

Repertory of Practice of United Nations Organs
Supplements Nos. 7-9 (1985-1999)¹

(Advance version, to be issued in volume III of *Supplement No. 7-9* (forthcoming)
of the *Repertory of Practice of United Nations Organs*)

VOLUME III

ARTICLE 25

TEXT OF ARTICLE 25

The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.

NOTE

1. During the period under review, the Council adopted four resolutions that explicitly invoked Article 25 of the Charter.² By three of those resolutions the Council emphasized Iraq's obligation to comply with Council resolutions.³ By one of those three resolutions the Council also called upon all States to carry out their obligations to implement sanctions against Iraq.⁴ By the fourth resolution the Council recalled the provisions of Article 25 before deciding to establish the United Nations Protection Force (UNPROFOR), which was to implement the United Nations peacekeeping plan for

¹ At the bilateral meeting between the Codification Division of the Office of Legal Affairs and the Security Council Affairs Division of the Department of Political Affairs, on 11 March 2011, it was agreed that in order to expedite the elimination of the backlog in volume III, studies on *Supplements 7, 8 and 9* of the volume would be merged.

² In connection with the situation between Iraq and Kuwait, see S/RES/667 (1990), S/RES/670 (1990) and S/RES/686 (1991). In connection with the situation in the former Yugoslavia, see S/RES/743 (1992).

³ See S/RES/667 (1990), eighth preambular para.; S/RES/670 (1990), seventh and eighth preambular paras.; and S/RES/686 (1991), second preambular para.

⁴ See S/RES/670 (1990), seventh and eighth preambular paras. and para. 1.

Yugoslavia.⁵ Article 25 was also explicitly referred to in two draft resolutions, both of which failed of adoption.⁶

2. In addition, Article 25 was touched upon, without being invoked explicitly, in a number of resolutions and statements made by the President.⁷ The Council regularly insisted that a Member State comply with Council resolutions or reminded “all parties” of their obligation to observe its resolutions.⁸

3. A number of explicit references were also made to Article 25 and the binding nature of Council decisions during the debates in the Council.⁹ The Council did not however engage in any constitutional discussion concerning Article 25 that went beyond upholding long-established views about its significance, interpretation and application.¹⁰

4. The Article was also explicitly invoked in several communications from Member States, often in the context of the general responsibility upon States under international law.¹¹

5. The Security Council’s practice in connection with Article 25, including explicit¹² and implicit¹³ references in the deliberations of the Council and communications from

⁵ See S/RES/743 (1992), seventh preambular para. and paras. 1-3.

⁶ In connection with the situation in Namibia, draft resolution S/17631, twelfth preambular para. and para. 9, OR, 40th yr., Supp. for Oct.-Dec. 1985; also in connection with the situation in Namibia, draft resolution S/18785, seventeenth preambular para. and para. 9, OR, 42nd yr., Supp. for April-June 1987; both voted upon and not adopted owing to the negative vote of a permanent member.

⁷ See, for instance, thirteenth supplement to the *Repertoire of the Practice of the Security Council* (1996-1999), chapter XII, part II “Consideration of the functions and powers of the Security Council (Articles 24 and 25 of the Charter)”; pp. 1215-1219.

⁸ See, for instance, S/RES/1193 (1998), para. 16.

⁹ See, for instance, thirteenth supplement to the *Repertoire of the Practice of the Security Council* (1996-1999), chapter XII, part II “Consideration of the functions and powers of the Security Council (Articles 24 and 25 of the Charter)”; pp. 1215-1219.

¹⁰ Ibid.

¹¹ See, for instance, S/1998/439.

¹² See, for instance, S/PV.4057, p. 4.

¹³ See, for instance, in connection with the situation in the Republic of Bosnia and Herzegovina, S/PV.3192, p. 7; S/PV.3210, p. 3-4; S/PV.3456, p.3; S/PV.3530, p. 2; S/PV.3554, p. 2-3; S/PV.3557, p. 2; and S/PV.3580, p. 2.

Member States or other entities, is dealt with in detail in the *Repertoire of the Practice of the Security Council*.

6. For detailed information regarding the Council's practice on Article 25, as described in paragraphs 1 to 5 above, see Chapter XII of the *Repertoire of the Practice of the Security Council*:

http://www.un.org/en/sc/repertoire/85-88/85-88_12.pdf#page=16 (during 1985-1988);

http://www.un.org/en/sc/repertoire/89-92/89-92_12.pdf#page=40 (during 1989-1992);

http://www.un.org/en/sc/repertoire/93-95/93-95_12.pdf#page=31 (during 1993-1995);

and http://www.un.org/en/sc/repertoire/96-99/96-99_12.pdf#page=60 (during 1996-1999).