

Repertory of Practice of United Nations Organs
Supplements Nos. 10 (2000-2009)

(Advance version, to be issued in volume III of Supplement No.10 (forthcoming)
to the Repertory of Practice of United Nations Organs)

VOLUME III

ARTICLE 29

TEXT OF ARTICLE 29

The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions.

NOTE

1. During 2000 to 2009, there was no formal discussion in the Security Council regarding the interpretation of Article 29.

2. In addition to overseeing subsidiary bodies established in prior periods,¹ the Security Council continued to establish new subsidiary organs to address issues relating both to the maintenance of international peace and security as well as its own working methods and procedures. As detailed below, these subsidiary organs included peacekeeping operations, political and peacebuilding offices, commissions, committees, tribunals, working groups and other types of bodies.

3. During the review period, the Council established one new ad hoc committee - the Ad hoc Committee on Mandate Review² to conduct the review of Security Council mandates

¹ For instance, the Committee on the Admission of New Members and the Committee of Experts on Rules of Procedure.

² The Ad hoc Committee on Mandate Review was established by the letter from the President of the Security Council to the Secretary General (S/2006/354).

called for by Heads of State and Government in the 2005 World Summit Outcome Document.³

4. The Security Council also established three commissions and investigative bodies with different structures and mandates, including investigation of violations of international humanitarian and human rights law and investigation of all aspects of the assassinations of political figures.⁴ Furthermore, the Council established one Ad Hoc Commission to conduct an assessment on the prosecution of serious crimes committed in East Timor in 1999 and provide recommendations in that regard.⁵

5. In connection with overseeing the implementation of measures adopted pursuant to Article 41, the Council established ten sanctions committees: six committees relating to Africa;⁶ one committee relating to Asia;⁷ and three committees relating to the Middle East.⁸ Following the terrorist attacks on the United States on 11 September 2001, the Council decided to establish a committee concerning counter-terrorism to monitor the measures of all Members States of the United Nations against terrorism.⁹

6. With regards to peacekeeping missions, the Security Council established seven missions in Africa;¹⁰ two in Asia;¹¹ one in the Americas.¹² The Security Council also established

³ See G A resolution 60/1, adopted on 16 September 2005, para. 163 (b).

⁴ International Commission of Inquiry for Darfur established pursuant to resolution 1564 (2004) concerning the situation in the Sudan; International Independent Investigation Commission (IIIC) established pursuant to resolution 1595 (2005) concerning the assassination of the former Prime Minister of Lebanon, Rafiq Hariri; and Commission of Inquiry into the Benazir Bhutto assassination, established pursuant to the exchange of letters between the Secretary-General and the President of the Security Council (S/2009/67-S/2009/68).

⁵ Commission of Experts to Review the Prosecution of Serious Violations of Human Rights in Timor-Leste (then East Timor) in 1999, established through an exchange of letters between the Secretary-General and the President of the Security Council (S/2005/96-S/2005/97).

⁶ For instance, Committee established pursuant to resolution 1521 (2003) concerning Liberia and Committee established pursuant to resolution 1591 (2005) concerning the Sudan.

⁷ Committee established pursuant to resolution 1718 (2006) concerning the Democratic People's Republic of Korea.

⁸ Committee established pursuant to resolution 1518 (2003) concerning Iraq and Kuwait; Committee established pursuant to resolution 1636 (2005) concerning Lebanon; and Committee established pursuant to resolution 1737 (2006) concerning the Islamic Republic of Iran .

⁹ Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism.

¹⁰ For instance, United Nations Operation in Côte d'Ivoire (UNOCI), established pursuant to resolution 1528 (2004) and United Nations Mission in the Central African Republic and Chad (MINURCAT), established pursuant to resolution 1778 (2007).

eight special political missions and peacebuilding offices in Africa;¹³ five in Asia¹⁴; and one in the Middle East¹⁵ to support peace processes and conflict prevention and peacebuilding efforts.

7. Furthermore the Security Council established six working groups to discuss a range of issues related to the work of the Council, such as developing general recommendations on how to improve the effectiveness of United Nations sanctions, addressing both generic peacekeeping issues relevant to the responsibilities of the Council and technical aspects of individual peacekeeping operations, and reviewing reports of a monitoring and reporting mechanism on children and armed conflict.¹⁶

8. During the review period, the Security Council, acting concurrently with the General Assembly, in accordance with Articles 7, 22 and 29 of the Charter established the Peacebuilding Commission as an intergovernmental advisory body.¹⁷

9. The Security Council's practice in connection with the establishment and mandates of subsidiary organs, including subsidiary organs proposed but not established,¹⁸ is dealt with in detail in the *Repertoire of the Practice of the Security Council*.

¹¹ United Nations Mission of Support in East Timor (UNMISSET), established pursuant to resolution 1410 (2002) and United Nations Integrated Mission in Timor-Leste (UNMIT), established pursuant to resolution 1704 (2006).

¹² United Nations Stabilization Mission in Haiti (MINUSTAH), established pursuant to resolution 1542 (2004).

¹³ For instance, United Nations Integrated Office in Burundi (BINUB), established pursuant to resolution 1719 (2006) and United Nations Integrated Peacebuilding Support Office in Guinea-Bissau (UNIOGBIS) established pursuant to resolution 1876 (2009).

¹⁴ For instance, United Nations Assistance Mission in Afghanistan (UNAMA), established pursuant to resolution 1401 (2002) and United Nations Mission in Nepal (UNMIN), established pursuant to resolution 1740 (2007).

¹⁵ United Nations Assistance Mission for Iraq (UNAMI), established pursuant to resolution 1500 (2003).

¹⁶ For instance, Working Group of the Whole on United Nations peacekeeping operations established pursuant to the presidential statement of 31 January 2001, (S/PRST/2001/3) and Working Group on Children and Armed Conflict established pursuant to resolution 1612 (2005).

¹⁷ Peacebuilding Commission, established pursuant to resolution 1645 (2005).

¹⁸ See, for instance, fourteenth supplement to the *Repertoire of the Practice of the Security Council* (2000-2003), chapter V, part III "Subsidiary organs of the Security Council proposed but not established".

10. For detailed information regarding the Council's practice on subsidiary organs, as described in paragraphs 1 to 9 above, see chapter V of the fourteenth and fifteenth supplements and parts IX and X of the sixteenth supplement to the *Repertoire of the Practice of the Security Council*:

http://www.un.org/en/sc/repertoire/2000-2003/00-03_5.pdf (during 2000-2003);

http://www.un.org/en/sc/repertoire/2004-2007/04-07_05.pdf (during 2004-2007);

http://www.un.org/en/sc/repertoire/2008-2009/Part%20IX/08-09_Part%20IX.pdf

(Committees, tribunals and other bodies, during 2008-2009);

http://www.un.org/en/sc/repertoire/2008-2009/Part%20X/08-09_Part%20X.pdf

(Peacekeeping operations and political and peacebuilding missions, during 2008-2009).