

**Security Council**

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**Letter dated 31 May 2019 from the Permanent Representative of
Kuwait to the United Nations addressed to the Secretary-General**

The Permanent Mission of the State of Kuwait to the United Nations, in its capacity as President of the Security Council for the month of June 2019, will convene a briefing on the issue of “Conflict prevention and mediation” under the item “Maintenance of international peace and security”, to be held on Wednesday, 12 June 2019.

In order to help to guide the briefing, the State of Kuwait has prepared the attached concept note (see annex). I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(Signed) Mansour **Alotaibi**
Ambassador
Permanent Representative



Annex to the letter dated 31 May 2019 from the Permanent Representative of Kuwait to the United Nations addressed to the Secretary-General

Concept note for the Security Council briefing on the subject “Conflict prevention and mediation”, to be held on 12 June 2019

Introduction

1. Since the founding of the United Nations in 1945, the Security Council has often addressed issues and crises that threaten international peace and security after they occur; in essence taking a reactive approach more often than a preventive one. This reactive approach from the Security Council in most cases comes when the political and security situations in those crisis areas have already escalated, leading the Council to focus more on the management and containment of these crises and conflicts. At other times, albeit less often, the Council has been able to address disputes that have had the potential to impact regional and international peace and security before they unfold into a full-out crisis or conflict. However, there still is far greater potential for the Security Council to strengthen its conflict prevention and mediation role as it upholds its responsibility to maintain international peace and security by utilizing the tools and means at its disposal, as well as taking innovative diplomatic approaches to this end.

2. As President of the Security Council for the month of June 2019, the State of Kuwait will convene a briefing on the issue of “Conflict prevention and mediation”, under the item “Maintenance of international peace and security”, to be held on 12 June 2019.

Objectives and focus of the meeting

3. As conflicts become more complex and take on internal, regional and transnational dimensions, so do the mechanisms and tools needed for the peaceful settlements of crises and conflicts. Conflict prevention and mediation involve a range of pillars needed to address the root causes of conflict, especially the following pillars: peace and security, development, and human rights. A combination of these pillars may hold the key to addressing a dispute at an early stage and averting it from developing into a threat to regional and international peace and security.

4. The emphasis on strengthening the conflict prevention and mediation mechanisms and tools in the United Nations has increased over the years. The Security Council has frequently convened meetings on this topic, and the Secretary-General himself has made “a surge in diplomacy for peace” a priority since the beginning of his tenure and has also taken initiatives in this regard, including the establishment of a High-level Advisory Board on Mediation.

5. This meeting will provide a platform to discuss how best to better utilize the tools at the disposal of the United Nations system, including the Security Council, for a more effective and efficient multilateral approach to conflict prevention and mediation in order to address crises that have the potential to threaten regional and international peace and security. The Security Council’s renewed commitment to conflict prevention and mediation is necessary at a time when several countries and regions around the world are on the cusp of instability and potential conflict. In this context, the following are issues of discussion that Council members may wish to focus on in their statements pertaining to the subject matter of the meeting:

(a) The Charter of the United Nations:

(i) Language on the concept of “prevention” within a collective multilateral approach is strong in the Charter, most notably in Chapter I, Article 1, which outlines that the purpose of the United Nations is:

“To maintain international peace and security, and to that end: *to take effective collective measures for the prevention* and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace”;

(ii) Chapter VI of the Charter focuses on the “*peaceful settlement of disputes*” by “*negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice*”, and gives the Security Council the mandate to call on the parties to settle their dispute via the aforementioned means;

(iii) Furthermore, Article 34 gives the Security Council a clear preventive role as it “*may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security*”;

(iv) Exploring the potential of strengthening the role of regional and subregional organizations in conflict prevention and mediation in accordance with Chapter VIII of the Charter;

(b) The role of the Secretary-General:

(i) Looking at Chapter XV, Article 99, of the Charter, which states “*the Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security*”;

(ii) Discussing how the Council can best support the “*good offices*” of the Secretary-General, including his mediation and facilitation efforts of disputing parties, most notably through his Special Envoys and Special Representatives;

(c) Security Council initiatives to support conflict prevention and mediation:

(i) Discussing how best to effectively use Security Council missions to the field in the context of conflict prevention and mediation;

(ii) Reviving old practices of the Security Council, including sending a small delegation of Permanent Representatives of the member States of the Council to countries on the brink of crisis or conflict, or to mediate with disputing parties. A smaller group modality and face-to-face diplomacy and mediation might yield more successful outcomes than bigger groups;

(iii) Looking at other more innovative approaches to strengthening conflict prevention and mediation efforts within the framework of the Council’s work, possibly even considering a stand-alone informal working group on conflict prevention and mediation of the Council;

(iv) Better utilizing the different meeting formats available to the Council for the exchange of information between Council members and the Secretariat regarding developments on the ground in order for Council members to be better informed during the decision-making process;

(v) Mandates for peacekeeping operations that bolster their potential to assist countries to transition from conflict to peace, ensure that those countries do not relapse into conflict, and support local mediations;

(vi) More effective sanctions on spoilers to deter other potential spoilers from sidetracking peace processes or threatening the stability or peace and security of a country;

(vii) The role of regional offices and how effective they have been in conducting conflict prevention and mediation efforts, and whether the United Nations Office for West Africa and the Sahel (UNOWAS), the United Nations Regional Centre for Preventive Diplomacy for Central Asia (UNRCCA) and the United Nations Regional Office for Central Africa (UNOCA) should be replicated in other regions of the world;

(d) Addressing the issue of Council unity in order for the Council to be more effective in preventing conflicts and crises, as well as the strong need for a recommitment to dialogue and the peaceful settlement of disputes, and the importance of a collective multilateral approach when dealing with threats to international peace and security. Furthermore, Council members may wish to consider discussing the high monetary and human cost of managing and containing conflicts, compared to the low cost of investing in prevention from the outset.

Meeting format

The meeting will be in the format of a briefing, whereby the Security Council will be briefed by the Secretary-General and The Elders. Council members are encouraged to engage in an interactive exchange with The Elders and pose questions to them during the meeting.
