamics in the region and to provide conflict-specific solutions. She said that, unfortunately, the Council had yet to provide effective and meaningful support for the League's efforts in relation to the Middle East peace process.<sup>74</sup> Other speakers commended the role of the League of Arab States in relation to Palestine.<sup>75</sup> Acknowledging the work of the League of Arab States in connection with Libya, the representative of Colombia stressed its comparative advantage in the Syrian Arab Republic.<sup>76</sup>

<sup>65</sup> Resolution 2123 (2013), seventh preambular paragraph.

<sup>66</sup> Resolutions 2070 (2012), nineteenth preambular paragraph; and 2119 (2013), fifteenth preambular paragraph.

<sup>67</sup> S/PRST/2012/20, fifth paragraph.

<sup>68</sup> See S/2012/71. Subsequently, in a letter dated 8 March 2012 from the Secretary-General (S/2012/142), the Council received the resolution adopted by the League of Arab States on 12 February 2012, in which the Security Council was called upon to consider the formation of a joint Arab-United Nations peacekeeping force.

<sup>69</sup> S/PRST/2012/6, fourth and fifth paragraphs. The Secretary-General of the League of Arab States, in his statement to the Council, had invoked Article 52 (3) of the Charter as the basis for seeking the support of the Council (see S/PV.6710, p. 6).

<sup>70</sup> Resolution 2051 (2012), fifth and fifteenth preambular paragraphs and para. 1; and S/PRST/2013/3, eighth paragraph.

<sup>71</sup> S/PV.6709, p. 7.

<sup>72</sup> Ibid., p. 17.

<sup>73</sup> S/PV.6841, p. 11.

<sup>74</sup> Ibid., p. 12.

<sup>75</sup> Ibid., p. 7 (Morocco); p. 9 (France); p. 15 (Russian Federation), p. 21 (Colombia); p. 23 (India); p. 24 (Pakistan); and p. 25 (Portugal).

<sup>76</sup> Ibid., p. 21.

## Case 6

### Peace and security in Africa: prevention of conflicts in Africa

During the 6946th meeting, held on 15 April 2013 on the prevention of conflicts in Africa, many speakers raised issues relating to cooperation between the Security Council and the African Union. The representative of Ethiopia called on the Council to adhere to the principles of Chapter VIII, arguing that there was much room for improvement with respect to consultations and cooperation between the United Nations and the African Union.<sup>77</sup> The representative of Australia observed that cooperation between the African Union and the United Nations had often been crisis-driven.<sup>78</sup> The representative of the United States acknowledged the need to build stronger and more dynamic partnerships among all actors engaged in conflict prevention and response, based on comparative advantage and capability.<sup>79</sup> The representative of Guatemala noted that the manner in which the Council interacted with regional and subregional organizations, within the framework of Chapter VIII, differed in each case and that the multiplicity of partnerships posed jurisdictional and operational difficulties at times.<sup>80</sup> The representative of

the Russian Federation, citing Chapter VIII, stated that the United Nations and regional organizations were expected to complement each other by utilizing their comparative advantages, but reiterated the leading role of the Council in maintaining international peace and security.<sup>81</sup> Similarly, the representative of the United Kingdom reaffirmed the global responsibility of the Council for maintaining international peace and security, while encouraging international support for the Peace and Security Council of the African Union in its work related to conflict prevention.<sup>82</sup> The representatives of the Republic of Korea and Rwanda, while welcoming annual consultations between the Peace and Security Council of the African Union and the Security Council, suggested that the relationships between the two organs could be improved further.<sup>83</sup> The representative of France stated that the diversity of the root causes of conflicts, including economic and social dimensions, should not represent a challenge to the competence of the Security Council, and that the Council needed to address those issues, in close cooperation with the African Union and subregional African organizations, in conformity with Chapter VIII.<sup>84</sup>

<sup>77</sup> S/PV.6946, p. 7.

<sup>78</sup> Ibid., p. 9.

<sup>79</sup> Ibid., p. 10.

<sup>80</sup> Ibid., p. 11.

<sup>81</sup> Ibid., p. 14.

<sup>82</sup> Ibid., p. 21.

<sup>83</sup> Ibid., p. 24 (Republic of Korea); and p. 27 (Rwanda).

<sup>84</sup> Ibid., p. 25.

## III. Peacekeeping operations led by regional arrangements

### Note

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

#### A. Decisions concerning peacekeeping operations led by regional arrangements

During the period under review, the Council authorized the establishment of two new peacekeeping missions led by regional organizations, one for Mali in 2012 and another for the Central African Republic in

2013, and increased the authorized strength of the African Union Mission in Somalia (AMISOM) in 2012 and 2013 (see table 3 and accompanying text). The Council renewed the mandate of the International Security Assistance Force (ISAF) in Afghanistan, led by NATO, and the authorization for the Member States participating in ISAF to take all necessary measures to fulfil its mandate. Insofar as it concerned Bosnia and Herzegovina, the Council welcomed the intention of the European Union to maintain its military operation, renewed the authorization of the European Union Force (EUFOR)-Althea, and noted the contribution to the strengthening of the rule of law by the European Union Police Mission which was completed on 30 June 2012. The Council also welcomed the decision of NATO to maintain its Headquarters in Bosnia and Herzegovina, and authorized Member States acting through or in cooperation with EUFOR-Althea and NATO Headquarters to take all necessary measures in carrying out their missions.



Table 3 sets out these decisions and changes made to the mandates of peacekeeping missions led by regional organizations during the period under review.

Table 3  
**Decisions concerning peacekeeping operations led by regional organizations**

<i>Item/sub-item</i>	<i>Decision and date</i>	<i>Peacekeeping operations</i>	<i>Mandate changes (with excerpts of provisions for new mandates)</i>
The situation in Afghanistan	Resolution <a href="#">2069 (2012)</a> 9 October 2012  Resolution <a href="#">2120 (2013)</a> 10 October 2013	International Security Assistance Force (ISAF), led by NATO	Mandate renewal (para. 1), with authorization of the use of force (para. 2)
The situation in Bosnia and Herzegovina	Resolution <a href="#">2074 (2012)</a> 14 November 2012  Resolution <a href="#">2123 (2013)</a> 12 November 2013	European Union Force (EUFOR)-Althea and NATO	Mandate renewal (paras. 10 and 11), with authorization of the use of force (paras. 14-16)
The situation in the Central African Republic	Resolution <a href="#">2127 (2013)</a> 5 December 2013	International Support Mission in the Central African Republic, led by the African Union and the Economic Community of the Central African States (ECCAS)	New mandate, with authorization to take all necessary measures to contribute to:  (i) the protection of civilians and restoration of security and public order  (ii) the stabilization of the country and restoration of State authority over the whole territory  (iii) the creation of conditions conducive to the provision of humanitarian assistance  (iv) the disarmament, demobilization, and reintegration process  (v) the national and international efforts to reform and restructure the defence and security sectors (para. 28)
The situation in Mali	Resolution <a href="#">2085 (2012)</a> 20 December 2012	African-led International Support Mission in Mali (AFISMA), led by the African Union and the Economic Community of West African States (ECOWAS)	New mandate, with authorization to take all measures necessary to:  (a) Contribute to the rebuilding of the capacity of the Malian Defence and Security Forces  (b) Support the Malian authorities in recovering the areas in the north of its territory under the control of terrorist, extremist and armed groups and in reducing the threat posed by terrorist organizations  (c) Transition to stabilization activities to support the Malian authorities in maintaining security and consolidate State authority  (d) Support the Malian authorities in their primary responsibility to protect the population

<i>Item/sub-item</i>	<i>Decision and date</i>	<i>Peacekeeping operations</i>	<i>Mandate changes (with excerpts of provisions for new mandates)</i>
			(e) Support the Malian authorities to create a secure environment for the civilian-led delivery of humanitarian assistance and the voluntary return of internally displaced persons and refugees
			(f) Protect its personnel, facilities, premises, equipment and mission and ensure the security and movement of its personnel (para. 9)
The situation in Somalia	Resolution <a href="#">2036 (2012)</a> 22 February 2012	African Union Mission in Somalia (AMISOM)	Additional task, with authorization to take all necessary measures to reduce the threat posed by Al-Shabaab and other armed opposition groups, and increase AMISOM force strength (paras. 1 and 2)
	Resolution <a href="#">2072 (2012)</a> 31 October 2012		Mandate renewal, with authorization to take all measures necessary (operative paragraph)
	Resolution <a href="#">2073 (2012)</a> 7 November 2012		Mandate renewal, with authorization to take all measures necessary (para. 1)
	Resolution <a href="#">2093 (2013)</a> 6 March 2013		Mandate renewal, with authorization to take all necessary measures (para. 1)
	Resolution <a href="#">2111 (2013)</a> 24 July 2013		Additional task, to assist the Somali authorities in preventing export of charcoal from Somalia (para. 18)
	Resolution <a href="#">2124 (2013)</a> 12 November 2013		Mandate renewal, with authorization to take all necessary measures and increase force strength (paras. 1 and 3)

### African-led International Support Mission in Mali

Subsequent to the start of the rebellion in northern Mali in January 2012, and the military coup on 22 March 2012, the Economic Community of West African States (ECOWAS) informed the Secretary-General on 5 April 2012 of its intent to take all necessary measures to defend the national unity and territorial integrity of Mali, invoking Chapters VII and VIII of the Charter.<sup>85</sup> Endorsing the decision of ECOWAS, the African Union called on the Security Council to support the deployment of an ECOWAS force as a matter of urgency.<sup>86</sup> In its resolution [2056 \(2012\)](#) of 5 July 2012, the Council took note of the request and expressed its readiness to further

examine it, pending further details on the envisaged deployment.

Referring to the request made by the transitional authorities of Mali for military assistance to recover the territories occupied by armed groups in the north, the President of the ECOWAS Commission, on 28 September 2012, sought an urgent meeting of the Security Council to consider the deployment of a stabilization force under Chapter VII.<sup>87</sup> In its resolution [2071 \(2012\)](#) of 12 October 2012, the Council declared its readiness to respond to the request and asked the Secretary-General to

<sup>85</sup> [S/2012/237](#), p. 3.

<sup>86</sup> [S/2012/478](#), para. 16. See also [S/2012/439](#), forwarding a similar request from the African Union.

<sup>87</sup> [S/2012/739](#). See also the letter dated 18 September from the interim President of Mali containing a request for the authorization of an ECOWAS force ([S/2012/727](#)). The transitional authorities of Mali also sought a Security Council resolution requesting the international military force to assist in bringing to justice the perpetrators of war crimes and crimes against humanity committed in northern Mali ([S/2012/784](#)).

immediately provide military and security planners to assist ECOWAS and the African Union, and to submit a report containing recommendations within 45 days. The Council also called on Member States, regional and international organizations, including the African Union and the European Union, to provide coordinated assistance, expertise, training and capacity-building support to the Malian forces. On 24 October 2012, the Peace and Security Council of the African Union referred to the finalization of the planning efforts for an African-led international force in Mali and urged the Security Council to adopt a resolution authorizing its deployment.<sup>88</sup> The concept of operations for the African-led International Support Mission in Mali, adopted by ECOWAS and endorsed by the African Union, was transmitted to the Security Council on 23 November 2013.<sup>89</sup> In his report to the Security Council, issued on 28 November 2012, the Secretary-General stated that the proposed concept provided a basis for the development of more detailed operational plans since fundamental questions on how the force would be led, sustained, trained, equipped and financed remained unanswered.<sup>90</sup>

By its resolution 2085 (2012) of 20 December 2012, the Council authorized the deployment of the African-led International Support Mission in Mali (AFISMA), consisting of 3,300 personnel for an initial period of one year, and called on Member States to contribute troops. AFISMA was authorized to take all necessary measures for the implementation of its mandate, including support for the efforts of the International Criminal Court to bring to justice perpetrators of serious human rights abuses. The Council also emphasized the need to refine the military planning before the commencement of the offensive operation in the north, and requested that the Secretary-General confirm in advance the Council's satisfaction with such an operation. It further stressed that any support provided by the United Nations, regional and subregional organizations and Member States in the context of the military operation in Mali should be consistent with international humanitarian and human rights law and refugee law. The Council also expressed its intention to

consider the provision of a voluntary and a United Nations-funded logistics support package to AFISMA and, taking note of the letter dated 13 December 2012 from the Secretary-General (S/2012/926) on the subject, requested the Secretary-General to further develop and refine options within 30 days.<sup>91</sup>

On 18 January 2013, the Council received a letter from the President of the ECOWAS Commission appealing for urgent measures to accelerate the deployment of AFISMA, in view of the attacks launched by armed groups in northern Mali and the counter-offensive operation initiated by France at the request of the transitional authorities of Mali.<sup>92</sup> The interim President of Mali also urged the Council to expedite the deployment of AFISMA, while making a reference to its transformation into a United Nations stabilization and peacekeeping operation.<sup>93</sup> In response, the Council took note of the reference and requested the Secretary-General to include in his report on Mali due before 20 March recommendations on options for establishing a United Nations peacekeeping operation.<sup>94</sup> The African Union, supporting the transformation of AFISMA into a United Nations peacekeeping operation, stressed that the proposed mission should be given a peace enforcement mandate aimed at dismantling the terrorist and criminal networks operating in the north, and that the Security Council should undertake consultations with the African Union and ECOWAS, including on the leadership and composition of the envisaged mission.<sup>95</sup> On 26 March 2013, the President of the ECOWAS Commission recommended the re-hatting of AFISMA as a robust United Nations stabilization mission, while maintaining a parallel force with the requisite capacity to dislodge any

<sup>88</sup> S/2012/825.

<sup>89</sup> S/2012/876.

<sup>90</sup> S/2012/894, paras. 66-74 and 86. In its communiqué dated 2 December 2012 (S/2012/905), the ECOWAS Council of Ministers stated that it was disturbed by the seeming lack of urgency in the recommendations of the report with regard to the authorization to deploy AFISMA and urged the Council to take into account, in considering the report, the urgent need to adopt a resolution authorizing the use of force and the deployment of AFISMA under Chapter VII of the Charter.

<sup>91</sup> On 20 January 2013, the Secretary-General presented to the Security Council various options for the provision of logistics support to AFISMA in his report (S/2013/37). At the 6905th meeting of the Council on 22 January 2013 on the situation in Mali, representatives of Côte d'Ivoire and Chad, speaking on behalf of ECOWAS, sought the approval of the Council for an emergency logistical and financial support package (S/PV.6905, p. 10 (Côte d'Ivoire); and p. 12 (Chad)).

<sup>92</sup> S/2013/35. In that letter, the President of the ECOWAS Commission also asked the Security Council to consider providing those measures pending a Council decision on a United Nations logistical support package.

<sup>93</sup> S/2013/113.

<sup>94</sup> S/2013/129.

<sup>95</sup> S/2013/163. The Council also received a letter dated 20 March 2013 from the Commissioner for Peace and Security of the African Union (S/2013/192) underscoring the imperative need for the proposed United Nations operation to be provided with a robust mandate, under Chapter VII.

regrouped terrorists or insurgents.<sup>96</sup> The Secretary-General presented options in this regard to the Security Council on 26 March 2013.<sup>97</sup>

On 25 April 2013, by its resolution [2100 \(2013\)](#), the Council established the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), under Chapter VII. It was decided that the authority be transferred from AFISMA to MINUSMA on 1 July 2013 and that MINUSMA include AFISMA military and police personnel appropriate to United Nations standards. The Council also authorized French troops to use all necessary means to intervene in support of MINUSMA when it was under imminent and serious threat, upon the request of the Secretary-General.

### **African-led International Support Mission in the Central African Republic**

Following a coup d'état on 24 March 2013 in the Central African Republic, the Peace and Security Council of the African Union called on the Security Council to seize the opportunity of its meeting on the Central African Republic, scheduled for 15 May 2013, to support the Mission for the Consolidation of Peace in the Central African Republic (MICOPAX) led by the Economic Community of Central African States (ECCAS).<sup>98</sup> No decision was taken at the meeting, and on 17 June 2013 the Peace and Security Council decided to deploy an African-led international support mission in the Central African Republic (MISCA).<sup>99</sup> On 19 July 2013, the Peace and Security Council announced the establishment of MISCA for an initial period of six months with a total strength of 3,652, composed mostly of contingents serving in MICOPAX, and called upon the Security Council, the European Union and bilateral partners to

support the transformation of MICOPAX to MISCA.<sup>100</sup> In its resolution [2121 \(2013\)](#) of 10 October 2013, the Council welcomed the decision encouraged the effective transition from MICOPAX to MISCA, and requested the Secretary-General to provide planners to assist ECCAS and the African Union in the process. The Council further asked the Secretary-General to submit within 30 days a report containing detailed options for international support, including the possible transformation of MISCA into a United Nations peacekeeping operation.

On 5 December 2013, by its resolution [2127 \(2013\)](#), the Council authorized the deployment of MISCA for a period of 12 months, under Chapter VII of the Charter, with the transfer of authority from MICOPAX to MISCA to take effect on 19 December 2013.<sup>101</sup> While requesting the Secretary-General to continue the provision of technical and expert advice to the African Union in the planning and deployment of MISCA, the Council underlined the responsibility of regional organizations to secure human, financial, logistical and other resources. The Council welcomed the willingness of the European Union to provide financial support to MISCA, and requested the Secretary-General to establish a trust fund for MISCA through which partners could provide financial support. The Council also took note of the position of the African Union and ECCAS that MISCA might require eventual transformation into a United Nations peacekeeping operation and requested the Secretary-General, in consultation with the African Union, to submit recommendations to the Council in three months. Finally, the Council authorized the French forces, the strengthening of which had been welcomed by the Peace and Security Council of the African Union, to take all necessary measures to support MISCA until further review of the mandate in six months.

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<sup>96</sup> [S/2013/231](#).

<sup>97</sup> [S/2013/189](#). On 3 May 2013, the Council received a letter dated 19 April 2013 ([S/2013/265](#)) from the African Union and ECOWAS in which the two organizations argued that the “division of labour” being contemplated between the United Nations stabilization mission and a parallel force might result in restricting the effective contribution of the African component to the fight against terrorism in Mali and the Sahel and requested that the Council reconsider the role of the two organizations as well as the envisaged cooperation mechanism between them and MINUSMA, based on the principles of subsidiarity and comparative advantage.

<sup>98</sup> [S/2013/306](#).

<sup>99</sup> [S/2013/397](#).

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<sup>100</sup> [S/2013/476](#). On 20 September 2013, the Secretary-General transmitted a letter dated 6 September 2013 from the Commissioner for Peace and Security of the African Union ([S/2013/566](#)), providing information on consultations between ECCAS and the African Union on the transition from the Mission for the Consolidation of Peace in the Central African Republic to the International Support Mission in the Central African Republic.

<sup>101</sup> Speaking after the vote, the representative of the African Union welcomed the consultation process between the African Union and the Security Council throughout the process leading to the adoption of the resolution, without prejudice to the responsibilities of the Security Council, and stressed the need to replicate it for other consultations, in particular those concerning Somalia, in order to work better together ([S/PV.7072](#), p. 6).

### African Union Mission in Somalia

The African Union Mission in Somalia (AMISOM) went through several review exercises during the reporting period which resulted in an additional task and two increases in its authorized strength. Taking note of a strategic concept for future operations of AMISOM developed by the African Union and United Nations planners,<sup>102</sup> by resolution 2036 (2012), on 22 February 2012 the Council authorized AMISOM to take all necessary measures to reduce the threat posed by Al-Shabaab and other armed opposition groups, and requested the African Union to increase the force strength of AMISOM from 12,000 to 17,731. While agreeing to expand the logistical support package for AMISOM to accommodate the new troop strength and to include therein the reimbursement of contingent-owned equipment on an exceptional basis, the Council reiterated the responsibility of regional organizations to secure human, financial, logistical and other resources. The Council called on partners to support AMISOM through the provision of funding for troop stipends, equipment, technical assistance and contributions through the United Nations Trust Fund for AMISOM. The Council also reiterated its request to the Secretary-General concerning transparency and accountability with regard to the resources provided to AMISOM.

Following the renewal of the mandate of AMISOM by resolution 2073 (2012) of 7 November 2012, the African Union conducted a strategic review of AMISOM to reflect the changing circumstances on the ground, namely the transfer of power from the Transitional Federal Government to the Federal Government and the improvement in the security situation in Somalia.<sup>103</sup> On 27 February 2013, the Peace and Security Council of the African Union called on the Security Council to authorize the enhancement of AMISOM and its support package, as well as measures to develop the capacity of the Somalia security sector, including the provision of basic logistical support to the Somalia forces undertaking joint operations with AMISOM.<sup>104</sup>

<sup>102</sup> See the letter dated 6 January 2012 from the Chairperson of the African Union Commission transmitting the strategic concept (S/2012/19) and the special report of the Secretary-General on Somalia dated 31 January 2012 recommending the expansion of AMISOM, as outlined in the strategic concept, as the most pragmatic way forward (S/2012/74).

<sup>103</sup> On 14 February 2013, the Council received the joint statement of the Secretary-General and the Chairperson of the African Union Commission on the consultations taking place between the two organizations to reach a shared vision on the way forward in respect of Somalia (S/2013/94).

<sup>104</sup> S/2013/134.

In its resolution 2093 (2013) of 6 March 2013, the Council welcomed the outcome of the strategic review, but maintained the ceiling for AMISOM. The Council nevertheless decided that the arms embargo, which had been established by resolution 733 (1992) and further elaborated by resolution 1425 (2002), did not apply to deliveries of weapons or military equipment or the provision of assistance intended for the support of, or use by, partners of AMISOM.<sup>105</sup> In resolution 2093 (2013) the Council also welcomed the review by the Secretary-General of the presence of the United Nations in Somalia, and requested him to report to the Council no later than 19 April 2013 on its results, including the proposed division of labour between the United Nations and the African Union. Further, in resolution 2111 (2013) of 24 July 2013, the Council requested that AMISOM, as part of its mandate, assist the Somali authorities in taking the necessary measures to prevent the export of charcoal from Somalia.

In view of the recommendations of a joint African Union-United Nations review,<sup>106</sup> by resolution 2124 (2013) of 12 November 2013, the Council requested the African Union to increase the strength of AMISOM from 17,731 to a maximum of 22,126 uniformed personnel, and decided to expand the logistical support package accordingly. The Council underlined that the increase was to provide a short-term enhancement of the military capacity of AMISOM for a period of 18 to 24 months and as part of an overall exit strategy, while agreeing that conditions in Somalia were not yet appropriate for the rehatting of AMISOM and deployment of a United Nations peacekeeping operation.

### B. Discussions concerning peacekeeping operations led by regional arrangements

During the period under review, the Council held a debate in connection with the Kosovo Force led by NATO and the European Union Rule of Law Mission in Kosovo, as featured in case 7 below. Discussions relating to the situation in Mali, particularly the deployment of AFISMA, are set out in case 8. Case 9 covers discussions relating to the situation in Somalia, specifically the issue of a maritime component for AMISOM.

<sup>105</sup> The Security Council also called on States and regional organizations to provide assistance to the Federal Government of Somalia to improve the safe storage, registration and distribution and use of weapons.

<sup>106</sup> S/2013/620.

**Case 7**

**Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)**

During the period under review, Council members continued to discuss the functions of the Kosovo Force (KFOR) and the European Union Rule of Law Mission (EULEX) in Kosovo, including the mandate of the latter's Special Investigative Task Force to investigate and, if warranted, prosecute, individuals for allegations of inhuman treatment of people and illicit trafficking in human organs.<sup>107</sup> At the 6713th meeting, held on 8 February 2012 to consider the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo, the representative of Serbia argued that, since EULEX could not operate outside Kosovo, it had neither an adequate mandate nor sufficient jurisdiction to carry out a comprehensive investigation, which could be ensured only if conducted under the auspices of the Security Council.<sup>108</sup> The representative of the Russian Federation questioned the neutrality of KFOR and EULEX, and sought clarification with regard to the planned drawdown of the latter without the approval of the Security Council.<sup>109</sup> The representative of China called on EULEX and other international entities to strictly implement their mandates pursuant to the resolutions of the Security Council, and representatives of South Africa and Guatemala emphasized the requirement for neutrality and impartiality of KFOR and the European Union Rule of Law Mission in Kosovo in the execution of their mandates.<sup>110</sup>

The representatives of Germany and the United Kingdom stressed that both KFOR and EULEX had acted in accordance with their mandates.<sup>111</sup> Representatives of

<sup>107</sup> For reports on the operations of the Kosovo Force during the period under review, see [S/2012/420](#), of 8 June 2012; [S/2012/688](#), of 6 September 2012; [S/2012/873](#), of 26 November 2012; [S/2013/179](#), of 20 March 2013; [S/2013/317](#), of 24 May 2013; [S/2013/572](#), of 25 September 2013; [S/2013/737](#), of 13 December 2013; and [S/2014/113](#), of 20 February 2014. For reports on the activities of the European Union Rule of Law Mission, see [S/2012/72](#), annex I, of 31 January 2012; [S/2012/275](#), annex I, of 27 April 2012; [S/2012/603](#), annex I, of 3 August 2012; [S/2012/818](#), annex 1, of 8 November 2012; and [S/2013/72](#), annex 1, of 4 February 2013; [S/2013/254](#), annex 1, of 30 April 2013; and [S/2013/631](#), annex 1, of 28 October 2013.

<sup>108</sup> [S/PV.6713](#), p. 6.

<sup>109</sup> *Ibid.*, p. 12.

<sup>110</sup> *Ibid.*, p. 13 (China); p. 22 (South Africa); and p. 23 (Guatemala).

<sup>111</sup> *Ibid.*, p. 14 (Germany); and p. 18 (United Kingdom).

the United Kingdom and France expressed their confidence in the capacity of the Mission to carry out investigations in an impartial and independent manner.<sup>112</sup> The representative of the United States stated that the Mission was the appropriate body to conduct an investigation into allegations of serious criminal activity, including organ trafficking, and demanded that the Serb population in northern Kosovo and the Government of Serbia immediately remove all roadblocks hindering freedom of movement of KFOR and the Mission.<sup>113</sup>

**Case 8**

**The situation in Mali**

In discussions leading to the establishment of the African-led International Support Mission in Mali, some Council members urged immediate response to the call made by ECOWAS and the African Union for the authorization of an African-led mission. At the 6882nd meeting, held on 10 December 2012 under the item entitled "Peace and security in Africa: the Sahel: towards a more comprehensive and coordinated approach", the representatives of Côte d'Ivoire, South Africa, Colombia, Portugal and India called on the Council to consider the request in a timely manner.<sup>114</sup> The representative of Guatemala opined that the Sahel region offered a new opportunity to draw lessons from the diverse modes of partnerships between the United Nations and African organizations, as countenanced by Chapter VIII of the Charter. He noted that the earliest initiatives related to Mali had originated in ECOWAS, with the support of the African Union, and welcomed in principle partnerships established between the United Nations and regional and subregional entities that offered benefits based on the comparative advantages of each party without prejudice to the functions assigned to the Council in the Charter.<sup>115</sup>

**Case 9**

**The situation in Somalia**

At the 6718th meeting, held on 22 February 2012, following the adoption of resolution [2036 \(2012\)](#), by which the Council authorized the expansion of the African Union Mission in Somalia (AMISOM), the representative of the United Kingdom emphasized the importance of ensuring that military action in Somalia was undertaken carefully and contributed to the wider

<sup>112</sup> *Ibid.*, p. 18 (United Kingdom); and p. 20 (France).

<sup>113</sup> *Ibid.*, pp. 24 and 25.

<sup>114</sup> [S/PV.6882](#), p. 10 (Côte d'Ivoire); p. 12 (Colombia); p. 21 (Portugal); p. 24 (South Africa); and p. 27 (India).

<sup>115</sup> *Ibid.*, p. 25.

political strategy.<sup>116</sup> Several speakers regretted that the resolution did not include support for maritime assets within AMISOM.<sup>117</sup> The representative of Portugal noted the constraints on the peacekeeping budget and the need to broaden the international donor base for AMISOM, while the representatives of Germany and France highlighted the substantial contributions made by the European Union.<sup>118</sup> The lack of support for the

maritime component of AMISOM was again raised at the 6854th meeting on the situation in Somalia, held on 7 November 2012, by several speakers.<sup>119</sup> The representative of South Africa underscored the need for improving the predictability and sustainability of funding for AMISOM.<sup>120</sup> The representative of Germany echoed that the Council shared the responsibility for the sustainable funding of AMISOM.<sup>121</sup>

<sup>116</sup> S/PV.6718, p. 2.

<sup>117</sup> Ibid., p. 3 (United States); and p. 4 (India, South Africa).

<sup>118</sup> Ibid., p. 3 (Portugal); and p. 5 (Germany, France). The Council welcomed support provided to AMISOM from its partners, particularly the European Union, in its presidential statements on 5 March 2012 and 6 June 2013 (S/PRST/2012/4, S/PRST/2013/7).

<sup>119</sup> S/PV.6854, p. 3 (South Africa); p. 4 (Guatemala); and p. 5 (India).

<sup>120</sup> Ibid., p. 3.

<sup>121</sup> Ibid., p. 4.

## IV. Authorization of enforcement action by regional arrangements

### Note

Section IV deals with the practice of the Security Council in utilizing regional and subregional arrangements for enforcement action, as stipulated under Article 53 of the Charter. Also covered in the section is the implementation of other Chapter VII measures by regional arrangements, such as sanctions and judicial measures, which are not set out in section III.

The section is divided into two subsections: (a) decisions concerning the authorization of enforcement action by regional arrangements; and (b) discussions concerning the authorization of enforcement action and the implementation of other Chapter VII measures by regional arrangements.

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

During the period under review, the Council adopted several decisions regarding enforcement action and other Chapter VII measures carried out by regional arrangements. Table 4 provides a list of these decisions, identifies regional organizations mentioned in each decision and highlights their actions relating to enforcement and other Chapter VII measures. The decisions of the Council made during the period under review in this regard fall into the following three categories: (a) recognition of sanctions and other enforcement actions adopted by regional organizations; (b) request for the cooperation of regional arrangements in implementing sanctions and other Chapter VII measures; and (c) authorization of enforcement action by regional arrangements.

Table 4

**Decisions in which the Council recognized and authorized enforcement action by regional arrangements (including Chapter VII measures not covered in section III)**

<i>Item</i>	<i>Decision and date</i>	<i>Regional organizations mentioned</i>	<i>Enforcement and other Chapter VII measures taken by regional organizations</i>
Peace and security in Africa; the situation in Mali	<a href="#">Resolution 2056 (2012)</a> 5 July 2012	Economic Community of West African States (ECOWAS), African Union	Noted decisions by regional organizations to adopt targeted sanctions in Mali and expressed its readiness to consider appropriate measures (para. 6)
	<a href="#">Resolution 2071 (2012)</a> 12 October 2012	ECOWAS	Noted decisions by ECOWAS to adopt targeted sanctions in Mali and expressed its readiness to consider appropriate measures (para. 2)
The situation in the Central African Republic	<a href="#">Resolution 2121 (2013)</a> 10 October 2013	African Union	Noted the suspension of the Central African Republic from participation in all African Union activities and imposition of measures against Séléka leaders  Called on stakeholders to enhance coordination, including through the African Union Regional Task Force and the United Nations regional strategy, to address the threat posed by the Lord's Resistance Army (LRA) (para. 12)
	<a href="#">Resolution 2127 (2013)</a> 5 December 2013	Regional organizations, African Union	Urged the cooperation of regional organizations in the implementation of sanctions pursuant to resolution <a href="#">2127 (2013)</a> (para. 60)  Emphasized coordination between the United Nations Integrated Peacebuilding Office in the Central African Republic, the African Union-Regional Task Force and the International Support Mission in the Central African Republic in protection of civilians activities and counter-LRA operations (para. 31)
The situation in the Democratic Republic of the Congo	<a href="#">Resolution 2053 (2012)</a> 27 June 2012	African Union, sub-regional organizations	Called for further engagement in stabilization efforts in the fields of security and combating illicit exploitation and trade of natural resources (seventeenth preambular paragraph)  Reiterated support for regional action against LRA and to protect civilians (para. 21)
The situation in Guinea-Bissau	<a href="#">Resolution 2048 (2012)</a> 18 May 2012	African Union, ECOWAS, Community of Portuguese-speaking Countries, European Union, regional organizations	Noted efforts by regional organizations in response to the crisis and the mediation efforts led by ECOWAS (fourth preambular paragraph)  Encouraged cooperation in implementation of sanctions in pursuance of resolution <a href="#">2048 (2012)</a> (para. 9)



<i>Item</i>	<i>Decision and date</i>	<i>Regional organizations mentioned</i>	<i>Enforcement and other Chapter VII measures taken by regional organizations</i>
The situation in Somalia	<a href="#">Resolution 2077 (2012)</a> 21 November 2012	Regional organizations	Renewed calls for participation in the fight against piracy and armed robbery at sea (para. 10)
	<a href="#">Resolution 2125 (2013)</a> 18 November 2013		Renewed use of force to repress acts of piracy and armed robbery (para. 12)
Reports of the Secretary-General on the Sudan and South Sudan	<a href="#">Resolution 2035 (2012)</a> 17 February 2012	African Union	Urged cooperation in the implementation of sanctions pursuant to resolution <a href="#">1591 (2005)</a> and resolution <a href="#">1556 (2004)</a> (para. 12)
	<a href="#">Resolution 2091 (2013)</a> 14 February 2013		

In several instances during the period under review, the Council responded to the adoption of sanctions by regional organizations. In the aftermath of the coup d'état in Mali on 22 March 2012, both ECOWAS and the African Union imposed measures, including a travel ban and an asset freeze, against the perpetrators of the coup.<sup>122</sup> The Council took note of the decisions and expressed its readiness to consider appropriate measures.<sup>123</sup> Following the coup d'état in Guinea-Bissau on 12 April 2012, the Peace and Security Council of the African Union suspended the participation of Guinea-Bissau in all activities of the African Union and imposed travel ban and an asset freeze against the perpetrators of the coup, and the Security Council to support these sanctions measures.<sup>124</sup> The Council responded by imposing a travel ban on the coup leaders, and mandated the sanctions Committee to seek from all States and international, regional and subregional organizations whatever information it might consider useful regarding the actions taken by them to implement effectively the sanctions measures imposed.<sup>125</sup> Subsequent to the coup in the Central African Republic on 24 March 2013, the Peace and Security Council of the African Union imposed a travel ban and an asset freeze against those involved in the seizure of power, suspended the participation of the Central African Republic in all the activities of the African Union, and urged the Security Council to consider taking stiff measures against those Central African Republic political and military actors involved in acts to undermine the Libreville Agreements and in violations of international humanitarian law and human

rights.<sup>126</sup> The Council initially noted the decision of the Peace and Security Council,<sup>127</sup> and subsequently decided to impose an arms embargo against the Central African Republic and urged all parties and all Member States, as well as international, regional and subregional organizations to ensure cooperation with the Panel of Experts.<sup>128</sup> The Council also continued to urge the African Union and other parties to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on implementation of the measures imposed by resolutions [1591 \(2005\)](#) and [1556 \(2004\)](#) concerning the Sudan.<sup>129</sup>

With regard to enforcement action, acting under Chapter VII, the Council renewed twice, for a period of 12 months, the authorization granted, including the use of all necessary means, to States and regional organizations cooperating with Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia.<sup>130</sup> Also acting under Chapter VII, the Council reiterated its support to the initiatives taken by the United Nations and the African Union to facilitate regional action against the Lord's Resistance Army (LRA) and to protect civilians in the Democratic Republic of the Congo,<sup>131</sup> including efforts to strengthen the military capabilities of the countries affected by LRA. The Council also reiterated its call for the African Union and all relevant subregional organizations to engage in stabilization efforts in the Democratic Republic of the Congo,

<sup>122</sup> See [S/2012/209](#), enclosure 2.

<sup>123</sup> Resolution [2056 \(2012\)](#), para. 6.

<sup>124</sup> See [S/2012/298](#), enclosures 1 and 4.

<sup>125</sup> Resolution [2048 \(2012\)](#), para. 9 (f).

<sup>126</sup> [S/2013/202](#), enclosure I, para. 7.

<sup>127</sup> Resolution [2121 \(2013\)](#), sixteenth preambular paragraph.

<sup>128</sup> Resolution [2127 \(2013\)](#), paras. 54 and 60.

<sup>129</sup> Resolution [2091 \(2013\)](#), para. 12.

<sup>130</sup> Resolutions [2077 \(2012\)](#), para. 12; and [2125 \(2013\)](#), para. 12.

<sup>131</sup> Resolution [2053 \(2012\)](#), para. 21.

including through combating illicit exploitation and trade of natural resources.<sup>132</sup>

Without invoking Chapter VII, the Council welcomed initiatives taken by ECCAS, ECOWAS, the Gulf of Guinea Commission and the Maritime Organization for West and Central Africa, in cooperation with the African Union, to enhance maritime safety and security in the Gulf of Guinea.<sup>133</sup> The Council also encouraged international partners to provide support for the enhancement of their capabilities to counter piracy and armed robbery at sea, including their capacity to conduct regional patrols.<sup>134</sup> Similarly, the Council welcomed, and called on international partners to support, regional initiatives to address the impact of transnational organized crime in West Africa and the Sahel region,<sup>135</sup> including drug trafficking.<sup>136</sup>

## **B. Discussions concerning the authorization of enforcement action by regional arrangements**

Discussions concerning enforcement action and implementation of other Chapter VII measures by regional agreements during the period under review involved the question whether the threat of sanctions would help the negotiation process facilitated by the African Union between the Sudan and South Sudan, as featured in case study 10. At the 6962nd meeting, held on 8 May 2013 in connection with the situation in Libya, the representative of Pakistan encouraged NATO to cooperate fully with the International Criminal Court in investigating reports of civilian casualties incurred in connection with the NATO operation there.<sup>137</sup>

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<sup>132</sup> Ibid., seventeenth preambular paragraph.

<sup>133</sup> Resolution 2039 (2012), tenth preambular paragraph.

<sup>134</sup> S/PRST/2013/13, sixteenth paragraph.

<sup>135</sup> S/PRST/2012/2.

<sup>136</sup> S/PRST/2013/22.

<sup>137</sup> S/PV.6962, p. 13.

## **Case 10 Reports of the Secretary-General on the Sudan and South Sudan**

Following the adoption of resolution 2046 (2012) at the 6764th meeting, held on 2 May 2012, in which the Council expressed its intention to take measures under Article 41 unless the Sudan and South Sudan took immediate steps identified by the African Union to resume negotiations on post-secession relations, the representative of China argued that the international community should refrain from interfering in the mediation efforts of the African Union and other organizations and countries of the region.<sup>138</sup> The representative of the Russian Federation repeated his preference for solving African problems by relying on the positions and assessments of regional organizations. He considered the sanctions route an extreme step for influencing the parties and stated his intention to weigh the implications of Article 41 of the Charter carefully.<sup>139</sup> The representatives of South Africa, Germany, Colombia, France, Togo, the United Kingdom and Portugal stated that the vote signalled and lent support for the decision of the African Union regarding the Sudan and South Sudan.<sup>140</sup> The representative of Pakistan recognized the centrality of the role of the African Union in resolving issues pertaining to Africa. Cautioning against the threat or use of sanctions, he contended that the Council tended to respond to the African Union selectively based upon narrow political calculus and expediency.<sup>141</sup> The representative of Guatemala observed that, by voting favourably, the Council was not only responding to the appeal made by the African Union but fulfilling the role assigned to the Council by the Charter.<sup>142</sup>

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<sup>138</sup> S/PV.6764, p. 3.

<sup>139</sup> Ibid., p. 5.

<sup>140</sup> Ibid., p. 4 (South Africa); p. 5 (Germany); p. 6 (Colombia, France); p. 7 (Togo); p. 8 (United Kingdom); and p. 9 (Portugal).

<sup>141</sup> Ibid., pp. 8-9.

<sup>142</sup> Ibid., p. 9.

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

### Note

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

### A. Decisions concerning reporting by regional arrangements

During the period under review, the Council made one explicit reference to Article 54 in its decisions. In other instances, the Council requested regional organizations to report on their peacekeeping operations or enforcement actions, or the Secretary-General to keep the Council informed of the activities of regional organizations in relation to the maintenance of international peace and security (see table 5).

Table 5  
Decisions concerning reporting by regional arrangements

<i>Item/sub-item</i>	<i>Decision and date</i>	<i>Reporting requirements</i>
<b>Explicit reference to Article 54</b>		
Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security: strengthening the relationship between the United Nations and regional organizations, in particular the African Union	<a href="#">Resolution 2033 (2012)</a> 12 January 2012	Regional and subregional organizations at all times to keep the Council informed, in accordance with Article 54 of the Charter (eighth preambular paragraph)
<b>Other reporting requirements</b>		
Peace consolidation in West Africa: piracy in the Gulf of Guinea	<a href="#">Resolution 2039 (2012)</a> 29 February 2012	Secretary-General to keep the Council regularly informed on progress by the Economic Community of West African States, the Economic Community of Central African States and the Gulf of Guinea Commission (para. 10)
The situation in Afghanistan	<a href="#">Resolution 2069 (2012)</a> 9 October 2012  <a href="#">Resolution 2120 (2013)</a> 10 October 2013	International Security Assistance Force to keep the Council informed through quarterly reports (para. 8) <sup>a</sup>
The situation in Bosnia and Herzegovina	<a href="#">Resolution 2074 (2012)</a> 14 November 2012  <a href="#">Resolution 2123 (2013)</a> 12 November 2013	Member States acting through or in cooperation with the European Union and NATO to report to the Council on the activity of EUFOR-Althea and NATO Headquarters presence at least at three-monthly intervals (resolution <a href="#">2123 (2013)</a> , para. 19) <sup>b</sup>
The situation in the Central African Republic	<a href="#">Resolution 2127 (2013)</a> 5 December 2013	African Union to report to the Council every 60 days on the deployment and activities of the African-led International Support Mission in the Central African Republic (para. 32)

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<i>Item/sub-item</i>	<i>Decision and date</i>	<i>Reporting requirements</i>
The situation in Mali	Resolution 2085 (2012) 20 December 2012	African Union to report to the Council every 60 days on the deployment and activities of the African-led International Support Mission in Mali (para. 10)
The situation in Somalia (piracy)	Resolution 2077 (2012) 21 November 2012	Regional organizations cooperating with Somali authorities to inform the Council within nine months of the progress of actions undertaken (para. 33)
	Resolution 2125 (2013) 18 November 2013	Regional organizations cooperating with Somali authorities to inform the Council in nine months of the progress of actions undertaken (para. 29)
The situation in Somalia	Resolution 2036 (2012) 22 February 2012	African Union to keep the Council informed on the implementation of the mandate of AMISOM, through the provision of written reports, no later than 30 days after the adoption of resolution 2036 (2012) and every 60 days thereafter (para. 21) <sup>c</sup>
	Resolution 2093 (2013) 6 March 2013	African Union to keep the Council informed on the implementation of the mandate of AMISOM through the provision of written reports every 90 days (para. 8) <sup>d</sup>

<sup>a</sup> For reports during the period under review, see [S/2012/150](#), of 12 March 2012; [S/2012/424](#), of 11 June 2012; [S/2012/692](#), of 7 September 2012; [S/2012/921](#), of 12 December 2012; [S/2013/182](#), of 22 March 2013; [S/2013/363](#), of 20 June 2013; [S/2013/558](#), of 17 September 2013; and [S/2013/750](#), of 18 December 2013.

<sup>b</sup> For reports during the period under review, see [S/2012/138](#), of 7 March 2012; [S/2012/307](#), of 9 May 2012; [S/2012/813](#), of 6 November 2012; [S/2013/90](#), of 12 February 2013; [S/2013/263](#), of 3 May 2013; [S/2013/646](#), of 6 November 2013; and [S/2013/692](#), of 26 November 2013.

<sup>c</sup> For the reports of the African Union in pursuance of resolution [2036 \(2012\)](#), see [S/2012/176](#), of 26 March 2012; [S/2012/468](#), of 20 June 2012; [S/2012/666](#), of 24 August 2012; [S/2012/764](#), of 12 October 2012; and [S/2013/56](#), of 25 January 2013.

<sup>d</sup> For reports in pursuance of resolution [2093 \(2013\)](#), see [S/2013/371](#) of 24 June 2013 and [S/2013/606](#) of 14 October 2013.

In its decision regarding the partnership with the African Union, the Council emphasized the need to improve regular interaction, consultation and coordination between the Security Council and the Peace and Security Council of the African Union.<sup>143</sup> The Council also set out reporting requirements for regional organizations in connection with peacekeeping operations and enforcement actions led by regional organizations, as well as the pacific settlement of disputes in the case of the Sahel.

<sup>143</sup> The Council also took note of the need to follow up on the annual meetings with the Peace and Security Council of the African Union, including through the Security Council Ad Hoc Working Group on Conflict Prevention and Resolution in Africa. See also the reports of the Ad Hoc Working Group for 2012 and 2013 ([S/2012/965](#) and [S/2013/778](#)). For more information on the activities of the Working Group, see part IX.

## B. Discussions concerning reporting by regional arrangements

On a few occasions, Council members made explicit references to Article 54 in their deliberations on issues related to the maintenance of international peace and security. At the 6715th meeting, held on 9 February 2012 under the item entitled “Briefing by the Chairperson-in-Office of the Organization for Security and Cooperation in Europe”, the representative of India referred to Article 54 and reiterated the requirement for regional organizations to keep the Council fully informed of their activities for the maintenance of international peace and security.<sup>144</sup> The representative of South Africa stated that Article 54, under which the Organization for Security and Cooperation in Europe briefed the Council, envisaged strong cooperation between the Security

<sup>144</sup> [S/PV.6715](#), p. 9.

Council and regional organizations in the maintenance of international peace and security.<sup>145</sup>

At the 7015th meeting, held on 6 August 2013 in connection with the item entitled “Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security”, the representative of India cited Article 54 as enjoining regional organizations to keep the Security

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<sup>145</sup> Ibid., p. 16.

Council fully informed of their activities for the maintenance of international peace and security.<sup>146</sup> The representative of Solomon Islands stated that his country had always recognized the role of regional organizations, by way of complying with Article 54, in keeping the Council abreast of the activities undertaken by regional organizations for the maintenance of international peace and security.<sup>147</sup>

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<sup>146</sup> [S/PV/7015 \(Resumption 1\)](#), p. 38.

<sup>147</sup> Ibid., p. 48.