

Security Council Working Methods: Provisional Progress



The Security Council during its first session on 17 January 1946, at which Zygmunt Modzelewski presented the Provisional Rules of Procedure to the Council on behalf of the UN Preparatory Commission. (UN Photo)

2018, No. 1
22 January 2018

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This is Security Council Report's fourth Research Report on the working methods of the Security Council. It examines the most recent procedural developments in the Security Council and its Informal Working Group on Documentation and Other Procedural Questions, and takes a longer-term look at the role of the elected Council members in shaping and codifying Security Council

working methods. It follows our previous reports on working methods: Security Council Transparency, Legitimacy and Effectiveness: Efforts to Reform Council Working Methods 1993-2007 (18 October 2007), Security Council Working Methods: A Work in Progress? (30 March 2010), and Security Council Working Methods: A Tale of Two Councils? (25 March 2014).•

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After over a year of intense work, the Security Council reached agreement on 30 August 2017 on the most complete compendium to date of its working methods, its Note by the President of the Security Council S/2017/507. This is thus an appropriate moment to undertake an analysis of the dynamics and processes that built the Council’s body of working methods. While examining particularly closely the most recent developments within the Security Council and its Informal Working Group on Documentation and Other Procedural Questions, this report also takes a longer-term look at the role of the non-permanent—or elected—Council members in shaping and codifying Security Council working methods.

Elected members bring to the process of developing working methods an approach that complements that of the permanent members by providing a perspective from outside the Council. They can appreciate what is particularly important to the membership at large, and many undertake to focus on particular aspects of working methods while they serve on the Council. In some cases, they have taken the initiative to work on particular aspects of working methods in fulfilment of commitments made while running for the Council.

It is no accident that two aspects of working methods, in whose development the elected members took a particularly clear lead, are those in which the interest from the general membership is particularly high: sanctions and the relationship with troop- and police-contributing countries. For the wider membership, which bears the brunt of the burden in implementing Council decisions regarding these two areas, there has been a natural demand from capitals for better advance notice of likely decisions and better opportunities for input. In the early post-Cold War era, when the resort to sanctions and peacekeeping increased dramatically, many non-members of the Council expressed concerns about being passive recipients of Council decisions after the event. Knowing what issues the Council was likely to discuss, and why and when they were to be discussed, were among the most basic hurdles encountered by non-Council members hoping to have any kind of impact on the Council. Naturally, they expected their elected colleagues to help them address these difficulties. Working methods related to sanctions and the relationship with the troop- and police-contributing countries

are two areas that this report will discuss in separate case studies.

The Security Council’s working methods derive from the UN Charter and the Provisional Rules of Procedure, but their development over the years has largely been based in practice rather than grounded in specific documents. During the Council’s first 45 years, how things were done was something of an oral tradition, passed on from one diplomatic generation to another. The pace and the volume of outcomes were for the most part low, and precedents, on which many working methods were built, were relatively easy to trace when need arose. Because of their countries’ continuous presence on the Council, this institutional memory resided largely with the permanent members.

Starting in the early 1990s, the activity of the Security Council increased dramatically because of shifts in the political dynamics following the dissolution of the Soviet Union and the end of the Cold War. The Council embarked on numerous activities for the first time, creating new working methods as it went along. During that early post-Cold War period, several of the elected members were as active in taking the initiative as the permanent ones. There was also an increased need and demand for capturing the emerging new practices in written documents to provide guidance on new working methods and consistency in their application.

In this first period after the end of the Cold War, there was also a much greater interest than ever before from the outside in the Council’s work overall and its working methods in particular. That interest was particularly acute because many of the decisions adopted during that period, especially those concerning what became the Council’s most frequently used tools—peacekeeping and sanctions—could only be implemented with the active cooperation of the broad UN membership.

Over the years, member states have repeatedly called on the Council to update the Rules of Procedure to reflect the Council’s changing work reality and to terminate the rules’ “provisional” status. Indeed, the Rules of Procedure, which were adopted in 1946 as “provisional”, are still considered provisional to this day, more than 70 years later. Yet they constitute the only official set of rules guiding the working methods of the Council. They have been revised seven times, but all of the revisions were minor. Moreover, none were made in the post-Cold

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War era, when the most dramatic changes occurred in Council practice. (The last time the rules were amended was in 1982, to add Arabic as one of the official working languages.)

Some diplomats and observers have pointed out that there are pragmatic reasons to keep the rules in their provisional form: it gives the Council more flexibility and allows it to adapt better and faster to the changing international environment. Others have noted that the lack of formally binding procedures creates doubt, leaving everyone other than the permanent members (P5) of the Council on an uncertain footing. Yet it could be argued that throughout its post-Cold War history, the Council has continued to be the most adaptable international body, at times capable of modifying its working methods literally on the spot.

However, this tension between the desire to avoid the constraint of a formal decision and the demands for clarity and transparency was probably what led the Council to develop

a practice, starting in the early 1990s, of capturing most of its new or modified working methods in separate documents, mainly in Notes by the President of the Security Council. These are formal Council documents, but they are not decisions. They are used for a number of purposes (for example, the transmittal of a report by another body or a letter from a member state), but since 1993, almost all understandings and agreements among Council members regarding working methods have been articulated through this format. Also in 1993, the Council established an informal subsidiary body, its Informal Working Group on Documentation and Other Procedural Questions (the IWG), which has served as the venue for some of the key working methods discussions.

This report will examine the activities of the IWG and its transformation from a sometimes ephemeral entity with a chairmanship rotating monthly to an active and firmly

established subsidiary body, after its chairmanship began to be held by a single elected member throughout the year (or two years), starting in 2006.

We will also analyse the elaboration in 2006 and subsequent modifications of the key compendium produced by the IWG of nearly all agreed working methods (with the exception of most working methods concerning sanctions and the relationship with troop- and police-contributing countries), commonly referred to as “Note 507”. (The first Note by the President of the Security Council containing agreed working methods in a single volume was issued as UN document S/2006/507 and resulted from several months of sustained work by the IWG under the leadership of Japan. The two subsequent versions, in 2010 and 2017, were also elaborated under the Japanese chairmanship of the IWG and were issued with the same number, 507, to make it easier for those interested to find the document.)

The Informal Working Group on Documentation and Other Procedural Questions

In the first years after the end of the Cold War, the Council experienced the sharpest spike of activity in its history. In a few years, it transformed itself from an organ that met only occasionally into one that was almost continuously in session. The number of its decisions grew sharply, from 20 resolutions adopted in 1989 to the all-time high of 93 in 1993.

Many of the matters the Council addressed and the means employed were new to Council practice. With existing procedures inadequate and no precedents to go by, members came up with new practices to act on the new challenges. Within a few years, there was a growing realisation that the working methods—most of which had emerged in an ad hoc fashion—needed to be systematised in order to maintain consistency and effectiveness and to provide guidelines to Council diplomats, who rotate in and out regardless of whether they represent a permanent or non-permanent member. There was also considerable pressure from the UN membership at large. Some countries were quite alarmed by this new level of activity and its largely impenetrable nature.

According to one elected permanent representative who served during that period, the elected ten felt pressure from UN members that were not on the Council not only to provide more information, but also for the non-Council members to have their opinions heard, especially on issues directly concerning their geographical areas and on situations where they would have contingents of their troops deployed under the UN flag.

The elected members, though often quite divided politically, tended to find much common ground in seeking ways to achieve more transparency within the Council and vis-à-vis the rest of the UN membership. As recollected by some participants in the events, the elected ten permanent representatives started having frequent informal meetings at a certain point in the first half of 1993, often during lunches hosted by different ambassadors, in order to address those concerns and also try to present a common position to the P5.

Some of the permanent members felt the need, for political reasons, to address the pressure coming from the general membership and, out of pragmatism, to bring a degree of

clarity to how the Council went about doing its work. The UK, in particular, was interested in systematising the Council agenda and other aspects of Council public record-keeping.

By mid-1993, informal meetings involving most Council members were held quite frequently. Elected members Brazil and Spain took the initiative to improve the contents and presentation of the Security Council annual report to the General Assembly—which until then had been drafted by the Secretariat and consisted of a lengthy compilation of detailed information without any analysis—by including an introduction that would provide a summary and assessment of the work of the Council during the year in question. Much of what was discussed during that period had to do with the basics of transparency and penetrability of the Council for outsiders: clarifying the documentation symbols; creating a separate document series for presidential statements (which through the end of 1993 were particularly hard to trace); listing public meetings of the Council in the UN Journal; sharing the Council’s monthly forecast of work with the full UN membership; or reviewing the agenda,

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formally known as the summary of matters of which the Security Council is seized, and referred to as the “seizure list”, with an eye to using descriptive titles rather than references to the documents under which items had first been discussed.

During Spain’s presidency in June 1993, the Council issued the first of what was to become a long series of Notes by the President addressing working methods (S/26015). June 1993 is also generally accepted as the time when the Informal Working Group on Documentation and Other Procedural Questions was established. The exact moment when these ad hoc deliberations among members resulted in a new subsidiary body (under the Council’s prerogative in Article 29 of the Charter to establish any subsidiary bodies it deems necessary) is hard to trace, and different participants in this process interviewed for this report have different recollections. The first note on working methods, issued on 30 June, only refers in passing to the “group” without providing any additional information. A full reference to the IWG first appears in the Note by the President of 29 November 1993, which states that the decisions contained therein “had been taken after extensive consideration and appropriate consultation” by the Working Group (S/26812). At the first open debate on working methods held more than a year later, on 16 December 1994, the UK provided a brief description of the Working Group’s origins: “The desire to enhance the flow of information and the exchange of views between the Security Council and the General Assembly lay behind the Council’s decision of June 1993 to establish an informal working group on documentation and other procedural matters” (S/PV.3483). Yet, unlike most other subsidiary bodies, no document containing the decision to establish it appears to exist.

In the IWG’s first 13 years, the chairmanship was concurrent with the Council presidency and thus was held by both permanent and elected Council members, whereas most other subsidiary bodies have been chaired by elected members. The IWG’s level of activity was high in the first few years, with a total of six Notes by the President and three presidential statements issued during 1993 and 1994, most of them addressing issues of transparency and documentation, such as sharing the tentative forecast of work or draft decisions, once approved, with member states, or changing the document symbols system. During

this period, the IWG also conducted a review of the agenda items and deleted 82 dormant ones in 1993 and 25 in 1994. In December 1994, during the presidency of Rwanda, the Council held its first—and until 2008, its only—open debate on working methods. The initiative for this debate and the concept note came from France (S/1994/1279), with elected members New Zealand and Brazil each contributing additional suggestions for the discussion in two separate documents (S/1994/1313 and S/1994/1384). The main focus of the debate was ways for the Council to hold public exchanges of views with UN members at large. At the end of the 16 December debate, the Council adopted a presidential statement on increasing its recourse to public meetings, thus for the first time codifying an already emerging practice of holding public debates with the participation of the broad UN membership (S/1994/PRST/81).

In the next decade, the activity of the Informal Working Group appears to have subsided. Specific meetings are hard to trace as there are no public records. It is likely that, because the chairmanship of the working group rotated each month from presidency to presidency, more immediately urgent issues took precedence in the work of the respective presidencies. However, documents from that period, most of them assessments of the presidency by the different permanent representatives, occasionally refer to certain activities of the IWG.

For example, the UK assessment of its December 1999 presidency refers to a draft Note by the President of the Council “on the need for increased recourse to public meetings, including on situations involving specific countries” earlier in the year, which was then considered by the Informal Working Group in the course of 1999, and a paragraph to this effect was included in a note on working methods issued at the end of the UK presidency (S/2000/124; S/1999/1291, respectively).

In 2000, the IWG met in February, March and April, under the presidencies of Argentina, Bangladesh and Canada, respectively (S/2000/722, S/2000/670 and S/2000/707). The topics discussed included the attendance of consultations by newly elected members during the month preceding their joining the Council; communications with the media; the nomenclature for different types of Council meetings; and distribution and dissemination of Council decisions.

In 2001, the IWG met twice in June under Bangladesh’s presidency. It agreed on a note improving the dissemination and preservation of Council decisions and statements, among other things creating a system for preserving all Council press statements in written form (S/2001/640). It also discussed, without reaching agreement, implementation of previous notes on working methods and the possibility of more meeting formats (S/2001/757). One of the salient points of the 29 June Bangladeshi wrap-up session (a format first introduced by Bangladesh during its March 2000 presidency) was that the IWG “should meet regularly to review implementation of the agreed measures and to explore improvement of the working methods and documentation of the Council” (S/PV.4343 and S/2001/835). A meeting scheduled by France during its September presidency to discuss improvements to the annual report did not take place when the Council programme of work was dramatically altered following the 11 September terrorist attacks in the US. The discussion of improvements in the annual report took place in November under Jamaica’s presidency (S/2001/1140).

In 2002, according to the assessment by Mauritius of its January presidency, “a total of nine hours of consultations and discussions at both ambassadorial and expert levels was spent during the month to review the format and content of the report of the Security Council to the General Assembly” (S/2002/187). Discussions continued in March, during the presidency of Norway, on several documentation-related issues, resulting in the adoption of Note S/2002/316 (S/2002/663). During Singapore’s presidency in May, the IWG met twice to discuss the practices relating to public debates and wrap-up sessions (S/2002/685). It also discussed aspects of a Note issued in February concerning the annual report to the General Assembly. In June, under the Syrian presidency, the IWG discussed the format and content of the wrap-up session for that month (S/2002/843).

Specific activities in 2003 are hard to trace, but the report from the first Finnish workshop for incoming Council members held in November 2003 said that “the E10 had made strong contributions to the Council’s working methods, through its working group on documentation and procedure” (S/2004/135). It is unclear, however, if this referred to developments in 2003 or more generally.

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Several documents, most of them Notes by the President, were issued during that period, usually addressing a discrete area of working methods, such as arrangements for distribution of statements in the Council chamber; the continuation of the revision process of the “seizure list”; seating arrangements for non-Council members addressing the Council; or arrangements for incoming Council elected members to attend consultations. Among the working methods issues addressed in greater depth was further improvement of the format and the adoption process of the Council’s annual report to the General Assembly. A detailed Note by the President on this matter was prepared as an initiative of Singapore, discussed in detail in January 2002 (S/2002/187), and issued first on 26 February (S/2002/199) during Mexico’s presidency. The Note changed the period covered by the annual report, stipulated the inclusion of an analytical introduction written by a member of the Council (the July presidency) and significantly revised the format. Following questions from the Secretariat on some details of the new format, the Note was reissued during Singapore’s presidency in May.

Despite all the activity, the different working methods initiatives and the documents issued failed to address many of the concerns of the broad UN membership. Gathered in New York for a World Summit in September 2005, world leaders took the unusual step of admonishing the Council when, in the Summit’s final document, they said: “We recommend that the Security Council continue to adapt its working methods so as to increase the involvement of States not members of the Council in its work, as appropriate, enhance its accountability to the membership, and increase the transparency of its work” (A/RES/60/1). Additional pressure came from a group of five countries—Costa Rica, Jordan, Liechtenstein (whose permanent representative had submitted the passage quoted above to the drafters of the Summit’s final document), Singapore and Switzerland—which later became known as the “Small Five”. In the aftermath of the 2005 World Summit they launched an initiative at the General Assembly calling for specific modifications of Council working methods listed in a non-paper circulated to UN membership. Those included: the relationship of Council subsidiary bodies with and impact of sanctions on the membership at large; the interaction between the Council and

troop contributors; the relations with regional organisations; and better and more effective integration of new members of the Council. (For more details, please refer to Security Council Transparency, Legitimacy and Effectiveness: Efforts to Reform Council Working Methods 1993-2007 of 18 October 2007.)

Following several internal discussions in late 2005 and early 2006, Council members decided to revitalise its Informal Working Group, which by then was almost completely dormant, in an acknowledgment of the need to further improve Security Council working methods and procedures. As a first step, they moved towards a degree of continuity in the chairmanship of the Informal Working Group. The Note by the President issued on 31 January 2006 announcing the chairmanships of all subsidiary bodies said that “it was agreed that the chairmanship of the Informal Working Group on Documentation and Other Procedural Questions shall be from 1 February to 30 June 2006” and that it would be chaired by the Permanent Representative of Japan, Ambassador Kenzo Oshima. This appointment was subsequently extended through the end of 2006. Starting in 2007, the chairs of the IWG have been appointed for a minimum of one year, and an elected Council member has always chaired the working group.

Japan’s main focus in 2006 was to create a single document in which all agreed working methods would be collected. Until 2006, Council documents concerning working methods had been scattered throughout the vast UN documents system and were hard to trace. Only once, in 2002, had relevant documents issued up to that point been catalogued in a thematically organised index with document symbols. That was at the initiative of Singapore as chair of the IWG in May, and it was published in September (S/2002/1000). In early 2006, the Council asked the Secretariat to produce an updated index, which was issued on 7 February (S/2006/78).

Between March and July 2006, the Informal Working Group conducted the process of analysing all previous relevant documents as well as new or changing practices that needed to be articulated. It met 11 times during that period and, after securing all members’ consent, on 19 July issued its first Note by the President collecting all practices agreed up to that point (S/2006/507). The term “Note 507”, which subsequently had new versions in 2010 and 2017, became something of a

brand name for the Council’s working methods and also the title of the agenda item under which all related Council meetings have since been held (S/PV.5601).

The IWG has been active continuously since its 2006 revival, though each year’s level of activity and scope of work have largely depended on the interests of its chair. The appointment of the chair of this subsidiary body has usually been quite sensitive for the P5, which, until 2016, were fully in charge of the process of appointing all the chairs of Council subsidiary bodies and considered the IWG as particularly politically delicate (the changes in the appointment process will be discussed in the next section of the report). On at least two occasions, members that were particularly eager to chair the IWG were passed over in favour of one who had showed no particular interest. Japan, returning to the Council for the 2009-2010 and 2016-2017 terms, chaired the body each time for two years and on both occasions produced new versions of Note 507. In a separate section below, we will analyse the content and evolution of the three Notes 507 issued to date.

Slovakia was the first member state appointed to chair the IWG for a full year, 2007. It decided to focus on securing effective implementation of the practices set out in Note 507, with particular attention focused on those measures whose implementation required cooperation from the Secretariat. In this context, the chair of the IWG held several meetings with Chef de Cabinet of the Secretary-General and the Under-Secretaries-General for Political Affairs and for Peacekeeping Operations (S/PV.5806). The result of this work was Note S/2007/749 issued on 19 December. At the end of its chairmanship, Slovakia also drafted a letter to the Secretary-General that was subsequently agreed on by the members and sent by the Council’s president on 19 December 2007, highlighting several areas where enhanced Secretariat’s assistance was particularly needed. These included: submitting reports to the Council with sufficient time to allow members to prepare for their discussion; notifying the Council early if delays in submission of reports were likely; preparing written fact sheets if briefings given to the Council were not on the basis of a written report; and structuring the reports in a uniform fashion to facilitate easy access to recommendations.

Towards the end of its chairing of the

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IWG, Slovakia suggested holding an open meeting on Council working methods. The issue proved very controversial, especially for some of the P5, and no consensus among Council members on such a meeting could be reached. Instead, it was agreed that an Arria-formula meeting on working methods should be held. Three outside participants (including two former ambassadors with past experience in the Council) were invited to make presentations. In the discussion, Council members focused largely on the interaction of the Council with other actors, such as the General Assembly, troop-contributing countries (TCCs), regional groups and organisations, the Secretariat, and the UN system more broadly. Other topics included the role of the president of the Council and a stronger role for the Secretariat in implementing the measures contained in Note 507. The proceedings were summarised and key recommendations listed in a letter from the Permanent Representative of Slovakia to the President of the Security Council and issued in document S/2007/784.

Panama became the chair of the Working Group in 2008, and the implementation of Note 507 was also its main focus. Panama chose to follow up on just a few discrete issues from the broad range of matters covered by the note. In particular, Panama wanted to clarify paragraph 49 of the note's annex dealing with the procedure for removing items from the list of situations of which the Council is seized and refining the descriptions of the formats of Council meetings. During the year, several IWG meetings and a considerable number of smaller consultations were held. In a presidential note issued at the end of 2008 (S/2008/847), the Council amended the procedure for removing items from the "seizure list". The Council reduced from five to three years the period in which an item was not considered by the Council to qualify for deletion. The January version of the list of the agenda items—a document published monthly by the Secretariat—would identify the items for deletion and member states would have until the end of February to ask the president of the Security Council for their retention. In the event of a request for retention, the item would remain on the list for one additional year, unless the Council decided otherwise. (For more details, please refer to our 30 March 2010 report Security Council Working Methods: A Work in Progress?)

Japan returned to the Council in 2009 and became chair of the IWG. A year later, this appointment was extended through 2010, making Japan the first member state to hold this position continuously for two years. In 2009 the IWG held five meetings, focusing on the implementation of Note 507 with priority to aspects where the implementation was wanting, such as interaction with non-Council members or the timing of the Secretary-General's reports. In 2010, Japan turned the energy of the working group toward updating the 2006 version of Note 507 (S/PV.6457). The 2010 edition was issued on 26 July as document S/2010/507.

Bosnia and Herzegovina became the 2011 chair of the IWG. During the year, it held five meetings, focusing on such issues as redistributing the Council's workload more evenly throughout the year, revising reporting cycles and enhancing the interaction between the Informal Working Group and the wider UN membership (S/PV.6686).

Portugal came onto the Council for the 2011-2012 term with a declared strong interest in working methods. It was unsuccessful in securing the chairmanship of the IWG for its first year, but it was appointed as chair for 2012. In the first half of the year, the IWG focused mainly on issues related to enhancing the efficiency of the Council's work through better planning of the work and better use of conference, translation, travel and time resources. In March, during the UK presidency, Council members discussed these issues in consultations. Following further IWG discussions, these topics were condensed in a Note by the President of 5 June (S/2012/402).

At the time of Portugal's chairmanship of the IWG, the manner of appointing the chairs of the Council's subsidiary bodies was a confidential process conducted by the P5 that often would be completed only in January, allowing the incoming members no time for preparation and the outgoing ones no opportunity for a handover to the successor. This process was a source of much criticism and deep unhappiness among elected members. Another sore issue was the then fairly new system of penholders, by which the P3 (France, the UK and the US) held self-assigned leadership positions on nearly all conflict-related Council agenda items. In mid-2012, Portugal started a drafting and negotiating process for a Note by the President to address these two issues.

In the part regarding the chairmanship of subsidiary bodies, initial drafts called for an inclusive and transparent process to unfold during the last six weeks of the year that would involve all 15 Council members as well as the five incoming Council members, with the November and December presidents of the Council playing a coordinating role. At that early stage, there were also suggestions that all Council members should chair subsidiary bodies. Regarding penholders, the draft outlined a system under which all Council members would have an opportunity to be penholders or co-penholders. It also stated that penholders should involve in their work the chairs of sanctions committees or subsidiary bodies directly related to the situation under consideration. Negotiations continued during the summer and through the fall, with many revisions put forward by different members, particularly by the UK and France. Regarding penholders, one of the revisions included language put forward by Russia stating that penholdership does not imply privileges regarding the order on the lists of speakers for Council meetings (except when presenting drafts).

Reaching agreement on the full text proved impossible, and by November, the part of the draft on penholders was dropped, while negotiations on the appointment process of chairs of subsidiary bodies continued. After nearly six months of negotiations, on 17 December 2012 the Council issued a concise Note by the President (S/2012/937) regarding the chairmanship of subsidiary bodies, stating that "in an effort to enhance the efficiency and transparency of the Council's work, as well as interaction and dialogue among Council members", members of the Council "support an informal process with the participation of all Council members as regards appointing the Chairpersons of the subsidiary organs from among Council members in a balanced, transparent, efficient and inclusive way, which facilitates an exchange of information related to the work of the subsidiary organs involved".

Argentina, having joined the Council for the 2013-2014 term, has been the only member to date other than Japan to hold the chairmanship of the Informal Working Group for two consecutive years. Much of 2013 was spent on developing measures to enhance Council transparency, in particular regarding interaction with other bodies, such as the

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Peacebuilding Commission, creating opportunities for non-Council members to provide inputs into the work of the subsidiary bodies, and a more effective use of public meetings. Australia, another elected member during that period, played an active role in this process alongside Argentina, which resulted in a Note by the President on 28 August (S/2013/515). Later that year, the IWG focused specifically on the relationship of the Council with troop- and police-contributing countries (TCC/PCCs), a topic which had been pioneered by Argentina (jointly with New Zealand) when it served on the Council in 1994-1995. Working together with the Working Group on Peacekeeping Operations, consensus was reached to issue a Note by the President on 28 October (S/2013/630), seeking to strengthen consultations with the TCC/PCCs (S/PV.7076).

In 2014, the IWG tackled several challenging issues, most notably that of penholders and of the appointment of chairs of subsidiary bodies. On penholders, the IWG reached consensus on a Note by the President (S/2014/268 of 14 April), the first Council document in which the term was mentioned. It expressed members' support for "the informal arrangement whereby one or more Council members ... initiate and chair the informal drafting process", proclaiming among other things that any member of the Council could be a penholder without elaborating on the process of becoming one. The document also emphasised Council members' commitment to enhancing the participation of all members of the Council in the drafting process, including through early and timely exchanges and consultations, while continuing to seek informal consultation with non-Council members. Regarding chairmanships of Council subsidiary bodies, a Note by the President was issued on 5 June 2014 (S/2014/393). It stated that members of the Council should start "the informal process of consultations referred to in the Note by the President of the Security Council of 17 December 2012 (S/2012/937) as early as possible after each election of members of the Security Council". The note encouraged holding informal meetings between the outgoing and incoming chairs and stressed that it was the responsibility of the outgoing chair to prepare the information to be transmitted to the new chair. A related issue that the IWG addressed in 2014 was that of improving

communications among Council members so that all members are afforded an opportunity to provide input during crises and fast-evolving developments that the Council is addressing; as a result, Note by the President S/2014/565 was issued in August.

Other issues addressed in 2014 included order of priority on speakers' lists and enhancing the processes for ensuring the accuracy of the verbatim records of Council meetings, resulting respectively in Notes by the President S/2014/739 and S/2014/922.

In 2015 the chairmanship of the Informal Working Group went to [Angola](#). The activity of the Informal Working Group appeared to be relatively low, with four meetings held during the year. The main topic discussed, at the initiative of Lithuania and Russia, was further changes to the process of elaboration of the Security Council's annual report to the General Assembly. In a Note by the President issued in December (S/2015/944), members changed the period of coverage for annual reports to 1 January through 31 December, starting with the 2017 report. The Note furthermore stipulated that the Secretariat should submit the draft report to the Council by 15 March, immediately following the period covered by the report, to be discussed and adopted in time for consideration by the General Assembly in the spring of that calendar year. Previously, the period covered had been 1 August to 31 July, the adoption usually occurred in October or November, and the report was presented to the General Assembly late in the calendar year. The relatively low level of activity in 2015 may have had to do with the fact that Japan, which was running unopposed that year for the 2016-2017 term, was widely expected to be eager to assume the chairmanship of the working group.

Having been elected for the 2016-2017 term, Japan, indeed, took over the chairmanship of the Informal Working Group. In the first part of 2016, the main focus was to elaborate new transitional arrangements for incoming Council members, who, as a result of a decision of the General Assembly contained in resolution 68/307, would be elected in June rather than October starting that year. In a non-paper circulated for discussion in the working group, Japan laid down four main issues to address: when should the newly elected members be invited to start attending all Security Council meetings (both open and closed), including those of the subsidiary organs, as observers; when should the

Security Council agree provisionally on the appointment of chairs of the subsidiary organs for the following year; how should the selection of chairs of the subsidiary organs be decided; and should both elected and permanent members serve as chairs.

Aiming to reach agreement on the new measures well in advance of the 28 June Council election, Japan started discussions in April. The proposed measures proved highly controversial, and from May until the eventual issuance of the Note by the President on 15 July, numerous rounds of negotiations within the working group, by email and held bilaterally by the chair, occurred. The first draft that Japan circulated in early May with a request for comments was followed by several new versions. While most other elements of the initial draft proved controversial, reaching agreement on a new process for the selection of subsidiary body chairs proved especially difficult. The initial proposal put forward by New Zealand and supported by several elected members called for the process to be facilitated by the Council president, but permanent members, particularly the US, strongly objected to that. In mid-June, Egypt suggested a compromise formulation whereby the informal process would be facilitated jointly by two Council members, one of which would be the chair of the Informal Working Group (i.e. an elected member). Different versions of the draft were put under silence—prior to the election date and afterwards—until Note S/2016/619 was eventually issued on 15 July. The final formulation concerning the selection of subsidiary organs' chairs was that the process "will be facilitated jointly by two members of the Security Council working in full cooperation", with the unwritten understanding that the two members would be one permanent member and the chair of the IWG.

During its presidency in July 2016, Japan organised an open debate on working methods to coincide with the tenth anniversary of the adoption of the first Note 507. The concept note prepared for the debate said that the practical suggestions presented during the debate would feed into Council members' deliberation within the Informal Working Group on updating Note 507 (S/2016/585). Thirty-one member states and one observer participated in the debate. At a meeting in October, the IWG held a planning meeting for its work on revising Note 507.

The Informal Working Group on Documentation and Other Procedural Questions

Starting in December 2016 and during the first five months of 2017, under the continuing chairmanship of Japan, the IWG met periodically to discuss different specific aspects of Council working methods with a view to elaborating a new version of Note 507. Those specific topics, for which the chair of IWG usually provided a discussion paper, included the methodology for different types of meetings;

the Council's relationship with the Peacebuilding Commission (PBC); Council visiting missions and situational awareness briefings as possible prevention tools; making effective use of consultations; drafting and negotiating of Council products; and the Council's interaction with non-Council members and other UN bodies. The first draft of the revised Note 507 was circulated to IWG members on

24 May. On 30 May the IWG chair briefed Council members in consultations under "any other business" and the next day provided a briefing to Council members and the wider UN membership during the Uruguayan presidency's wrap-up session. (For more details on the 2017 negotiating process, see below under "The 2017 Note 507".)

Notes 507

In late summer 2017, the Council reached agreement on its most complete compendium of working methods to date and issued it on 30 August as document S/2017/507. It is an important and useful aid for all Council members and anyone interested in the work of the Security Council. The 2006 Japanese initiative to collect all agreed practices—scattered since the early 1990s in different Council documents—into a single document was a significant step towards making the Security Council's working methods more user-friendly for its members and more penetrable for everyone else. Twice in the preceding decade or so, the Council had issued descriptive indexes of its working methods-related documents with their respective document symbols, but finding the specific documents was quite difficult (S/2002/1000 and S/2006/78). Having the successive 2006, 2010 and 2017 versions of Note 507 restate the gist of all previous relevant documents, updating areas of Council practice that had changed because of developments and incorporating agreements on new working methods achieved since the issuance of the previous version, has provided useful reference and guidance.

The 2006 Note 507

The bulk of the 19 July 2006 Note by the President of the Security Council, elaborated under the Japanese chairmanship of the IWG, details 63 practices and measures aimed at enhancing the efficiency and transparency of the Council's work, as well as improving interaction and dialogue with non-Council members.

The first group of issues related to the Council's own internal work and involved measures that would increase its efficiency. These included: agreeing on a standard

interval for reports being six months and requesting the Secretariat to make written reports more concise; in consultations, expressing agreement without repeating the same content and directing questions not only to the speaker but also to other Council members; and asking the Secretariat to use email, in addition to fax, in its communications with Council members.

The second group of issues related to the Council's relationship with actors external to the Council, such as member states not on the Council, other UN bodies, and international and regional organisations. Much of the Note consolidated measures previously agreed by the Council on an ad hoc basis. However, it also addressed several new developments. In particular, new measures were agreed and included in the Note on dealing with such issues as enhancing means of information regarding the Council's programme of work, increasing interaction with international organisations, and facilitating input by parties involved in or affected by situations on the Council's agenda.

With respect to members at large, this included a decision to make the monthly tentative forecast of work available on the Security Council website and to update the Council monthly calendar (programme of work) on the website each time it is changed, as well as to consider making draft documents available to non-members of the Council as soon as they are introduced within informal consultations. On the relationship with other organs of the UN, the Note signalled the willingness to cooperate with them in synchronising reporting obligations of the Secretariat on the same subject. On the relationship with actors external to the UN, the Note proclaimed the intention "to continue to expand consultation and

cooperation with regional and subregional organizations, including by inviting relevant organizations to participate in the Council's public and private meetings". On facilitating input by affected parties, the Note committed the Council during visiting missions, to "avoid restricting their meetings to those with governmental interlocutors and interlocutors of conflict parties and to hold, as appropriate, meetings with local civil society leaders, NGOs and other interested parties".

The 2010 Note 507

Japan returned to the Council as a non-permanent member for the period 2009-2010 and took on the chairmanship of the Informal Working Group with the intention of updating Note 507.

A new version was issued on 26 July 2010 as document S/2010/507. The Note preserved the structure of its predecessor, and most new elements were updates and revisions reflecting developments in Council working methods in the preceding period. The main new elements included:

- clarifying the procedures for the maintenance of the so-called "seizure list", a topic Slovakia and Panama had worked on during their respective chairmanships of the IWG in 2007 and 2008;
- adding a reference to the Council's interaction with the PBC, which was not addressed in the original Note 507 as the PBC had not yet become fully operational;
- adding a section on Security Council visiting missions, a topic Costa Rica had worked on during its 2008-2009 term as an elected member of the Council;
- including under "Communication with the Secretariat and Outside" the new format of informal dialogues; and

- reflecting a new practice of strict limits on UN staff members allowed in consultations.

The last provision was an instance of the Council's reversing the otherwise generally prevalent trend of increasing its transparency. For several years, a representative of the Office of the Spokesperson for the Secretary-General had routinely attended Council consultations. In a 2007 Note by the President on various aspects of working methods, the Council reaffirmed this practice, saying "a designated representative of the Office of the Spokesperson for the Secretary-General may participate in informal consultations at any time, unless the Council decides otherwise" (S/2007/749). But in a move to limit the overall number of UN staffers in consultations, the Council reversed this practice in early 2010. A formal request from the Chef de Cabinet of the Secretary-General to lift this restriction with respect to the Office of the Spokesperson was not heeded, and the 2010 Note 507 reaffirmed the ban on direct access for the Spokesperson's Office to consultations by saying "unless otherwise decided, the Security Council Affairs Division of the Department of Political Affairs will be responsible for keeping the Office of the Spokesperson for the Secretary-General informed of matters which may require its action".

For more details on matters related to the 2006 and 2010 versions of Note 507, please refer to SCR Research Reports Security Council Transparency, Legitimacy and Effectiveness: Efforts to Reform Council Working Methods 1993-2007 (18 October 2007), Security Council Working Methods: A Work in Progress? (30 March 2010) and Security Council Working Methods: A Tale of Two Councils? (25 March 2014).

The 2017 Note 507

When Japan returned to the Security Council for the 2016-2017 term and again was assigned the chairmanship of the IWG, the subsidiary body had, for the first time, a mandate from the Council "to continue reviewing and updating relevant Notes by the President of the Security Council, in particular Note S/2010/507". This was articulated in the October 2015 presidential statement S/PRST/2015/19, adopted as the outcome of the October 2015 open debate on working methods organised by Spain. During its first presidency in July 2016, Japan held an open debate on working methods. The concept

paper prepared for that discussion stressed that Japan did not seek to have an outcome from the debate but, in its capacity as chair of the IWG, it intended "to follow up the discussions in the open debate, especially the specific practical suggestions made in the debate, in the deliberations of the Informal Working Group on an updated note 507, to be adopted in due course".

Adopted on 30 August, the 142 paragraphs of Note S/2017/507 address nearly all aspects of Council practice, an exception being working methods that apply to all sanctions committees, which will continue to be governed by notes and statements of the president of the Council indexed in document S/2006/78. Partially excluded are also working methods related to the interaction with the TCC/PCCs, though for the first time, Note 507 contains a separate section titled "Consultations with troop- and police-contributing countries".

Unlike the 2010 version, which used the same structure as the original Note 507, there is a new structure in the 2017 update with different subsections, though substantively the text maintains several sections of the 2010 version intact. The 2017 document is also considerably longer. It incorporates, with modifications in some cases, the substance of the 13 Notes by the President regarding working methods issued since the adoption of the 2010 version of Note 507, contains elements that had not been addressed previously, and also covers some Council practices that had never been captured in writing in a Council document.

The updated Note 507 provides guidelines regarding the processes leading up to the adoption of Council outcomes in the context of the currently prevalent penholder system, including:

- stressing the desirability of at least one round of discussions with all members of the Council on all drafts and of providing reasonably sufficient time for consideration;
- restating, as previously articulated in a 2014 note, that "[a]ny member of the Security Council may be a penholder" and also saying that "[m]ore than one Council member may act as co-penholders, when it is deemed to add value, taking into account as appropriate the expertise and/or contributions of Council members on the subjects";

- referring to "silence procedure", a common practice that had never been articulated in writing, whereby a draft is circulated by email with a deadline for raising objections, in the absence of which the draft becomes final, recognising "that any Council member may request extension of and/or break silence if further consideration is required"; and
- acknowledging that for certain open debates, the adoption of an outcome might take place at a later date to allow the outcome to more fully reflect matters raised during the debate.

On dialogue with non-Council members and other bodies, the Note refers for the first time to the importance of annual joint consultative meetings and informal dialogues with the Peace and Security Council of the African Union.

On Security Council visiting missions, the note refers to additional elements concerning their value as a tool for accomplishing the Council's goals, in particular, for preventing escalation of particular conflicts due to members' enhanced understanding of the situation as a result of a visiting mission. It also expands on aspects of preparation for and follow-up to visiting missions, stressing the importance of "a focused itinerary with a schedule of meetings which would allow meaningful exchanges at each meeting", and of a prompt briefing and a timely follow-up. It also mentions the possibility of joint missions of the Security Council and the Peace and Security Council of the African Union to conflict situations in Africa.

On the appointment process of chairs of subsidiary bodies, the 2017 Note 507 incorporates elements from recently adopted Notes by the President, in particular notes S/2016/170 and S/2016/619. It states that every effort should be made to agree on the appointment of chairs of the Council subsidiary bodies by 1 October; and that the process of appointment "will be facilitated jointly by two members of the Security Council working in full cooperation" and will involve "the participation of all Council members", and that the "members of the Council should also consult informally with the newly elected members in the process".

In line with the presidential statement S/PRST/2015/19, the annual open debates on working methods are now a sanctioned practice. Furthermore, the new version has a

detailed section on speaking order at Council meetings, including when higher-rank officials are participating.

The other new or expanded elements include several new measures aimed at enhancing efficiency and time management, such as:

- a commitment to making more effective use of open meetings and encouraging all participants to limit their statements to five minutes;
- encouraging succinct and focused interventions in Council meetings; and
- encouraging participants in Council meetings to express agreement without repeating the same content of a previous statement.

With respect to informal consultations, in addition to measures previously articulated in 2006 and 2010 aimed at making consultations more interactive and focused, Council members:

- agree that the president of the Council or his or her designate should provide substantive and detailed briefings to member states shortly after informal consultations of the whole;
- encourage the Secretariat “to make the briefings in informal consultations as efficient and user-friendly as possible, including by using visual aids on the screen”;
- encourage the briefers “to be succinct and direct in their response to questions and/or comments by Council members”; and
- express their intention to resort more often to the use of video teleconferencing for briefing the Council.

The political sensitivity of working methods issues was evident in the protracted negotiations. The first draft of the new Note 507 was circulated in late May, followed by negotiations on the text conducted by the chair bilaterally and through broader exchanges of emails. A revised draft was circulated on 7 June and further negotiations followed; the next draft was circulated on 23 June. Yet another revised draft was circulated on 7 July for final consideration and comments, and, following more negotiations, on 19 July, a draft was put under silence. Silence was broken and during the next several weeks, revised drafts were put under silence only for the silence to be broken again, with ongoing consultations. The draft that was put under silence on 28 August with a deadline of noon on 30 August made it through, becoming the new Note 507.

Most Council members participated actively at different stages of the process. Towards the end, the most active interlocutors were probably Russia, which sought several modifications, including passages regarding the Council’s relationship with the PBC, and Egypt, which insisted on ensuring that all draft decisions are negotiated by all members and that sufficient time is given for silence procedure.

Negotiations concerning passages related to the PBC revealed the continuing tensions surrounding the Council’s relationship with this subsidiary body. During the negotiations, it proved difficult for Russia to agree to include language from resolution 2282 adopted in April 2016 concerning the Council’s intention to regularly seek advice from the PBC. Ultimately Note 507 included a passage based on resolution 2282, saying that “the members of the Security Council also acknowledge the importance of maintaining communication with the Peacebuilding Commission as an intergovernmental advisory body and express their intention to regularly request, deliberate and draw upon its specific, strategic and targeted advice, in accordance with Security Council resolutions 1645 (2005) and 2282 (2016)”. Russia also insisted on eliminating a reference to the PBC’s assistance in formulating mandates. During the negotiations, several elected members, in particular Ethiopia, attempted to revive the proposal (initially included in the draft of the 2010 Note 507 but not accepted in the final version) to invite the PBC chair and chairs of its country-specific configurations to participate on a case-by-case basis in Council consultations. This remained unacceptable to some P5 members. Instead, the revised Note 507 encourages informal exchanges between the Council and the PBC “as appropriate, through informal interactive dialogues”.

As already noted, the 2017 Note 507 is the first Council document mentioning the so-called “silence procedure”. In it, Council members agree to provide “a reasonably sufficient time for consideration by all Council members” of drafts put under silence. Early on in the negotiations Egypt wanted the Council to be more specific as to the amount of time allowed, and in May, put forward a suggestion that the silence procedure should be no less than six hours as a standard practice and no less than twelve hours if the draft document is circulated

beyond business hours. This encountered strong opposition from several members, in particular the permanent ones, and after weeks of negotiations the vaguer formulation was agreed.

Another practice never previously codified in a Council document and included in the first draft presented by the IWG chair—the regular holding by the Secretariat of situational awareness briefings—was not retained in the final version due to an objection from Russia on the grounds that the practice (which had begun in its present form in 2016) was not established firmly enough to be included in the compendium.

Implementation

It should be stressed that a Note by the President of the Security Council, despite the fact that it requires the consent of the full Council membership, is not a Council decision. The successive notes are drafted in aspirational terms rather than expressing a firm commitment. Furthermore, the phrase “as appropriate”, indicating further conditionality, is used in all three versions with consistent frequency (the length of the document went from some 5,000 words in 2006 to about 6,000 in 2010 and just above 11,000 in 2017, and the resort to the phrase “as appropriate” grew proportionally).

Some issues, recognised in successive documents as in need of change or improvement, have not been addressed as yet. For example, the 2006 Note 507 recalls “the desirability, whenever possible, of using descriptive formulations of agenda items”. The very same phrasing was restated in the 2010 and 2017 Notes 507. Yet the Council has continued to use the date of a letter or a reference to a particular document as agenda item titles rather than wording that would indicate what is discussed under this agenda item. (It is worth pointing out that all Council meetings focusing on its working methods have been held since 2008 under the agenda item “Implementation of the note by the President of the Security Council” with a reference to the most recent version of Note 507 in parenthesis but in no way indicating the subject matter, even though the first open debate on working methods, in December 1994, was held under the title “Security Council working methods and procedure”.)

Another example of an element of the successive Notes 507 that has not been

implemented is the ever-present expression of a wish to make informal consultations of the Council more interactive, effective and efficient, with the last version encouraging

briefers to be succinct and direct, asking members to make more effective use of “other matters” to raise issues of concern, or encouraging presidencies to suggest elements

to the press at the end of consultations. Yet, according to all accounts, consultations have continued, year after year, to be scripted and almost never lively.

Working Methods Related to Sanctions

Sanctions are an area of the Security Council’s working methods with an interesting dynamic, which, while always present, has manifested itself particularly strongly in the past several years. Having resorted to sanctions 30 times, 28 of those since 1990, the Council has developed sophisticated methodology and invented numerous measures to fit the changing environments in which sanctions have been used. The innovations concerned phenomena such as the illegal trade in natural resources, the emergence of terrorist threats, and trafficking in historical artefacts to finance continuing conflict. Most of this creativity has occurred one sanctions regime at a time, whereas innovations applying across the board to all sanctions have been rare. The two most recent examples of such broad initiatives, the 2014 attempt by Australia to adopt a resolution seeking to establish a sanctions policy coordination unit within the Secretariat, and the 2017 effort by Egypt to adopt a resolution that would re-establish the Council’s Working Group on Sanctions, both failed.

The one sanctions-related area where some new agreements were reached concerns the processes of appointing and preparing the chairs of the subsidiary bodies. These are contained in three Notes by the President, two of which were elaborated by the IWG in June 2014 and July 2016, under the leadership of Argentina and Japan, respectively, and one in February 2016 under Venezuela’s leadership (S/2014/393; S/2016/170; S/2016/619). As noted above, the 2017 Note 507 referenced the three notes and incorporated their substance. It also said that “working methods regarding sanctions committees will continue to be governed by the working methods as adopted by individual sanctions committees and the notes and statements by the President of the Security Council listed in the Note by the President of the Security Council of 7 February 2006 (S/2006/78)”.

Sanctions, unlike some other Council decisions, can only be properly implemented with

the cooperation of the broader UN membership. Moreover, economic sanctions, which were the type of sanctions the Council tended to use in most of the early cases, were often harmful to the populations of target countries and to the economies of neighbouring states. Consequently, when—starting in the early 1990s—sanctions became one of the Security Council’s most favoured tools, considerable pressure came from the general UN membership to develop procedures that would make sanctions decisions and processes understandable to actors outside the Council, and would offer opportunities to analyse and address their unintended consequences.

Secretary-General Boutros Boutros-Ghali signalled these problems already in 1992 in his Agenda for Peace, submitted to the Council at the request of the January 1992 Security Council summit. His 1995 Supplement to an Agenda for Peace included an extensive chapter on sanctions. He recommended the establishment of a mechanism that, among other things, would “assess, at the request of the Security Council, and before sanctions are imposed, their potential impact on the target country and on third countries”; monitor application of the sanctions; and assist the Council in fine-tuning sanctions measures “with a view to maximizing their political impact and minimizing collateral damage”.

In 1995 and 1996, the Council adopted three Notes by the President on sanctions. In Note S/1995/234, it agreed to implement measures to make the sanctions committees more transparent by, inter alia, increasing the practice of issuing press releases after committee meetings and requesting that each sanctions committee submit an annual report with a concise indication of each committee’s activities. Note S/1995/438 stated that the sanctions committees would continue the already emerging practice of hearing comments by concerned states and organisations during closed meetings on issues arising from implementation of sanctions regimes

imposed by the Security Council. Note S/1996/54 indicated the Council’s agreement that chairs of sanctions committees brief interested members of the UN. Note S/1999/92, among other things, stated that chairs of sanctions committees should make visits to the regions concerned, to obtain first-hand accounts of the impact of sanctions; and that sanctions committees should hold periodic meetings on the humanitarian and economic impact of sanctions. Overall, however, sanctions continued to lack consistent methodology, accessible to outsiders.

Since 1990, elected members have chaired sanctions committees (permanent members occasionally assumed the chairmanship temporarily, usually immediately after a new sanctions regime had been established, but these exceptions have been rare). The elected members were therefore particularly eager to establish clear and transparent working methods that would provide guidance in their work and that of their successors. From the mid-1990s until the early 2000s, they did indeed make considerable strides in establishing working methods and laying down foundations for how the system operates to this day.

There were six sanctions committees at the beginning of 1997, all chaired by elected members. Portugal became an elected member in January that year, and its Permanent Representative, António Monteiro, was charged with chairing the 661 Iraq Sanctions Committee. The ambassador was astonished that while his committee was extremely busy, taking up a lot of his time and energy, the level of activity of the other five ranged from moderate to completely dormant, and some sanctions regimes seemed largely symbolic. In April that year, he organised a luncheon in his residence for the fellow sanctions committee chairs to discuss ways to improve sanctions implementation and to talk about various issues common to all sanctions regimes, such as clear and precise terminology to be used in sanctions decisions. Several such informal,

Working Methods Related to Sanctions

sanctions-focused meetings followed, occurring approximately once a month, and in November 1997 the Council for the first time discussed sanctions as a theme in consultations. By late 1998, the eight sanctions committee chairs at the time—the Permanent Representatives of Bahrain, Brazil, Costa Rica, Japan, Kenya, Portugal, Slovenia and Sweden—jointly elaborated a concept paper with 19 recommendations related to the Council’s use and management of sanctions, and on 6 November submitted it to the president of the Security Council, requesting the scheduling of consultations. The recommendations included establishing arrangements and channels of communication with organs, organisations and bodies of the UN system and intergovernmental and regional organisations, neighbouring countries and other countries and parties concerned to enhance monitoring and implementation of sanctions; a call on member states to provide the sanctions committees with all available information on alleged violations of arms embargoes and other sanctions regimes; and a request to the Secretariat to provide the sanctions committees with information from published sources, radio, television or other media concerning alleged violations of the sanctions regimes or other issues relevant to the activities of the committees.

In January 1999, during the presidency of one of the signatories of the informal paper, Ambassador Celso Amorim of Brazil, the Council issued its first comprehensive document on sanctions, a Note by the President, containing all of the recommendations from the paper and proclaiming that Council members had indicated their agreement with the proposals, which it said “will be used to improve the work of the sanctions committees” (S/1999/92).

International Processes and the Working Group on Sanctions

Given that sanctions committees are chaired by elected members whose terms last two years and who do not have the benefit of an institutional memory within their missions for performing the chairmanship, elected members have tended to see more acutely the need to systematise and articulate sanctions methodology. However, generic sanctions-related working methods, applicable to all existing sanctions regimes and serving as guidance for establishing future sanctions, have proven very sensitive and difficult to resolve within the Council. This

reluctance, combined with intense interest in sanctions on the part of governments worldwide, produced an interesting trend. Main discussions on Security Council sanctions methodology moved out of the Council and into a series of meetings focusing on specific aspects of sanctions organised by concerned governments and held in a number of countries.

In March 1998, the first of these international meetings on sanctions was organised by the Swiss government in Interlaken. The meeting focused on the design and technicalities of financial sanctions, and participants were government representatives, financial experts, and members of civil society. That meeting was followed by another one on the same topic in March 1999. In November that year, a meeting focusing on arms embargoes and targeted sanctions was held in Bonn, and its follow-up took place in December 2000 in Berlin. The Swedish government undertook the next large international initiative on sanctions, with the main focus on further improvements in targeted sanctions, and meetings held in April and November 2002. They became known, after the geographic locations where the seminars were held, as the Interlaken, the Bonn/Berlin, and the Stockholm processes. Each produced a handbook-type report intended for use by the Council and other relevant actors. Smaller, more academic meetings were held in some other locations.

The Council, however, kept its distance from all these discussions. Although most Council members participated in each of these meetings, the Council never formally took on board the results of these processes by, for example, issuing their respective outcome documents as Council documents. Yet these first three initiatives played an enormously important role in the development of Council methodology and working methods on sanctions, and led to the only Security Council open debate on sanctions in 2000 and public debates in 2001 and 2003.

During its April 2000 Council presidency, Canada used the conclusion of the Interlaken process as an impetus to hold the first Council open debate on sanctions and to add an item titled “General issues relating to sanctions” to the Council agenda. The debate, chaired by the country’s foreign minister, focused on increasing sanctions’ effectiveness with simultaneous efforts to reduce their unintended consequences. The Under-Secretary-General for Political Affairs briefed

on the Secretariat’s review of lessons learned from the recent sanctions regimes, and the Permanent Representative of Switzerland reported on the discussions held at Interlaken.

During its presidency in October 2001, Ireland organised a Council debate on sanctions; representatives of Germany, Sweden and Switzerland asked to be invited to participate under Rule 37, which allows concerned member states not on the Council to take part in a Council discussion. During the debate, Germany outlined the results from the Bonn/Berlin process; Switzerland presented a follow-up to the Interlaken process in the form of a handbook on financial sanctions; and Sweden announced that its government would continue the work of the two other governments by convening a broad range of UN actors, government representatives, academics, and non-governmental and regional organisations to elaborate further details of sanctions methodology.

While serving on the Council for the 2003–2004 term, Germany organised a debate on sanctions during its February 2003 presidency, with the representative of Sweden speaking under Rule 37 and reporting on the conclusions from the Stockholm process.

Meanwhile, efforts to address sanctions methodology through a Council process encountered serious difficulties. On 17 April 2000, the day of its first open debate on sanctions, the Council established an Informal Working Group, later known as the Informal Working Group of the Security Council on General Issues of Sanctions (Working Group on Sanctions), with a mandate to develop general recommendations about how to improve the effectiveness of UN sanctions (S/2000/319). The issues the working group was asked to address included the following: working methods of sanctions committees and inter-committee coordination; design of sanctions resolutions, including the conditions for maintaining or lifting of sanctions; pre- and post-assessment reports and the ongoing evaluation of sanctions regimes; monitoring and enforcement of sanctions; and unintended impacts of sanctions. The group was supposed to complete its work in less than eight months. This work was indeed almost completed within the assigned time, and a press briefing was scheduled to inform the media about the results. It was abruptly cancelled because agreement was lacking on one issue: term limits on sanctions, on which two permanent members—France and the US had

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irreconcilable differences (with France favouring time-limited sanctions and the US opposing them). Until 2006, the working group was unable to achieve consensus; its mandate was extended several times year after year, with different elected members chairing it.

A breakthrough occurred in late 2006 when the working group, under the chairmanship of Greece, was able to agree on a report. The issues addressed in it included best practices related to sanctions design, implementation, evaluation and follow-up; committee working methods; monitoring and enforcement; and methodological standards and a reporting format for expert groups. The report highlighted the need for assistance to member states in implementing sanctions and included recommendations for providing capacity-building assistance to states and helping the Secretariat to facilitate this. The report recognised that with the proliferation of sanctions regimes and supporting monitoring mechanisms, the Council's Subsidiary Organs Branch was strained in its ability to provide needed substantive, administrative, logistical and analytical support. It recommended that the Council request the Secretary-General to explore ways to strengthen the Secretariat's capacity to effectively meet the new demands.

On 21 December 2006, the Council adopted resolution 1732, which was guarded on the substance of the working group's report and unusual on process. The Council merely took note "with interest" of the best practices and methods suggested in the report and requested its subsidiary bodies to take note of the recommendations. It decided, however, that the working group had "fulfilled its mandate", making it possibly the first subsidiary body other than a sanctions committee to be terminated through a resolution.

Delisting and the Establishment of the Office of the Ombudsperson

Other important developments with an impact on sanctions-related Council working methods also occurred in 2006. During its June Council presidency, Denmark held an open debate on rule of law and maintenance of international peace and security. Concerns over the lack of due process in the Council's use of targeted sanctions, in particular about the lack of an evidentiary system for placing names on lists of targets and a total absence of any procedure for removal from these lists, had been coming

from various quarters since 2002: targeted sanctions had become one of the key tools in addressing the threat of terrorism in the aftermath of the September 2001 attacks in the US. During the debate, many speakers raised concerns about the listing and delisting processes. Some also expressed worries about the potential weakening of the impact of sanctions because of due process concerns. "Some States, believing that, once listed, an individual cannot practically be delisted, hesitate to add new names to the list of the Al Qaida/Taliban committee", said the Permanent Representative of France. He continued: "The Council must correct that view by creating an effective mechanism. To that end, France has proposed the creation within the Secretariat of a focal point for receiving delisting and exemption requests directly from the individuals listed" (S/PV.5474).

A presidential statement adopted as an outcome from that debate addressed several aspects where the rule of law intersected with the work of the Council. One paragraph focused specifically on sanctions: "The Security Council considers sanctions an important tool in the maintenance and restoration of international peace and security. The Council resolves to ensure that sanctions are carefully targeted in support of clear objectives and are implemented in ways that balance effectiveness against possible adverse consequences. The Council is committed to ensuring that fair and clear procedures exist for placing individuals and entities on sanctions lists and for removing them, as well as for granting humanitarian exemptions" (S/PRST/2006/28).

Citing the June presidential statement, the Council adopted resolution 1730 in December 2006, its first attempt at codifying measures for removing names of persons subject to targeted sanctions from the lists of targets. Closely mirroring the French proposal presented during the June open debate, the resolution created a "focal point" within the Secretariat for receiving delisting requests. The "focal point" was essentially just an email address to which individuals could direct their requests for delisting, which, after verification of the information, would be forwarded to the relevant sanctions committee.

Many UN member states considered the steps taken by the Council at the end of 2006 to be very modest and utterly insufficient to address the growing concerns about due process and other aspects of sanctions. As before,

the work on key sanctions-related methodological issues continued outside the Council.

Starting in late 2006, several member states began discussing what further steps could be taken to strengthen due process in the implementation of targeted sanctions. The group—which would become known as the Like-Minded States on targeted sanctions, and which at the time included Belgium, Denmark, Germany, Liechtenstein, Sweden and Switzerland—commissioned a legal expert to draft a proposal for a delisting procedure to ensure clear and effective consideration of requests for removal of individuals and entities from UN sanctions lists.

Having just completed its term on the Council, which included chairing the Working Group on Sanctions in the working group's final year, Greece organised a symposium in April 2007 at UN headquarters in New York with the goal of building awareness of the nature and aims of targeted sanctions and of improving their effectiveness. Secretary-General Ban Ki-moon was the keynote speaker at the symposium, and participants included member states, academic experts, and members of NGOs. One of the issues most frequently raised was the concern about the due process aspects of targeted sanctions.

The Like-Minded States organised a symposium on delisting at UN headquarters in New York in November 2007 to present their proposals for creating a mechanism for facilitating removals from sanctions lists. The proposal generated high interest from many member states, but the P5 were less than enthusiastic, with the US firmly opposed to any notion of a possible review of Security Council decisions by an outside mechanism.

However, the lack of due process remedies for listing by UN sanctions committees had brought a wave of legal challenges in courts all over the world and led to the realisation on the part of most Council members, including the P5, that the system of UN sanctions could be undermined unless steps were taken to address the delisting concerns. As a result, some important decisions followed, particularly with respect to the 1267 Al Qaida and Taliban sanctions regime, whose list of targets was by far the largest of all sanctions regimes. In June 2008, the Council adopted resolution 1822, establishing a more detailed listing and delisting procedure, and mandated a review by June 2010 of all the names on the consolidated list of targets of counter-terrorism sanctions.

Working Methods Related to Sanctions

In an even more significant move, the Council established the Office of the Ombudsperson in resolution 1904, adopted on 17 December 2009 to renew the mandate of the Al-Qaida and Taliban Sanctions Monitoring Team. The resolution gave this office the responsibility for making recommendations on requests for removing names from the sanctions list. Thus, despite previous rejections of any such suggestions by the P5, a mechanism external to the Council would be reviewing some of its decisions for the first time.

Several factors went into making this possible. In addition to the aforementioned legal challenges to UN sanctions, the change in the US position on the matter (due to the change in administrations from President George W. Bush to President Barack Obama) was certainly pivotal. But possibly equally essential was the work of several member states, notably the Like-Minded, which in May 2009 issued an options paper as a follow-up to their 2007 proposal for a delisting mechanism. Elected Council members Austria, Costa Rica and Mexico played a key role during the negotiations—including a 30 November Arria-formula meeting on human rights and counter-terrorism organised by Mexico—that led to the creation of the post of the Ombudsperson.

While resolution 1904 focused on just one sanctions regime, the conceptual and advocacy work that resulted in the creation of the delisting mechanism has had a significant impact on the overall approach to sanctions. The Like-Minded—whose membership has fluctuated and at the end of 2017 included Austria, Belgium, Chile, Costa Rica, Denmark, Finland, Germany, Liechtenstein, Netherlands, Norway, Sweden and Switzerland—have been pushing for improved delisting procedures for all targeted sanctions regimes.

Developments Under the Agenda Item “General issues relating to sanctions”

For several years following the adoption of resolution 1732 and the dissolution of the Working Group on Sanctions on 21 December 2006, no meetings were held under the agenda item “General issues relating to sanctions”, even though the number and workload of sanctions regimes continued to increase. The elected members, however, took care to keep the item on the agenda. Under the current procedure, an agenda item that is not discussed formally by the Council for three years is automatically deleted unless a member state

requests otherwise by the last day of February. In 2010 the sanctions item was slated for deletion. Requests to retain the item were sent by Austria in 2010; Portugal in 2011 and 2012; and Australia in 2013 and 2014.

Australia, having been elected to the Council for the 2013–2014 term, made seeking ways to improve sanctions’ effectiveness one of its priorities. During its presidency in November 2014, it decided to organise a meeting on sanctions under the general sanctions agenda item for the first time since 2006. In its 5 November concept note for the event, which was to be held in the format of a briefing, Australia proposed that the Council adopt a resolution improving the capacity of the UN system to implement the Council’s sanctions regimes (S/2014/793). Several rounds of negotiations on the draft resolution circulated by Australia had been held ahead of the 25 November briefing by the Under-Secretary-General for Political Affairs and the Interpol Secretary-General. The draft asked the Secretary-General to establish a Policy and Coordination Unit within the Security Council Affairs Division of the Department of Political Affairs. The purpose of the unit would be to identify best practices; manage the roster of experts and consolidated list of sanctioned individuals and entities; identify and mobilise experts within the UN system to assist with sanctions implementation; and support efforts by the Council and subsidiary organs to provide guidance and technical assistance to member states on sanctions implementation. The draft also included several transparency-related provisions, particularly with respect to sanctions committees: directing sanctions committees to maintain and publish a document consolidating all of the measures currently in force; calling upon sanctions committees to consult regularly with states to communicate expectations regarding cooperation, information sharing, and implementation requirements; and encouraging sanctions committees to brief member states on their work and publish the text of those briefings on the committees’ websites.

The negotiations of the draft proved difficult. The strongest initial opponents were China and Russia; their main shared objections had to do with the enhanced role of the Secretariat. They felt that the coordination unit could become a de facto policymaking body challenging the authority of the Council, and that the suggested enhanced cooperation of the Secretary-General with relevant

international organisations would give the Secretariat too much latitude. As a result, several revisions were made in the text. Russia furthermore put forward a proposal to include an operative paragraph saying that regional and national sanctions contravene international law, inflict economic damage on member states, are counter-productive to conflict resolution, and undermine international cooperation. Australia rejected the proposal, and presumably it would have been opposed by three permanent members and several other elected members who belong to regional organisations that authorise sanctions measures.

On the day of the briefing the differences were still irreconcilable, and the draft was not put to a vote. Negotiations continued for another few weeks, but the draft resolution was never acted upon.

The November 2014 briefing drew in part upon the High-level Review on UN Sanctions, a sanctions initiative of five member states: Australia, Finland, Germany, Greece and Sweden. Launched on 28 May that year in New York, the High-level Review included representatives of the Secretariat and civil society, in addition to governments, and was focused on ways to strengthen the implementation of sanctions. The process involved several workshops in New York and elsewhere, and the initial findings were conveyed at a briefing for the Secretariat and member states organised by the permanent representatives of the five member states sponsoring the review on 31 October, ahead of the Council briefing. In June 2015 the sponsors presented a compendium of 150 recommendations that was issued as a document of the Security Council in an annex to their letter to the Council president and was also issued in November in booklet form (S/2015/432). In June 2017, an assessment of the Achievements, challenges and opportunities resulting from the recommendations of the Compendium of the High-level Review of United Nations Sanctions was presented by Australia in a letter to the president of the Security Council (S/2017/534).

It is worth noting that four of the five sponsors of the High-level Review served on the Council at least once in the period of the Council’s increased recourse to sanctions in the post-Cold War era. As already described, in addition to their work on sanctions methodology as part of the different parallel governmental processes, they used their terms on the Council to advance the improvement of

Working Methods Related to Sanctions

Council sanctions working methods.

Under the agenda item “General issues relating to sanctions”, Venezuela organised a debate during its February 2016 Council presidency on working methods of the Council’s subsidiary organs. The three main issues for the debate, outlined in the concept note, were transparency in the working methods of sanctions committees, preparation of new Council members, and unintended impacts of selective and sectoral sanctions. The concept note also signalled that an outcome, in the form of a Note by the President, was planned (S/2016/102).

Representatives of several countries requested to be invited as concerned states under rule 37 of the Council’s Provisional Rules of Procedure. Most—Central African Republic, Chile, Côte d’Ivoire, Eritrea, the Islamic Republic of Iran, Libya, Sudan and Sweden—were indeed invited. But a group of 25 countries pursuing the improvement of the Council’s working methods—called the Accountability, Coherence and Transparency group (ACT)—requested for Switzerland to speak as its coordinator, and was not invited because of opposition from a permanent member.

During the debate, the Council heard opening statements from Chile, which shared its experience of chairing two sanctions committees and an informal working group as an elected member in 2014-2015, and Sweden, which spoke on behalf of the organisers of the High-level Review of UN Sanctions and shared some conclusions from that process.

The outcome, a Note by the President, was issued on 22 February. It outlined a set of measures aimed at improving the transparency of the Council’s subsidiary organs, such as conducting chairs’ briefings to the Council in public meetings (as opposed to the prevailing practice of doing it in consultations) and holding interactive briefings for non-Council members. It also made recommendations regarding improving the selection process and the preparation of chairs, and improving the interaction and coordination among subsidiary organs and between the Council and its subsidiary organs (S/2016/170).

There were some interesting working methods aspects in how this document was arrived at. Ahead of the debate, Venezuela indicated that the note would not be issued on the date of the debate and would only be finalised after the 11 February meeting in order for

views expressed in the discussion to be taken into account. This was a departure from the most recent practice, whereby “outcomes” of debates are often adopted before the debate even starts. But perhaps more significantly, the initial draft, which had been prepared jointly by Venezuela and New Zealand, was first introduced to the elected members of the Council and negotiated among them, only then being shared with the P5. The stated logic behind this approach was that only elected members chair subsidiary bodies.

At time of writing, the most recent initiative related to sanctions working methods was undertaken by Egypt, an elected member in 2016-2017. During its August 2017 presidency of the Council, Egypt organised a briefing on “Enhancing the effectiveness of United Nations sanctions” under the agenda item “General issues relating to sanctions”, with the aim of adopting a resolution that would, among other things, re-activate the Working Group on Sanctions.

Leading up to the August briefing, Egypt organised an Arria-formula meeting on 5 July on “Enhancing the Design Process of UN Sanctions: Perspectives from All Stakeholders”. The meeting was held in an open format and a considerable number of non-members of the Security Council attended. Several of them addressed the gathering, including Finland and Germany, which spoke on behalf of the members of the High-level Review and the Like-Minded, respectively.

Egypt’s goal in pursuing the matter, as laid out in an informal note circulated prior to the Arria meeting, was to create an “opportunity for a discussion on the enhancement of UN sanctions design process, including perspectives of previously or currently targeted countries”, and to “bring together representatives from permanent and non-permanent members of the UNSC, wider United Nations membership, and Regional Organizations”.

In mid-July, Egypt circulated a draft resolution meant for adoption during the briefing on the general issue of sanctions scheduled for 3 August. The draft sought to mandate periodic reviews and evaluations of UN sanctions regimes, their political and socioeconomic impacts, and their unintended effects on civilian populations; the establishment of an informal working group on sanctions; and a request for the Secretary-General to seek annually information from relevant stakeholders, in particular states previously

or currently targeted by sanctions regimes, on their perspectives, best practices in implementing UN sanctions regimes, and the socioeconomic impact of sanctions regimes.

The draft drew criticism from a number of Council members. Some, especially those involved in the governmental processes on sanctions outside the Council, felt that the suggested draft did not focus strongly enough on the enhancement of the implementation of sanctions. On the proposal for reporting by the Secretary-General, some members felt it could be useful, but others, echoing the resistance encountered by Australia in 2014, felt that the Secretariat should not be given a role going beyond the purely technical in the context of sanctions. Also, as in 2014 with respect to the Australian draft resolution, Russia wanted to include language restricting the use of sanctions other than those imposed by the UN. Similarly, China voiced its concern about the use of sanctions grounded in national as opposed to international law. This in turn was a position unacceptable to several member states that wanted to retain the option of using sanctions in their foreign policy.

There was interest from some members in the idea of re-establishing a subsidiary body with a focus on sanctions, though there were concerns about whether such a body would be productive in the current climate surrounding sanctions, with resistance to addressing Council sanctions as an across-the-board issue. Some members also pointed out that rather than establishing a new subsidiary body, the Council could focus on the implementation of the recommendations (mentioned earlier in this section) contained in the 2006 report of the Informal Working Group on General Issues of Sanctions, whose mandate was terminated through resolution 1732 on 21 December that year. (The Council never discussed the report, issued on 18 December, and its recommendations have been left largely unimplemented, though some sanctions committees and certain sanctions monitoring panels have incorporated some of the recommendations into their practice. The two Notes 507 issued since the publication of the report, in 2010 and 2017, did not mention that document.)

The Egyptian draft resolution went through several revised versions, and negotiations were held at the expert level in late July. The draft was never presented for adoption, similar to the fate of the Australian draft three years earlier.

Engagement of the Council with Troop- and Police-Contributing Countries

Working methods related to the Council's relationship with troop- and police-contributing countries have developed over the years largely outside the framework of the Informal Working Group on Documentation and Other Procedural Questions, and the successive versions of Note 507, while touching upon the matter, primarily refer the reader to previous Council documents. Unlike most other working methods, those concerning troop- and police-contributing countries (TCC/PCCs) are almost always articulated in Council decisions—resolutions and presidential statements.

The relationship with TCC/PCCs is an aspect of working methods that some members argue is grounded in the UN Charter. Article 44 states that “[w]hen the Security Council has decided to use force it shall, before calling upon a Member not represented on it to provide armed forces ... invite that Member ... to participate in the decisions of the Security Council concerning the employment of contingents of that Member's armed forces”. While this requirement is set out in the context of peace enforcement under Article 43, it can be argued that in its spirit, the Council should invite members that are to contribute troops to Council-mandated peace operations to participate in the formulation of the mandates. Developing working methods for holding consultations with troop contributors became a pressing issue when, after many decades during which UN peacekeeping was a relatively rarely used tool, the demand for troops became very high in the early 1990s. With the end of the Cold War, the total troops deployed went from around 10,000 in 1991 to almost 80,000 in 1993.

As with sanctions—another Council tool whose use surged in the post-Cold War period—peacekeeping decisions could only be implemented with the active participation of member states not on the Council. In another similarity with sanctions, there was pressure for substantive exchanges between those deciding on the mandates and those involved in implementing them, in this case by providing the troops. Initially, it was the Secretariat that started organising informal meetings of TCCs, either with or without the presence of Council members.

In 1994, two elected members of the Council, Argentina and New Zealand, took

up the problem of better interaction with troop-contributing countries. Their joint persistent diplomatic work resulted in the adoption of several key decisions on the matter in the next few years. The pursuit of the matter by the two countries went beyond their respective terms on the Council (New Zealand served in 1993-1994 and Argentina in 1994-1995).

In a presidential statement adopted on 3 May 1994, the Council for the first time formally acknowledged “the need for enhanced consultations and exchange of information with troop-contributing countries regarding peace-keeping operations, including their planning, management and coordination, particularly when significant extensions in an operation's mandate are in prospect. Such consultations can take a variety of forms involving Member States, troop-contributing countries, members of the Security Council and the Secretariat” (S/PRST/1994/22).

Despite the acknowledged need for consistent consultations with TCC/PCCs, however, the practice changed little, and further discussions in informal consultations became deadlocked. On 15 September 1994, the two permanent representatives sent a letter (S/1994/1063) addressed to the president of the Security Council with several concrete proposals regarding the relationship with troop contributors, in particular appropriate consultations with countries not on the Council. These included establishing an informal working group of the Council that would meet weekly to review the “Weekly Digest of Peace-keeping Missions” produced by the Department of Peacekeeping Operations; holding regular monthly meetings with all troop contributors to review the programme of work of the Council for the upcoming month; and a readiness to hold ad hoc meetings with TCCs whenever warranted. They offered to draft a decision for the Council's adoption and requested that the president of the Council call a meeting to consider various related procedural matters.

From outside the Council came letters of support from Austria, Belgium, Denmark, Egypt, Finland, Ireland, Luxembourg, Netherlands, Norway, Portugal, Sweden, Turkey and Uruguay. As a result, without taking on board all the recommendations from the Argentina/New Zealand letter, a number

of specific practices were agreed upon and reflected in a presidential statement issued on 4 November (S/PRST/1994/62). These included holding regular meetings between members of the Council, TCC/PCCs and the Secretariat to exchange views in advance of the Council's taking significant decisions on peacekeeping mandates; reflecting scheduled meetings with TCC/PCCs on the monthly programme of work; and including information about the time and place of such meetings in the UN Journal.

A year later, Argentina and New Zealand wrote again to the president of the Security Council and, recalling the Council's earlier commitment to continue to review the matter, asked him “to call a formal meeting of the Security Council to examine specifically the issue of consultations between the Security Council and the troop-contributing countries, in order to consider such further measures”. The 11 December 1995 letter was co-signed by 32 other member states, including three permanent and five elected Council members (S/1995/1025). On 20 December, the Council held an open debate on the topic, with Russia presiding. Several TCCs raised the need for a more formal and institutionalised mechanism of consultation between troop contributors and the Security Council and advocated the establishment of a subsidiary body for this purpose. No permanent member supported the idea, with France, Russia and the UK expressing concerns about the proposals. Issues also discussed included the role of the Council president as co-chair of the meetings with troop contributors, the timeliness and quality of these exchanges, and in what areas further improvements were desirable (S/PV.3611).

Discussions about the need for further improvement of the system for consultations with troop contributors continued in early 1996, and a new presidential statement was drafted. Some differences of views remained. Chile, which joined the Council for the 1996-1997 term, raised the matter in consultations on 27 March 1996. It followed a day later with a letter to the president of the Security Council that pointed out the need for the Council to “acknowledge as a basic premise that a State which makes available military, police or civilian personnel to the international community for a peace-keeping operation, even though

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there is a risk of loss of life, thereby acquires the legitimate right to be consulted by the Security Council, in whatever manner the Council deems fit”, and stressed that the draft failed to recognise this right. Nevertheless, Chile stated that it was joining the consensus to adopt the statement that would indeed introduce “improvements to the arrangements for consulting and exchanging information with troop-contributing countries established in the previous presidential statement of 4 November 1994” (S/1996/224). The 28 March 1996 presidential statement, besides reiterating language already agreed to in the 4 November 1994 presidential statement, stressed that meetings should be held “as soon as practicable” before the Council took decisions, and “background information and an agenda” should be circulated to participants well in advance (as opposed to “an informal paper”, as required in the previous statement). It also sanctioned the existing practices of providing interpretation services for those meetings, and of inviting the participation of member states that make special contributions other than troops. The Council agreed to append to its annual report information about these meetings (S/PRST/1996/13).

The Brahimi Report and the Working Group on Peacekeeping Operations

The next major wave of discussions and decisions related to the relationship of TCC/PCCs with the Council came in the aftermath of the August 2000 publication of the report of the Panel on UN Peace Operations (commonly known as the “Brahimi Report”). Among its many recommendations, the report suggested that consultations with the TCCs be institutionalised through the establishment of an ad hoc subsidiary body of the Council. On 13 November 2000, the Council adopted resolution 1327, endorsing some of the recommendations in the Brahimi Report but not the idea of a dedicated subsidiary body. However, the resolution included a decision to strengthen the existing system of consultations through the holding of private meetings with TCCs, including at their request.

Singapore joined the Council for the 2001–2002 period and started its term by holding the Council presidency in January. Improvements in peacekeeping had been one of the country’s priorities for its Council term and was chosen by the presidency as the theme of an open debate on 16 January 2001

on strengthening cooperation with TCCs. In preparation for the discussion, Singapore circulated a detailed background paper, Strengthening cooperation with troop-contributing countries, documenting previous triangular efforts, annexed to the 8 January letter to the Secretary-General announcing the debate. The debate, the document said, was being held to provide an opportunity for UN member states to “give their views on fostering a new spirit of cooperation between troop contributing countries, the Security Council and the Secretariat” (S/2001/21).

During the debate, several major TCCs, such as India, Nepal and Pakistan, said consultations had become pro forma and ritualistic instead of fostering a real exchange of perspectives. A presidential statement was adopted on 31 January 2001, addressing a number of recurring issues related to the three-way communication between the Council, the TCCs and the Secretariat. Most notably, the presidential statement established a new subsidiary body, the Security Council Working Group on Peacekeeping Operations (WGPKO), following several years of various proposals to this effect by different successive elected members. The statement stressed that the WGPKO would not replace the private meetings with TCCs. It charged the WGPKO with undertaking an “in-depth consideration of, inter alia, all the proposals made in the course of the Council’s public meeting on 16 January 2001, including ways to improve the three-way relationship between the Council, the troop-contributing countries and the Secretariat” and to report to the Council by 30 April (S/PRST/2001/3). The Deputy Permanent Representative of Jamaica assumed the leadership of the WGPKO, and the body conducted intensive work during the next several months, holding broad consultations with member states and the Secretariat. Several member states not on the Council, most of them active in the previous efforts aimed at improving consultations with the TCCs—Argentina, Canada, Ghana, India, Jordan, the Netherlands and New Zealand—joined together to submit recommendations and proposals to the WGPKO in a letter to the president of the Security Council. The key feature of the proposal was the recommendation that the Council establish a “cooperative management committee” for each mission that would include major troop contributors to that mission (S/2001/535). On 31 May, the

WGPKO submitted a report that contained a draft resolution on the relationship with the TCCs with a recommendation that the Council adopt it (S/2001/546). The report mentioned “specific proposals submitted in writing by a group of troop-contributing countries” without elaborating on the details.

During the presidency of Bangladesh in June 2001, the Council unanimously adopted resolution 1353 on strengthening cooperation with troop-contributing countries. The resolution addressed in considerable detail such topics as the overall principles of cooperation with TCCs, operational issues, and consultations with the TCCs. On this last matter, it affirmed that formal private meetings should be held with TCCs prior to the extension of a mandate for an operation. It stipulated that consultations with TCCs would take place either in public or private meetings, ensuring a full and high-level consideration of issues of critical importance to specific peacekeeping operations, and that the consultative meetings with TCCs would be chaired by the president of the Council. The resolution asked the WGPKO to continue its work and assess within six months the efficiency and the effectiveness of the newly adopted measures.

The implementation of the resolution proved challenging, and in a 14 January 2002 Note by the President of the Security Council, the WGPKO, now chaired by the Deputy Permanent Representative of Norway, recognised the desirability of forging a more effective partnership with TCCs, including by establishing an additional new mechanism for cooperation: convening joint meetings of the WGPKO and TCCs (S/2002/56). In August, another note (S/2002/964) clarified the criteria for participation in private meetings of the Security Council and consultation meetings with TCCs by such parties as relevant UN bodies; countries that make special contributions, such as other civilian personnel and contributions to trust funds or of logistics or equipment; the host countries; or representatives of regional or subregional organisations. The note stated that such actors, listed in an annex to resolution 1353, which wished to participate in a specific meeting, should make a request to the president of the Council (rather than be invited ex officio, as had been the previous interpretation).

UN members continued to find the consultative system for the TCC/PCCs wanting.

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In February 2004, elected members Brazil, Germany and Pakistan were joined by Canada, Egypt, Ghana, India, Japan, Mexico and South Africa in raising concerns in a letter to the president of the Security Council that “[m]eetings with troop-contributing countries scheduled pursuant to Security Council resolution 1353 (2001) have turned out largely to be of a purely informative and technical nature with little or no relevance for Council decisions”. They also noted that meetings of the WGPKO with stakeholders were rare, and pointed out that “apart from improving the basis for decision-making in the Council, the inclusion of major stakeholders will also create a considerable incentive for the general membership to support peacekeeping operations” (S/2004/99). At an open debate on peacekeeping organised by Pakistan during its May 2004 presidency, the calls for improvements in the Council relationship with the TCC/PCCs continued (S/PV.4970 and Resumption 1) and were reflected in the presidential statement issued as an outcome of the debate (S/PRST/2004/16).

The Council’s first major compendium of its working methods, issued on 19 July 2006 as Note 507, said in its introductory section that working methods regarding troop-contributing countries “will continue to be governed by the notes and statements by the President of the Security Council” listed in the index of working methods documents issued earlier in the year as Note S/2006/78.

By 2008, it had become clear that the ongoing failure on the part of the Council to implement its decision to organise meaningful consultations at an early stage prior to adopting relevant decisions was becoming a major point of contention for TCCs. This was brought home in particular by the crisis in the Democratic Republic of the Congo (DRC) in late 2008. Several TCCs had contingents in danger of direct attack by rebel troops. They were anxious to receive ongoing substantive information and to be part of any discussions. This in turn prompted several new developments in 2009.

Costa Rica, an elected member in 2008–2009 and a country without military forces, pressed for better interaction between the Council, the Secretariat and TCC/PCCs. This fed into an increased focus on peacekeeping processes initiated jointly in January 2009 by France and the UK, both of which became much more attentive to TCC/PCC

concerns and organised informal briefings, seminars and debates. Turkey—an elected member during 2009–2010—took up the issue of the relationship between the Council and TCC/PCCs and organised a debate on the subject during its June 2009 presidency. A presidential statement was adopted on 5 August (during the UK presidency), capturing the most recent ongoing Council efforts to deepen consultations with TCC/PCCs and reaffirming the need for earlier and more meaningful engagement with TCC/PCCs, including better information sharing before the renewal or modification of a peacekeeping operation’s mandate, particularly on the military operational challenges (S/PRST/2009/24).

The 2010 edition of Note 507 made a few references to the importance of meaningful contacts with TCC/PCCs, though in principle it referred the reader again to earlier documents, saying in the introduction that for “issues not mentioned in the present note, working methods regarding interaction with troop- and police-contributing countries will continue to be governed by Security Council resolution 1353 (2001)”.

The ongoing debate about enhancing the interaction among TCC/PCCs, Council members and the Secretariat continued, with the major troop contributors, mainly the elected members of the Council, taking the lead in keeping the issue alive. India, an elected member of the Council during 2011–2012, held an open debate on UN peacekeeping, subtitled “taking stock and preparing for the future”, during its August 2011 presidency. The resulting 26 August presidential statement (S/PRST/2011/17) stressed the need to improve communications among the Council, TCC/PCCs and the Secretariat, making sure that the Council “has the benefit of the views of those serving in the field when making its decisions about peacekeeping mandates”. A specific request was that the Secretariat circulate to TCC/PCCs “by the 15th of each month notice and invitation of the Council’s upcoming TCC/PCC meetings that are anticipated to take place during the following month on individual peacekeeping mission mandates”.

The relationship between TCC/PCCs and the Council once again became strained and difficult in 2013. Developments in peacekeeping missions showed the shortcomings of the cooperation and made clear the need

for better and more dynamic information-sharing mechanisms.

The conflict in Syria radically affected the security situation in the Golan Heights. TCCs to the UN Disengagement Observer Force (UNDOF) grew concerned about the safety and security of their peacekeepers. After armed opposition fighters detained 21 Philippines peacekeepers in early March, Austria and the Philippines, which together contributed the bulk of UNDOF’s troops, sent letters to the Council. The letter from Austria, dated 11 March, asked the Council to “guarantee an active dialogue between UNDOF troop-contributing countries and the Security Council in the future to ensure full transparency and confidence” (S/2013/142). In a similar vein, the letter from the Philippines, dated the same day, asked the Council “to ensure that a mechanism is in place that guarantees open, active and transparent dialogue” with TCCs (S/2013/152).

These developments occurred almost in parallel with a new crisis in the DRC, with rebels taking over a swath of the country, including the important eastern city of Goma. On 28 March, the Council adopted resolution 2098, establishing an intervention brigade based in Goma under the command of the UN Organization Stabilization Mission in the DRC (MONUSCO). One of its key tasks was to carry out offensive operations to neutralise armed groups that threatened state authority and civilian security. Some elected Council members that were also TCC/PCCs—including Pakistan, the largest contributor—raised their concerns about the impact this development could have on the legal protection of peacekeepers and the doctrinal principles of peacekeeping. Broader consultations with TCC/PCCs, not only those on the Council, did not take place.

Pakistan chaired the Working Group on Peacekeeping Operations in 2013 and made strengthening the synergy among the Security Council, TCC/PCCs and the Secretariat one of its goals during that year (S/PV.7076). During Pakistan’s January presidency, the Council adopted resolution 2086, the first thematic resolution on peacekeeping in ten years. The resolution recognised the need to further strengthen cooperation and consultations with TCC/PCCs in areas where military and police contingents undertook early peacebuilding tasks. Further details were elaborated in a Note by the President

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of the Council issued on 28 October 2013. It reaffirmed Council members' commitment to making full use of and improving existing consultations with TCC/PCCs with a view to ensuring the full consideration of their views and stressed the importance of implementing existing provisions to enhance cooperation (S/2013/630).

Efforts to Improve Triangular Consultations

In 2015, two important UN reports reinforced several of the points that had been made over the years regarding the relationship of the Security Council with the TCC/PCCs. In June, the report of the High-level Independent Panel on UN Peace Operations (HIPPO) recognised that the lack of effective dialogue through triangular consultations among the Security Council, TCC/PCCs and the Secretariat had generated frustration on all sides and affected mandate implementation. The report called for institutionalising triangular cooperation early in the mandate formulation process, including giving potential contributors to new missions sufficient information to make better decisions as to whether to offer their personnel (S/2015/446).

In response to the HIPPO, the Secretary-General issued his own report in September (S/2015/682). It echoed the recommendations of the HIPPO in saying that dialogue between TCC/PCCs, the Council and the Secretariat should begin before a mission is established. The report suggested that the Secretariat could brief potential contributors together with Council members on its assessment of a conflict before an operation was authorised. It underlined how this "would also give the Council an opportunity to obtain insights on the challenges and opportunities involved in mandating certain tasks and in generating the required capabilities under specific time frames".

In an effort to address these limitations, in early 2015, New Zealand started convening informal meetings among the main TCC/PCCs, Council members and the Secretariat on UN Mission in South Sudan (UNMISS), the African Union/United Nations Hybrid operation in Darfur (UNAMID), and the Interim Security Force for Abyei (UNISFA), with a view to expanding the model to other peacekeeping missions. Starting in June 2015, France, the penholder on Mali and the DRC, also convened meetings on the

Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) and MONUSCO ahead of their mandate renewals, although sometimes without the participation of other Council members. While other Council members have continued this practice since, at this stage such meetings are far from becoming systematic, and they are not intended to replace the more formal triangular consultations that appear in the Council's programme of work.

In 2015, Chad chaired the Working Group on Peacekeeping Operations, and under its leadership, the group devoted considerable attention to the issue of the Council's interaction with the TCC/PCCs. In May, the chair organised a special meeting of the WGPKO providing direct interaction between members of the Council and HIPPO members. On 11 December, the WGPKO held a special meeting headlined "Towards a strategic dialogue between the Security Council, troop- and police-contributing countries and the Secretariat" (S/2015/1042). The briefers included permanent representatives of two countries that have sustained their interest over the years and made a contribution to this particular discussion, Bangladesh and New Zealand (the latter serving as a Council elected member in 2015-2016). During the meeting, many TCC/PCCs expressed frustration with the triangular cooperation mechanisms in place.

A presidential statement drafted by Chad was adopted on 31 December 2015. The statement took note of the recommendations in both the HIPPO and Secretary-General's reports and recognised that, despite the existence of mechanisms to ensure triangular cooperation, current consultations among these three stakeholders did not meet the Council's expectations and had yet to reach their full potential. The statement encouraged the holding of these meetings before and during the lifetime of peace operations, stressing the importance of substantive, representative and meaningful consultations, and of Secretariat briefings for TCC/PCCs on "its assessment of a conflict and potential mandate options" before the mandating. It said that these consultations must extend beyond the issue of mandates of operations to such areas as safety and security of peacekeepers; strategic force generation; gender; conduct and discipline, including allegations of sexual exploitation and abuse; implementation

of protection of civilian mandates; capability; performance; equipment; and national caveats (S/PRST/2015/26). During the negotiations, France, the UK and the US expressed their opposition to language regarding the sharing of draft resolutions and statements with TCC/PCCs.

In the end, the presidential statement encouraged the Secretariat to provide further information to relevant TCC/PCCs, as appropriate and in a timely manner, in particular related to critical security incidents within missions. The statement also welcomed the informal approach to consultations among the three stakeholders, while encouraging TCC/PCCs to take the initiative to call for meaningful exchanges of information. Even though the statement urged troop- and police-contributing countries to provide their views on this issue by 31 March 2016, including through the WGPKO, there was no follow-up to this initiative, possibly due in part to the fact that the presidential statement was adopted on the last day of Chad's tenure in the Council.

The 2017 version of Note 507 still referred the reader to the key Council decisions, saying that "[f]or issues not mentioned in the present note, working methods regarding interaction with troop- and police-contributing countries will continue to be governed by Security Council resolution 1353 (2001) and the statement by the President of the Security Council of 31 December 2015 (S/PRST/2015/26), as well as other relevant documents of the Council", but for the first time it also included a section on "Consultations with troop- and police-contributing countries". The section was largely based on the aforementioned note S/2013/630 negotiated by the Working Group on Peacekeeping Operations and was elaborated in consultation with Senegal, the 2016-2017 chair of the WGPKO.

A pressing issue, in the context of a broadening gap between those deciding on Council mandates and those providing troops and police to implement them, which is exacerbated by the US pressure to review peacekeeping operations and reduce budgets, is to address the outstanding obstacles to cooperation among TCC/PCCs, the Secretariat and the Council. The 2017 report of the Special Committee on Peacekeeping Operations (C-34) invited member states to initiate informal discussions on ways to improve triangular cooperation, with a view

Engagement of the Council with Troop- and Police-Contributing Countries

to generating suggestions that could be considered in the 2018 substantive session of the Special Committee (A/71/19). Pakistan and the UK currently facilitate these discussions. Furthermore, troop- and police-contributing countries have felt the need to address common challenges jointly, and in July 2017 Morocco and Pakistan launched an informal group of TCC/PCCs. Under Senegal's chairmanship, the role of the WGPKO in this context has been important in maintaining a forum open to TCC/PCCs in a subsidiary organ of the Council. In addition to a 3 October 2017 special meeting on peacekeeping reforms, held at the initiative of the US, the WGPKO focused its 10 November 2017 meeting on triangular cooperation, and heard briefings from the Department of Peacekeeping Operations and the International Peace Institute (S/2017/1087).

More than two decades since Argentina and New Zealand embarked on an effort to institutionalise the relationship between the Council and the providers of contingents the Council plans to deploy, the issue remains largely unresolved. Several decisions have been adopted, but all of them stopped short

of suggesting any participation of the TCC/PCCs not on the Council in decisions, focusing instead on what has been referred to as “triangular consultations” for troop contributors to meet with the Council and the Secretariat to discuss aspects of a mandate ahead of its adoption. One ongoing serious concern of troop contributors has been that the consultations were really largely symbolic because they were held very close to—and sometimes on the same day as—the adoption of a mandating resolution; thus there could be no reason to believe that the consultations stood a chance of resulting in modification to the already final draft resolutions. Responding to this complaint, starting in 2010, the Council began scheduling the TCC/PCCs meetings on average close to two weeks prior to the adoption.

Various other agreed aspects of the process for consultations have continued to lack full implementation, and new documents striving at improvements were adopted. Those involved in triangular consultations, however, have continued to consider them as quite unsatisfactory. The TCC/PCCs have continued to note that some of the

provisions included in relevant Council outcomes are not being implemented. They regard their interactivity with Council members as limited and indirect, given that it is the Secretariat which briefs TCC/PCCs in the meetings. Relevant reports of the Secretary-General are not always circulated well in advance, and there is no mechanism to ensure follow-up of what was discussed. Other member states blame TCC/PCCs for the lack of interactivity in these meetings, citing the passivity of some of them and the lack of inputs from the field, and highlighting the aversion of contributors to expressing concerns in public rather than bilaterally.

Interested elected Council members have advanced this matter, like many others pertaining to the Council's working methods. Argentina, Bangladesh, Costa Rica, New Zealand, Pakistan and Singapore, among others, have been most active in advocating for a more substantive triangular cooperation. The 20-plus years of efforts to improve consultations between those deciding on the mandates and those implementing them have resulted in good language but as yet still quite deficient implementation.

Dynamics and Conclusions

The dynamics relating to Security Council working methods have evolved over the more than seven decades of the body's existence, but certain features have been there all along. The roots of certain approaches can probably be traced to the Council's first meeting, held in London on 17 January 1946. At the outset of that meeting, in order to be able to proceed with any further business, the Council adopted, on an interim basis, its rules of procedure contained in a draft that had been prepared by the UN Preparatory Commission. It also established a sub-committee, consisting of all Council members, for the consideration of the rules of procedure with the understanding that it would submit a report to the Council as soon as possible (S/PV.1). Reaching agreement on procedural issues proved extremely challenging, and after several months, members opted for adopting rules of procedure provisionally, thus leaving several areas vague and—implicitly—open for further discussion. The Provisional Rules

of Procedure were adopted on 24 June 1946 and issued three days later as document S/96. Only minor revisions have been introduced since, the last time in 1983, and to this day this “provisional” set of rules is the most authoritative written guidance regarding the Security Council working methods.

Numerous calls have been made for the Council to end the provisional status of the rules and to adopt a document that would reflect today's international reality. The P5, however, have been consistent in rejecting this call. Some have cited pragmatic reasons, namely that maintaining the rules' provisional status has given the Council greater flexibility in adapting its practice swiftly when need arose. And indeed, on various occasions, the Council has created new working methods on very short notice. But some reasons for this reluctance have likely been political in nature. The absence of clear written rules puts the elected members at a considerable disadvantage of having to deal with many

procedural uncertainties, and in turn places the P5 in an advantageous position as interpreters of the rules.

With the end of the Cold War and a dramatic increase in Council activity, and in the context of the growing need for member states not on the Council to implement its decisions in areas such as sanctions or peacekeeping, these pressures grew in intensity. In the early 1990s, some of the P5, notably the UK, and also France, saw the need to capture certain new practices in written documents and to make the Council's documentation system better organised and more penetrable. Elected members felt this need much more acutely, and several took on codifying specific areas of Council practice as a priority for their two-year term, for example, sanctions or the relationship with the TCC/PCCs. Several maintained their interest in that aspect of Council methodology beyond their Council term, and those who came back onto the Council often worked on those same issues during their next term.

Dynamics and Conclusions

Elected members have been instrumental in organising nearly all of the Council's nine open debates on working methods held to date and have presided over all of them. Only the first one, held during Rwanda's December 1994 Council presidency, was organised at the initiative of a permanent member, France. In 2007 and 2008, elected members pressed for holding an open debate on working methods—the first since 1994—but they encountered considerable resistance from permanent members. In December 2007, after months of unsuccessful efforts in seeking agreement for an open debate, Slovakia, the chair of the IWG that year, held an Arria-formula meeting on the topic. In 2008, ongoing and persistent efforts by elected members, particularly Belgium and Costa Rica (who co-wrote a concept note), resulted in a Council open debate on working methods during Belgium's presidency in August. After Japan, during its Council presidency in April 2010, succeeded in securing members' agreement

to hold an open debate, open debates were held annually; and the open debate held by Spain during its October 2015 presidency resulted in a presidential statement in which the Council expressed “its intent to continue to hold an annual open debate on its working methods” and affirmed “its commitment to continue to keep its working methods under consideration in its regular work, with a view to ensuring their effective and consistent implementation”. In 2016, Japan held an open debate during its July presidency, but there was no open debate in 2017. At press time, an open debate on working methods was scheduled to be held in February 2018, during the presidency of Kuwait, which assumed the chairmanship of the IWG for the year.

A close examination of the process of the development of Council working methods over the past quarter of the century shows that while members are able to reach an agreement, sometimes after very difficult and lengthy negotiations, some of these

agreements are never implemented, or their implementation begins to slide back to the previous situation soon after the relevant Note by the President is published. Some issues, such as the relationship with the TCC/PCCs or the inefficient and ineffective use of consultations, come back in the form of new but similar agreements with striking regularity.

As of early 2018, the Council has an updated and comprehensive compendium of its working methods contained in Note 507 adopted on 30 August 2017. It will be important to see during the next period how successful the members of the Council will be in achieving full implementation of the agreed practices. It will be particularly interesting to observe closely the implementation in the areas which are new and where there was considerable controversy in agreeing on the language in 2017 version of Note 507, such as negotiating Council outcomes, relationship with the PBC, penholders, and the selection of chairs of Council subsidiary bodies.

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SECURITY COUNCIL RESOLUTIONS

[S/RES/2098](#) (28 March 2013) established an intervention brigade under the command of MONUSCO with a key task to carry out offensive operations to neutralise armed groups that threaten state authority and civilian security.

[S/RES/2086](#) (21 January 2013) emphasised the relationship between peacekeeping and peacebuilding.

[S/RES/1904](#) (17 December 2009) renewed the mandate of the 1267 Committee Monitoring Team for 18 months. The resolution also included significant changes to the administration of the 1267 regime, including the creation for an initial period of 18 months of an Office of the Ombudsperson, which is intended to serve as a point of contact for individuals and entities requesting that they be delisted.

[S/RES/1822](#) (30 June 2008) revised sanctions listing and delisting procedures and mandated a review of the 1267 Consolidated List by June 2010.

[S/RES/1732](#) (21 December 2006) welcomed the report of the Working Group on Sanctions and decided that it had fulfilled its mandate.

[S/RES/1730](#) (19 December 2006) agreed to establish a delisting process and create a focal point for receiving delisting requests within the Secretariat.

[S/RES/1353](#) (13 June 2001) agreed on detailed elements of Council relationship with TCCs and stated the continued possibility to consider using the Military Staff Committee as one of the means of enhancing UN peacekeeping capacity.

[S/RES/1327](#) (13 November 2000) agreed to strengthen the system of consultations with TCCs through the holding of private meetings with them and stated a possibility to consider using the Military Staff Committee as one of the means of enhancing UN peacekeeping capacity.

SECURITY COUNCIL PRESIDENTIAL STATEMENTS

[S/PRST/2015/26](#) (31 December 2015) underscored the importance of sustained cooperation among the Council, Secretariat, and troop- and police-contributing countries on peacekeeping.

[S/PRST/2015/19](#) (30 October 2015) expressed the Council's intention to continue to hold an annual open debate on its working methods and affirms its commitment to continue to keep its working methods under consideration in its regular work.

[S/PRST/2011/17](#) (26 August 2011) expressed the Council's commitment to enhanced consideration of early peacebuilding activities in the mandates and structure of peacekeeping operations.

[S/PRST/2009/24](#) (5 August 2009) highlighted the Council's efforts to improve its dialogue with the Secretariat and TCCs/PCCs as well as identified areas for further reflection such as credible and achievable mandates matched with appropriate resources.

[S/PRST/2006/28](#) (22 June 2006) expressed the Council's commitment to ensuring that fair and clear procedures exist for placing individuals and entities on sanctions lists and for removing them, as well as for granting humanitarian exemptions.

[S/PRST/2004/16](#) (17 May 2004) recognised the need to take into consideration the views of TCCs and strengthen the relationship between those who plan, mandate and manage peace operations and the TCCs.

[S/PRST/2001/3](#) (31 January 2001) recognised the need to develop a transparent relationship between the Council, the TCCs and the Secretariat and established the Working Group on Peacekeeping Operations to devise ways to achieve this goal.

[S/PRST/1996/13](#) (28 March 1996) reiterated the desire for enhanced consultation and exchange of information between the Council and TCCs, noted that procedures previously agreed upon to meet this goal had not been fully implemented and agreed on additional procedures to facilitate communication between the Council and TCCs.

[S/PRST/1994/81](#) (16 December 1994) expressed the Council's intention to hold more open meetings.

[S/PRST/1994/62](#) (4 November 1994) outlined procedures that the Council decided to follow to facilitate enhanced consultation and exchange of information with the TCCs.

[S/PRST/1994/22](#) (3 May 1994) welcomed the enhanced consultations and exchange of information between the Council and the TCCs regarding peacekeeping operations, including their planning, management and coordination.

NOTES BY THE PRESIDENT OF THE SECURITY COUNCIL

[S/2017/507](#) (30 August 2017) was the outcome of

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the work of the Informal Working Group on Documentation and Other Procedural Questions updating the 2010 Note 507.

[S/2016/170](#) (22 February 2016) outlined the measures to improve the transparency of the Council's work, the process of selecting Chairs, the preparation of Chairs, as well as the interaction and coordination among the subsidiary organs and between the subsidiary organs and the Council as a whole.

[S/2016/619](#) (15 July 2016) implemented measures concerning newly elected members, including the preparation of newly elected members, the selection of Chairs of subsidiary organs, and the preparation of Chairs of subsidiary organs.

[S/2015/944](#) (10 December 2015) changed the period of coverage for all annual reports from 1 August to 31 July to being from 1 January to 31 December, starting with the 2017 report.

[S/2014/922](#) (18 December 2014) encouraged members and non-members of the Council to contact the Verbatim Reporting Service of the Department for General Assembly and Conference Management to ensure the accuracy of the official records of the Council.

[S/2014/739](#) (15 October 2014) established that the speaking order for meetings of the Security Council as a general practice is established by a draw and, in certain cases, by the use of a sign-up sheet.

[S/2014/565](#) (4 August 2014) reaffirmed Council members' commitment to enhance intra-Council dialogue, communication and exchange of information, especially in crisis or fast-evolving situations, so that the Council may respond more efficiently and better fulfil its responsibility of maintaining international peace and security.

[S/2014/393](#) (5 June 2014) conveyed practical measures Council members agreed on in ensuring continuity in the work of the Council's subsidiary bodies.

[S/2014/268](#) (14 April 2014) proclaimed that any member of the Council can be a penholder on an agenda item.

[S/2013/630](#) (28 October 2013) reaffirmed Council members' commitment to making full use of and improving existing consultations with TCC/PCCs.

[S/2013/515](#) (28 August 2013) addressed a number of transparency-related working methods issues.

[S/2012/937](#) (17 December 2012) announced plans for a more inclusive process of appointing chairs of Council subsidiary bodies.

[S/2012/402](#) (5 June 2012) addressed issues related to enhancing the efficiency of Council work, better planning of the work, and better use of conference, translation, travel and time resources.

[S/2010/507](#) (26 July 2010) was the outcome of the work of the Informal Working Group on Documentation and Other Procedural Questions updating the 2006 Note 507.

[S/2008/847](#) (31 December 2008) was the result of the 2008 work of the Informal Working Group on Documentation revising procedures regarding the list of items with which the Council is seized.

[S/2007/749](#) (19 December 2007) was the result of the 2007 work of the Informal Working Group on Documentation.

[S/2006/997](#) (18 December 2006) transmitted the report of the Informal Working Group on Sanctions.

[S/2006/507](#) (19 July 2006) described the outcome of the six months of work of the Informal Working Group on Documentation and Other Procedural Questions in 2006 under the leadership of Japan.

[S/2006/78](#) (7 February 2006) contained the updated descriptive index of notes and statements by the council president relating to documentation and procedure.

[S/2006/66](#) (31 January 2006) listed the chairs of Council subsidiary bodies and stated that Ambassador Kenzo Oshima (Japan) would chair the Informal Working Group on Documentation and Other Procedural Questions from 1 February to 30 June, after which period the Council would decide whether to revert to the monthly rotation or change the periodicity of this appointment.

[S/2002/1276](#) (22 November 2002) established that newly elected Council members would be invited to attend informal consultations of the Council and formal meetings of subsidiary bodies for one month prior to their term and that if an incoming member were assuming the presidency in the first two months of its term, it would be able to attend informal consultations for two months preceding its term.

[S/2002/964](#) (27 August 2002) outlined criteria for eligibility for participation in private meetings and consultation meetings with TCCs.

[S/2002/591](#) (29 May 2002) established the seating pattern for non-Council members participating in Council meetings.

[S/2002/316](#) (26 March 2002) included several measures aimed at improving the clarity and transparency of the work of the Council.

[S/2002/199](#) (26 February 2002, reissued for technical reasons on 22 May 2002) contained various modifications to the format of the annual report, acknowledging taking into account the views expressed during the General Assembly debate of the report at its 56th session.

[S/2002/56](#) (14 January 2002) established joint meetings of the Working Group on Peacekeeping Operations and the TCCs.

[S/2001/640](#) (29 June 2001) improved and systematised the issuance of Council decisions and statements.

[S/2000/319](#) (17 April 2000) established on a temporary basis an Informal Working Group to develop general recommendations on how to improve the effectiveness of UN sanctions.

[S/2000/124](#) (16 February 2000) was the UK assessment of its December 1999 presidency of the Security Council.

[S/2000/274](#) (31 March 2000) indicated procedures for the distribution of Council statements.

[S/1999/1291](#) (30 December 1999) indicated that the Council agreed that the president should make draft resolutions and presidential statements available to non-Council members and provide them with substantive briefings soon after consultations of the whole.

[S/1999/92](#) (29 January 1999) indicated the Council's determination to improve the work of sanctions committees and listed a series of practical proposals to this effect.

[S/1996/54](#) (24 January 1996) indicated the Council's agreement that chairs of sanctions committees brief interested members of the UN after each meeting and raise awareness among committee members and the broader UN membership of recent improvements in the procedures of the sanctions committees.

[S/1995/438](#) (31 May 1995) indicated that the Council agreed to continue the practice of hearing states and organisations affected by sanctions during closed meetings of the sanctions committees.

[S/1995/234](#) (29 March 1995) indicated that the Council agreed to implement measures to make the sanctions committees more transparent by, inter alia, increasing the practice of issuing press releases after Committee meetings.

[S/1994/329](#) (23 March 1994) made arrangements for the distribution of statements outside the Council Chamber so all speakers could have the opportunity to be heard without difficulty.

[S/1994/230](#) (28 February 1994) was the note in which the Council agreed to make draft decisions in provisional form available to all members at the time they have been introduced in consultations of the whole.

[S/26812](#) (29 November 1993) indicated that the Council agreed to continue to review periodically the list of matters of which it was seized.

[S/26389](#) (31 August 1993) indicated that the Council agreed that effective 1 January 1994 its documents should be published in an annual series.

[S/26176](#) (27 July 1993) was the note indicating Council members' agreement that the Secretariat should make the tentative forecast available to all member states once it has been transmitted to all members of the Council.

[S/26015](#) (30 June 1993) indicated that the Council agreed to take all necessary measures to ensure the timely submission of its annual report to the General Assembly.

SECURITY COUNCIL MEETING RECORDS

[S/PV.8038](#) (30 August 2017) was the wrap-up session on working methods during Egypt's presidency.

[S/PV.7740](#) (19 July 2016) was an open debate on working methods during Japan's presidency.

[S/PV.7547](#) (30 October 2015) was a meeting to adopt the presidential statement on working methods resulting from the open debate held earlier in October expressing Council's intent to continue to hold an annual open debate on its working methods and affirmed its commitment to continue to keep its working methods under considering in its regular work, with a view to ensuring their effective and consistent implementation.

[S/PV.7539](#) and [Resumption 1](#) (20 October 2015) was an open debate on working methods during Spain's presidency.

[S/PV.7331](#) (9 December 2014)) was a briefing by the chairpersons of subsidiary bodies ending their term on the Council.

[S/PV.7323](#) (25 November 2014) was a briefing on general issues related to sanctions.

[S/PV.7076](#) (9 December 2013) was a briefing by the chairpersons of subsidiary bodies ending their term on the Council.

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[S/PV.7294](#) (30 October 2014) was an annual open debate on working methods during Argentina's presidency.

[S/PV.7052](#) and [Resumption 1](#) (29 October 2013) was an open debate on working methods during Azerbaijan's presidency.

[S/PV.6870](#) and [Resumption 1](#) (26 November 2012) was an open debate on working methods during India's presidency, organised jointly with Portugal.

[S/PV.6686](#) (14 December 2011) was a briefing by the chairpersons of subsidiary bodies ending their term on the Council.

[S/PV.6672](#) and [Resumption 1](#) (30 November 2011) was an open debate on working methods during Portugal's presidency, thus establishing a practice of annual open debates on the topic.

[S/PV.6457](#) (20 December 2010) was a briefing by the chairpersons of subsidiary bodies ending their term on the Council.

[S/PV.6300](#) and [Resumption 1](#) (22 April 2010) was an open debate on working methods during Japan's presidency.

[S/PV.5968](#) and [Resumption 1](#) (27 August 2008) was an open debate on working methods organised during Belgium's presidency, with persistent efforts by both Belgium and Costa Rica.

[S/PV.5806](#) (17 December 2007) was a briefing by the chairpersons of subsidiary bodies ending their term on the Council.

[S/PV.5601](#) (20 December 2006) was a briefing by the chairpersons of subsidiary bodies ending their term on the Council.

[S/PV.5474](#) (22 June 2006) was an open debate on rule of law and maintenance of international peace and security. The debate considered the sanctions listing and delisting processes.

[S/PV.4970](#) and [Resumption 1](#) (17 May 2004) was an open debate on peacekeeping operations, mandates and resources.

[S/PV.4394](#) (22 October 2001) was a debate on general issues related to sanctions.

[S/PV.4343](#) (29 June 2001) was the first public wrap-up session organised by Bangladesh.

[S/PV.4257](#) and [Resumption 1](#) (16 January 2001) was the open debate on strengthening cooperation with TCC/PCCs.

[S/PV.4220](#) (13 November 2000) was a debate following the adoption of resolution 1327.

[S/PV.4128](#) (17 April 2000) was an open debate on general issues related to sanctions, organised by Canada.

[S/PV.3645](#) (28 March 1996) was an open debate on strengthening cooperation with troop-contributing countries.

[S/PV.3611](#) (20 December 1995) was an open debate on peacekeeping during which numerous working methods issues, including the relationships with TCCs, were raised.

[S/PV.3483](#) (16 December 1994) was the first open debate on Security Council working methods.

[S/PV. 1](#) (17 January 1946) was the first meeting of the Security Council. It adopted, on interim bases, the

Council's rules of procedure.

OTHER SECURITY COUNCIL DOCUMENTS

[S/2017/1087](#) (21 December 2017) was a letter from the Permanent Representative of Senegal to the President of the Security Council containing the report concerning the activities in 2017 of the Security Council Working Group on Peacekeeping Operations.

[S/2017/534](#) (21 June 2017) was a letter from the Permanent Representative of Australia to the Secretary-General and president of the Security Council presenting an assessment of the "Achievements, challenges and opportunities resulting from the recommendations of the Compendium of the High-level Review of United Nations Sanctions".

[S/2016/585](#) (1 July 2016) was a letter from the Permanent Representative of Japan to the Secretary-General of the concept note for the open debate on working methods.

[S/2016/102](#) (2 February 2016) was a letter from the Permanent Representative of Venezuela to the Secretary-General of the concept note for the open debate on working methods of the subsidiary organs of the Security Council.

[S/2016/35](#) (15 January 2016) was a letter from the Permanent Representative of Spain to the Secretary-General requesting that the summary from the open debate on working methods be circulated as a document of the General Assembly and of the Security Council.

[S/2015/1042](#) (28 December 2015) was a letter transmitting the concept note of the ninth thematic discussion of the Working Group on Peacekeeping Operations, entitled "Towards a strategic dialogue between the Security Council, troop- and police-contributing countries and the Secretariat".

[S/2015/793](#) (15 October 2015) was the concept note for an open debate organised by Spain.

[S/2015/682](#) (2 September 2015) was the Secretary-General's report on the implementation of the High-level Independent Panel on Peace Operations' recommendations.

[S/2015/446](#) (17 June 2015) this was the report of the High-level Independent Panel on Peace Operations.

[S/2015/432](#) (12 June 2015) was a letter from the Permanent Representatives of Australia, Finland, Germany, Greece and Sweden to the Secretary-General presenting the Compendium of the High-level Review of United Nations Sanctions with 150 recommendations.

[S/2014/793](#) (5 November 2014) was a letter from the Permanent Representative of Australia to the Secretary-General proposing the Council holds a briefing and adopts a resolution improving the capacity of the UN system to implement the Council's sanctions regimes.

[S/2013/613](#) (16 October 2013) was a letter from the Permanent Representative of Azerbaijan containing a concept note for the October 2013 open debate on working methods.

[S/2013/152](#) (11 March 2013) was a letter from the Permanent Representative of the Philippines to the president of the Security Council concerning UNDOF's TCCs.

[S/2013/142](#) (11 March 2013) was a letter from the

Permanent Representative of Austria to the president of the Security Council concerning UNDOF's TCCs.

[S/2012/940](#) (17 December 2012) was a letter from the Permanent Representative of Portugal to the Secretary-General containing a briefing he delivered to the Council on 14 December 2012 in his capacity as outgoing chair of the Informal Working Group on Documentation and Other Procedural Questions.

[S/2012/853](#) (19 November 2012) was a letter from the Permanent Representatives of India and Portugal to the Secretary-General transmitting the concept note for the open debate on working methods.

[S/2011/726](#) (21 November 2011) was a concept note for an open debate on working methods organised by Portugal.

[S/2010/165](#) (5 April 2010) was a concept note for an open debate organised by Japan.

[S/2008/528](#) (8 August 2008) was a concept note for the 27 August open debate on working methods, co-written by Belgium and Costa Rica.

[S/2007/784](#) (31 December 2007) was a letter from the Permanent Representative of Slovakia describing the proceedings of the 13 December 2007 Arria-formula meeting on working methods.

[S/2004/135](#) (19 February 2004) was the report of the first annual workshop for newly elected members of the Security Council, which was held on 13 and 14 November 2003.

[S/2004/99](#) (5 February 2004) was a letter from the Permanent Representatives of Brazil, Canada, Egypt, Germany, Ghana, India, Japan, Mexico, Pakistan and South Africa to the president of the Security Council raising concerns that meetings with TCCs have largely been of a purely informative and technical nature with little or no relevance for Council decisions, and that the inclusion of major stakeholders will also create a considerable incentive for the general membership to support peacekeeping operations.

[S/2002/1000](#) (6 September 2002) was a letter from the president of the Security Council to the Secretary-General containing a descriptive index to notes and statements by the president of the Security Council relating to documentation and procedure.

[S/2002/843](#) (29 July 2002) was a letter from the Permanent Representative of Syria to the president of the Security Council of the assessment of its June 2002 Council presidency.

[S/2002/685](#) (20 June 2002) was a letter from the Permanent Representative of Singapore to the president of the Security Council of the assessment of its May 2002 Council presidency.

[S/2002/663](#) (13 June 2002) was a letter from the Permanent Representative of Norway to the president of the Security Council of the assessment of its March 2002 Council presidency.

[S/2002/187](#) (20 February 2002) was a letter from the Permanent Representative of Mauritius to the president of the Security Council of the assessment of its January 2002 Council presidency.

[S/2001/1140](#) (30 November 2001) was a letter from the Permanent Representative of Jamaica with the assessment of the November 2001 Jamaican Council presidency.

[S/2001/976](#) (18 October 2001) was a letter from the Permanent Representative of France to the

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Secretary-General with the assessment of the September 2001 French Council presidency.

[S/2001/835](#) (31 August 2001) was a letter from the Permanent Representative of Bangladesh containing salient points of the 29 June wrap-up session.

[S/2001/757](#) (1 August 2001) was the assessment of the June 2001 Bangladeshi presidency of the Security Council.

[S/2001/546](#) (31 May 2001) was the first report of the Security Council Working Group on Peacekeeping Operations examining the relationship with TCC/PCCs.

[S/2001/535](#) (30 May 2001) was a letter from the Permanent Representatives of Argentina, Canada, Ghana, India, Jordan, the Netherlands and New Zealand with proposals regarding the improvement in the Council relationship with TCCs.

[S/2001/21](#) (8 January 2001) was a letter from the Permanent Representative of Singapore to the Secretary-General with a concept note and a background paper for an open debate on strengthening cooperation with TCC/PCCs.

[S/2000/809](#) (21 August 2000) was the report of the Panel on UN Peacekeeping Operations, known as the Brahimi Report.

[S/2000/670](#) (31 July 2000) was the assessment of the March 2000 Bangladeshi presidency of the Security Council.

[S/2000/722](#) (21 July 2000) was the assessment of the February 2000 Argentinian presidency of the Security Council.

[S/2000/707](#) (19 July 2000) was the assessment of the April 2000 Canadian presidency of the Security Council.

[S/1996/224](#) (27 March 1996) was a letter from the Permanent Representative of Chile to the president of the Security Council stressing that the presidential statement on peacekeeping operations failed to recognise the right of TCCs to consult with and exchange information with the Security Council.

[S/1995/1025](#) (11 December 1995) was a letter signed by 34 member states pointing at the need to improve the efficiency, effectiveness and representativity of the consultations with TCC/PCCs.

[S/1995/1](#) (25 January 1995) was the Supplement to An Agenda for Peace (S/24111) on the occasion of the fiftieth anniversary of the United Nations.

[S/1994/1384](#) (6 December 1994) was a letter from

the Permanent Representative of Brazil to the Secretary-General contributing additional suggestions to the open debate on working methods.

[S/1994/1313](#) (18 November 1994) was the letter from the Permanent Representative of New Zealand to the president of the Security Council contributing additional suggestions for the open debate on working methods.

[S/1994/1279](#) (9 November 1994) was a letter from the Permanent Representative of France to the Secretary-General containing an aide-memoire that, inter alia, proposed orientation debates.

[S/1994/1063](#) (15 September 1994) was a letter from the Permanent Representatives of Argentina and New Zealand to the president of the Security Council requesting an open meeting to consider various procedural issues, including participation.

[S/24111](#) (17 June 1992) contained the Secretary-General's report, "An Agenda for Peace".

[S/96/Rev.7](#) (1983) is the most recent version of the Provisional Rules of Procedure of the Security Council.

[S/96](#) (27 June 1946) contained the Provisional Rules of Procedure of the Security Council.

GENERAL ASSEMBLY RESOLUTIONS

[A/RES/68/307](#) (10 September 2014) decided that the elections of the non-permanent members of the Security Council would be conducted about six months prior to the beginning of the new members' terms.

[A/RES/60/1](#) (24 October 2005) was the outcome document of the 2005 World Summit which recommended that the Security Council continue to adapt its working methods so as to increase the involvement of states not members of the Council in its work, as appropriate, enhance its accountability to its membership, and increase the transparency of its work.

OTHER GENERAL ASSEMBLY DOCUMENTS

[A/71/19](#) (20 March 2017) was the 2017 report of the Special Committee on Peacekeeping Operations (C-34).

[A/70/679](#) (15 January 2016) was a letter from the Permanent Representative of Spain to the Secretary-General requesting that the summary from the open debate on working methods be circulated as a document of the General Assembly and of the Security Council.

Security Council Report Staff

Ian Martin
Executive Director

Joanna Weschler
Deputy Executive Director

Shamala Kandiah Thompson
Deputy Executive Director

Paul Romita
Senior Policy Analyst

Victor Casanova Abos
Policy Analyst

Lindiwe Knutson
Policy Analyst

Dahlia Morched
Policy Analyst

Vladimir Sesar
Policy Analyst

Eran Sthoeger
Policy Analyst

Benjamin Villanti
Policy Analyst

Robbin VanNewkirk
Website Manager

Audrey Waysse
Operations Manager

Maritza Lopez
Administrative Assistant

Kaitlyn Lynes
Research Assistant

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Design Point Five, NY

Security Council Report
One Dag Hammarskjöld Plaza
885 2nd Ave at 48th St, 21st Floor
New York NY 10017

Telephone +1 212 759 6394
Fax +1 212 759 4038
Web securitycouncilreport.org
whatsinblue.org