

Chapter II

AGENDA

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INTRODUCTORY NOTE

The present chapter contains material concerning rules 7 through 11 of the rules of procedure of the Security Council relating to the agenda. No material requiring treatment under rules 6 and 12 has been found for the period under review.

As in the previous volume of the *Repertoire*, the material in the present chapter is presented directly under the rule of procedure to which it relates. The chapter is divided into four parts: part I, Consideration of the adoption or amendment of rules 6-12; part II, The Provisional Agenda; part III, Adoption of the Agenda (rule 9); and part IV, The Agenda: Matters of which the Security Council is seized (rules 10 and 11).

No material has been entered under part I, since the Council has not had occasion to consider any change in rules 6 to 12.

Part II provides information concerning the preparation and communication of the provisional agenda (rules 7 and 8).

Part III contains material on the procedure and practice of the Security Council in connexion with the adoption of the agenda. Section A of part III consists

of a list of votes taken in adopting the agenda arranged by forms of proposals voted upon. The list is followed by selected case histories summarizing the discussion in the Council concerning procedural aspects of the adoption of the agenda. Section B contains case histories setting forth discussion in the Council of the requirements for the inclusion of an item in the agenda and of the effects of such inclusion. Section C comprises other questions which have been discussed in connexion with the adoption of the agenda, such as the order of discussion, the scope of discussion, the phraseology of items and postponement of consideration.

Part IV relates to the list of matters of which the Security Council is seized. The tabulation included in section B (rule 11) brings up to date the corresponding tabulation in the previous volume of the *Repertoire* and includes items which have appeared in the Secretary-General's Summary Statement on matters of which the Security Council is seized during the period 1952 to 1955 inclusive. The tabulation is followed by case histories of the discussion in the Council of questions arising in connexion with the retention or removal of an item on the agenda.

Part I

**CONSIDERATION OF THE ADOPTION OR AMENDMENT OF RULES 6-12

Part II

THE PROVISIONAL AGENDA

NOTE

The provisional agenda, prepared by the Secretary-General and approved by the President of the Security Council in accordance with rule 7, includes those items which have been brought to the attention of the Council under rule 6. The question of the appropriate procedure to employ in submitting items for inclusion in the provisional agenda has been discussed in one instance which has been included under rule 7 (Case 1). The title of the provisional agenda item is generally followed by a reference to the documents before the Council bearing on that item. An explanation of the basis for such documentary references is included under rule 7 (Case 2).

While the order of items on the provisional agenda, other than the first item relating to adoption, usually reflects the stage of consideration reached at the previous meeting and the urgency of new communications, it is the Council which decides the order of the items in the agenda as adopted, and gives final approval to the wording of items on the agenda. In connexion with the order of discussion and with the phrasing of agenda items, reference should also be made to part III.C. (Cases 11, 13, 16, 17 and 18).

**A. RULE 6: CIRCULATION OF COMMUNICATIONS BY THE SECRETARY-GENERAL

B. RULE 7: PREPARATION OF THE PROVISIONAL AGENDA

CASE 1

At the 579th meeting on 20 June 1952, when the provisional agenda included the item "Question of an appeal to States to accede to and ratify the Geneva Protocol of 1925 for the prohibition of the use of bacterial weapons", the representative of the United States proposed that at its next meeting the Council consider a new agenda item: "Question of a request for investigation of alleged use of bacterial warfare". He requested that the new item be placed on the provisional agenda for the next meeting, and, in that connexion, he submitted a draft resolution¹ to be circulated to the members of the Council.

The President (USSR) observed that it had not been customary in Security Council practice while discussing

¹ S/2671, O.R., 7th year, Suppl. for April-June 1952, p. 17.

one subject to propose draft resolutions on another subject not yet included in the agenda.

The representative of the United States replied:

“ . . . It would be, I think, preferable for the convenience and information of the members of the Council to read the draft resolution at this time. I have in mind, for example, that the Soviet Union representative circulated a draft resolution prior to the time of the adoption of the agenda item which we are now discussing. However, I do not press the point. The circulation of the draft resolution has gone forward.”

The President further stated:

“I am proposing precisely the method which was followed by the Soviet Union delegation when it submitted its item. The USSR delegation submitted two items, and on each of them, together with its official letter, submitted draft resolutions which were issued by the Secretariat of the United Nations as official documents. That is the usual practice in the proceedings of the Security Council. I have expressed my opinion that it would be desirable for the United States representative to proceed in the same way. The official submission, during the discussion on one item, of a draft resolution on an entirely different item, which has not yet been placed on the agenda, would be unprecedented in the work of the Security Council.”²

CASE 2

At the 594th meeting on 2 September 1952, the provisional agenda contained three sub-items under the general heading

“Admission of new Members:

“(a) Adoption of a recommendation to the General Assembly concerning the simultaneous admission to membership in the United Nations of all fourteen States which have applied for such admission (S/2664);

“(b) Consideration of resolution 506 (VI) of the General Assembly;

“(c) New applications for membership (S/2446, S/2466, S/2467, S/2672, S/2673 and S/2706).”

The representative of Pakistan observed that in some cases what were included were the actual applications for membership; in other cases it was not the applications which were included in the agenda, but a draft resolution submitted by a delegation; he inquired from the President (Brazil) what the general procedure was with regard to including the enumeration of various documents in the agenda on the admission of new Members.

The President called upon the representative of the Secretariat who made the following statement:

“The provisional agenda was drawn up under the direction of the President in the following way. Under sub-item 2 (a) there was a USSR request, together with a draft resolution [S/2664], that this item be

² For texts of relevant statements see: 579th meeting: President (USSR), paras. 41, 44-45; United States, paras. 38-40, 43.

included in the agenda in the proceedings of the Council before the adjournment of the discussion of this question. When sub-item 2 (c) was introduced as a new item, we only enumerated the numbers of the documents of the applications but not of the draft resolutions, because at that time we did not have any draft resolution on that question except the draft resolution of Pakistan on Libya [S/2483], which was pending from Paris last January.”

The representative of Pakistan observed:

“ . . . From what he said I understand the position to be as follows: with regard to one of the applications which are included under sub-item 2 (c) of the provisional agenda, there is a draft resolution submitted by my delegation. I admit that I have not pressed for the consideration of that draft resolution at this stage. Am I correct in my understanding that that is the reason why it has not been included and that sub-item 2 (a) has been included, because of the desire on the part of our Soviet Union colleague that it should be included? . . . ”

The President declared that the interpretation given by the representative of Pakistan was correct.³

C. RULE 8: COMMUNICATION OF THE PROVISIONAL AGENDA

CASE 3

At the 657th meeting on 4 February 1954, in connexion with the Palestine question, the provisional agenda contained complaints by Israel against Egypt concerning (a) enforcement by Egypt of restrictions on the passage of ships trading with Israel through the Suez Canal, and (b) interference by Egypt with shipping proceeding to the Israeli port of Elath.⁴ The representative of the United Kingdom observed that the Council had also before it a letter⁵ from the representative of Egypt under date of 3 February asking for urgent consideration by the Council of a complaint against Israel concerning alleged violations of the Egyptian-Israeli General Armistice Agreement. He proposed that the Council should approve the agenda as it stood and ask the representative of Egypt to circulate as soon as possible an explanatory memorandum regarding his proposed item. The Council could then consider whether the complaint by Egypt should be included in the existing agenda or provide the basis for a separate agenda.

The representative of Lebanon observed:

“The representative of the United Kingdom probably had in mind rule 8 of the rules of procedure, which provides, in effect, that in order to be considered by the Security Council, an item should be submitted three days before the meeting. This is quite true, and nobody denies it. But I would remark, in the first place, that this matter is designated as urgent by Egypt, and that it is not up to any Member to deny the right of any other Member to consider as urgent whatever it wishes. Certainly

³ For texts of relevant statements see: 594th meeting: President (Brazil), paras. 6-9, 16, 18, 21; Pakistan, paras. 17, 20; USSR, paras. 10-15; Secretariat, para. 19.

⁴ S/Agenda/657.

⁵ S/3172, O.R., 9th year, Suppl. for Jan.-March 1954, p. 5.

the Council may not put this item on its agenda; but at the same time Egypt regards it as urgent.”

The representative of Lebanon moved that the provisional agenda be amended to include the Egyptian complaint as sub-title (c). He maintained that two letters from the representative of Egypt, dated 2 and 7 October 1953, might be regarded as explanatory notes supporting the Egyptian complaint.

The representative of France held that it would be abnormal to place on the agenda of the Council a complaint lodged scarcely twenty-four hours previously, when the urgency of the matter had by no means been demonstrated and the explanatory memorandum required by the rules of procedure had not been transmitted. Moreover, the two complaints related to a different order of facts, so that it would be unwise to combine discussion of the two types of questions at the same meeting.

The representative of the United States was ready to support inclusion of the Egyptian item in the agenda provided that the two complaints were not to be discussed simultaneously. He proposed, therefore, that the provisional agenda should contain two items under the Palestine question as follows: “(a) Complaint by Israel against Egypt concerning . . .” and “(b) Complaint by Egypt against Israel concerning . . .”

The representative of Lebanon withdrew his proposal in favour of that submitted by the representative of the United States.

The representative of the USSR, supporting inclusion of the Egyptian complaint in the agenda, observed:

“ . . . objections are based on the view that the item Egypt is now proposing is not urgent. To begin with, however, Egypt regards the question as urgent; and if Egypt regards it as urgent, it must be considered in that light. The Security Council may not share that view, but it seems to me that the right to decide

whether or not a proposal should be classed as urgent is primarily one for its authors and sponsors.”

He added that while the representatives of France and the United Kingdom had argued that the Egyptian complaint had been submitted in contravention, or, more correctly, in disregard of rule 8,

“ . . . rule 8 also provides that an item may be communicated simultaneously with the notice of the meeting if the Council considers this necessary. The rule states that this may be done if the Secretary-General and the Council consider it necessary. The rules thus uphold the principle that an item may be included at any time as a matter of urgency in the provisional agenda which has already been circulated.”

The representative of the United Kingdom withdrew his original motion after an express assurance from the President that he would call to order any speaker who, during the discussion of item 2 (a), proceeded to discuss item 2 (b).⁶

The agenda, with the amendment submitted by the representative of the United States, was adopted.⁷

CASE 3A

At the 705th meeting on 14 December 1955, the President (New Zealand) stated that the Council was in receipt of a letter^{7a} dated 14 December 1955 from the permanent representative of the USSR requesting that the Council “convene an urgent meeting of the Security Council today, 14 December, on the question of the admission of new Members”. In view of that letter, he stated, he had summoned this meeting.

⁶ For texts of relevant statements see:

657th meeting: President (New Zealand), paras. 47, 84-87, 94, 96, 106, 114; Lebanon, paras. 13, 16, 18, 27-29, 51; France, paras. 34-39, 53, 83; USSR, paras. 55-60, 70-71, 99-103; United Kingdom, paras. 3-8, 91-93, 105; United States, paras. 44-46.

⁷ 657th meeting: para. 114.

^{7a} S/3508.

Part III

ADOPTION OF THE AGENDA (RULE 9)

NOTE

The first item of the provisional agenda for each meeting of the Security Council, under rule 9, is the adoption of the agenda. The Council usually adopts the provisional agenda without vote unless an objection has been raised. Part III comprises the proceedings of the Council in those instances when objection has been raised to the adoption of the agenda.

Section A, dealing with the manner in which the Council has taken decisions on the objections raised, has been presented first in tabulated form followed by selected entries related to the discussion on the procedure of voting on the adoption of the agenda. These discussions have been principally concerned with the relation between the question of the adoption of the agenda and other procedural questions of participation (Case 4) and order of discussion of items (Cases 5 and 6). Some duplication has therefore been unavoidable

between the case histories in section A and those in section C.

Section B comprises case histories of discussion on occasions when objection had been raised to the adoption of the agenda on grounds related to the substance of the item. While the case histories in section B are related to procedural aspects of such discussion in the stage of the adoption of the agenda, the grounds of objection are more fully presented in chapters X and XII. As in the previous volume of the *Repertoire*, material from the same episode in the practice of the Council is entered under one or the other sub-heading in section B, but the eventual decision of the Council is recorded only once in one or the other sub-heading.

Section C comprises other questions related to the adoption of the agenda such as order and latitude of discussion of items, phrasing of items, and postponement of consideration of items.

A. PROCEDURE OF VOTING ON ADOPTION OF THE AGENDA

1. Votes taken concerning individual items in the provisional agenda

When objection has been raised to the inclusion in the agenda of an item on the provisional agenda, the vote has been taken in one of three ways:

(i) On the proposal to include the item in the agenda

577th meeting, 18 June 1952; item 3: voted upon at the same meeting.⁸

581st meeting, 25 June 1952; item 4: voted upon at the same meeting.⁹

594th meeting, 2 September 1952; item 2 (c): voted upon at the same meeting.¹⁰

690th meeting, 31 January 1955; item 2: voted upon at the same meeting.¹¹

690th meeting, 31 January 1955; item 3: voted upon at the same meeting.¹²

691st meeting, 14 February 1955; items 2 and 3: voted upon at the same meeting.¹³

(ii) On the proposal to include the item in the agenda and postpone its consideration

576th meeting, 14 April 1952; item 2: voted upon at the same meeting.¹⁴

(iii) On the adoption of the agenda as a whole and not on the individual item

576th meeting, 14 April 1952; objection to item 2.¹⁵

599th meeting, 12 September 1952; objection to sub-item 2 (a).¹⁶

624th meeting, 3 September 1953; objection to item 2.¹⁷

672nd meeting, 3 June 1954; objection to item 2.¹⁸

676th meeting, 25 June 1954; objection to item 2.¹⁹

679th meeting, 10 September 1954; objection to item 2.²⁰

680th meeting, 10 September 1954; objection to item 2.²¹

In the instances under (i) above, the agenda was adopted without vote after the vote on the individual item. In the cases under (iii), the vote was taken directly on the adoption of the agenda as a whole on each occasion, except at the 576th meeting when the vote on the adoption of the agenda as a whole was taken only after the vote on a proposal to include the individual item and postpone its consideration (ii above).

⁸ 577th meeting: para. 67.

⁹ 581st meeting: para. 36.

¹⁰ 594th meeting: para. 26.

¹¹ 690th meeting: para. 111.

¹² 690th meeting: para. 112.

¹³ 691st meeting: paras. 10, 13.

¹⁴ 576th meeting: para. 121.

¹⁵ 576th meeting: para. 122.

¹⁶ 599th meeting: para. 57.

¹⁷ 624th meeting: para. 45.

¹⁸ 672nd meeting: para. 17.

¹⁹ 676th meeting: para. 195.

²⁰ 679th meeting: para. 25.

²¹ 680th meeting: para. 4.

In other instances, the vote has been taken as follows:

2. Votes taken on proposals to determine or change the order of items

584th meeting, 1 July 1952.²²

690th meeting, 31 January 1955.²³

690th meeting, 31 January 1955.²⁴

CASE 4

At the 580th meeting on 23 June 1952, the question of a request for investigation of alleged bacterial warfare constituted item 2 of the provisional agenda. The President, speaking as the representative of the USSR, agreed to the inclusion of the item proposed by the representative of the United States, but submitted the following proposal:²⁵

"The Security Council

"Decides:

"Simultaneously with the inclusion in the agenda of the Security Council of the item proposed by the United States delegation,

"To invite to the meetings of the Security Council at which this question is discussed, representatives of the People's Republic of China and a representative of the People's Democratic Republic of Korea."

The representative of the United States declared that the representative of the USSR had said in effect:

"... We will not follow rule 9; we will not put to a vote a motion of the United States representative for the adoption of the agenda. We, the Soviet Union Government, will insist that a condition be attached to the adoption of the agenda that simultaneously with the adoption of the agenda we should also adopt a separate decision, that is, to invite certain persons to the Council table."

At the 581st meeting on 25 June 1952, the Security Council had before it a new provisional agenda in which the question figured as item 4. The representative of the United Kingdom having moved the adoption of the provisional agenda in its new form, the President, speaking as the representative of the USSR, invoked rule 36 and submitted an amendment²⁶ to the United Kingdom proposal as follows: "and simultaneously to invite a representative of the People's Republic of China and a representative of the People's Democratic Republic of Korea to take part in the discussion of this item of the agenda".

The representative of the United Kingdom observed:

"... the view of the great majority of the members of the Security Council was that we would certainly not be in order to consider the Soviet Union draft resolution concerning the invitation to the Peking Government and the authorities in North Korea [S/2674] and, even less to vote upon it, until, first of all, we put the item on the agenda and have a"

²² 584th meeting: para. 68.

²³ 690th meeting: para. 113.

²⁴ 690th meeting: para. 114.

²⁵ S/2674, 580th meeting: para. 6.

²⁶ 581st meeting: para. 8.

least heard the case to be submitted by the representative of the United States . . .

“ . . .

“ . . . The President is making what is in fact an objection to the adoption without conditions, which the majority could not accept, of the present item 4. . . ”

The President, speaking as the representative of the USSR, stated:

“Rule 9 of the rules of procedure of the Security Council provides that ‘The first item of the provisional agenda for each meeting of the Security Council shall be the adoption of the agenda’. This rule does not preclude the submission of amendments to the proposal for the adoption of the provisional agenda; every delegation is legitimately entitled to submit such amendments.

“Neither can I agree with the United Kingdom representative’s interpretation of the USSR proposal when he says that it constitutes a kind of condition. The proposal is not a condition, but an amendment. That is not the same thing, particularly since this is a procedural matter: the extension of invitations is a procedural matter, to be voted on as such. Hence every delegation is entitled, during consideration of the procedural question of the adoption of the agenda, to submit procedural amendments and addenda.”

The representative of the United Kingdom withdrew his proposal to adopt the agenda and proposed instead that the Council limit its discussion to item 2 of the agenda. The President declared that in consequence of the withdrawal of the United Kingdom proposal, his own proposal to adopt the provisional agenda was before the Council together with the USSR amendment which he would put to the vote first.²⁷

The representative of the United Kingdom challenged the President’s ruling to put the USSR amendment to the vote first. The challenge was sustained by 10 votes in favour and 1 against.²⁸ The USSR amendment was, accordingly, not put to the vote²⁹.

CASE 5

At the 584th meeting on 1 July 1952, in connexion with the adoption of the agenda, the President (United Kingdom) stated that since item 2, “Admission of new Members”, and item 3, “Question of a request for investigation of alleged bacterial warfare”, had been adopted at previous meetings of the Council, the only question was that of the order in which the Council should take the items.

The representative of the USSR, speaking on a point of order, observed:

“ . . . the first item is the adoption of the agenda. After the agenda has been adopted, the question of the order of dealing with the various items can be

considered. It would therefore be advisable first to settle the question of the adoption of the agenda proposed for today’s meeting, and then proceed to discuss the question of the order of consideration of the various items.”

The representative of the United States proposed to amend the provisional agenda in order that the Council might proceed at once to a discussion of item 3.

The representative of the USSR stated that the proposal of the representative of the United States was not consonant with rule 9 of the rules of procedure, which provided that the first item on the provisional agenda for each meeting was the adoption of the agenda, which he formally moved.

The President, declaring that the question before the Council was the adoption of the agenda as required by rule 9 of the rules of procedure, stated:

“ . . . The adoption of the agenda means a decision on what we are going to talk about. A decision on what we are going to talk about involves also the order of the items to be discussed. Logically we cannot really separate the two. It would be possible, I suppose, first of all to vote on the provisional agenda now before us, in which case, I imagine, those who sympathize with the viewpoint of our Brazilian and United States colleagues would all vote against the adoption of the agenda. Then we could have another vote on another agenda containing a reversal of the present items 2 and 3 . . . ”

The representative of the USSR insisted that under the practice of the Security Council and the rules of procedure the adoption of the agenda and the order of consideration of the agenda items were different questions to be decided separately.

The President proposed to put the USSR proposal to the vote and, if that was rejected, to put to the vote the adoption of the agenda with items 2 and 3 reversed in order.

The representatives of Pakistan and Chile having observed that the USSR proposal did not involve the question of the order of the items, the President proposed to adopt the agenda without prejudice to the order of the items. The representative of the United States then withdrew his motion on the understanding that he could thereafter raise the question of the order of discussion of items.

The representative of China stated:

“ . . . as a matter of the institutional development of the Security Council, the proper procedure and the better procedure would be to put to the vote a proposal to change the provisional agenda. When that change has been voted upon, the next vote would be on the adoption of the agenda with or without the changes proposed . . . ”

After some further discussion, the President declared the provisional agenda adopted without prejudice to the order of discussion.³⁰

²⁷ For texts of relevant statements see: 580th meeting: President (USSR), paras. 25, 37, 53; United Kingdom, para. 74; United States, paras. 16, 20, 22, 62-64, 69. 581st meeting: President (USSR), paras. 8-9, 16-17, 24-27; United Kingdom, paras. 4, 11, 13, 23, 31.

²⁸ 581st meeting: paras. 31, 33-34.

²⁹ 581st meeting: para. 34.

³⁰ For texts of relevant statements see:

584th meeting: President (United Kingdom), paras. 3, 20, 26, 29-31, 51; China, para. 28; USSR, paras. 4, 17-18, 21-22, 40; United States, paras. 13, 27.

Upon the request of the representative of the USSR that his proposal to adopt the agenda be put to the vote, the President put to the vote his own view that the agenda had already been adopted. The vote was 9 in favour and none against, with 2 abstentions.³¹

CASE 6

At the 690th meeting on 31 January 1955, the provisional agenda contained as item 2, "Letter dated 28 January 1955 from the representative of New Zealand to the President of the Security Council concerning the question of hostilities in the area of certain islands off the coast of the mainland of China",³² and, as item 3, "Letter dated 30 January 1955 from the representative of the Union of Soviet Socialist Republics to the President of the Security Council concerning the question of acts of aggression by the United States of America against the People's Republic of China in the area of Taiwan (Formosa) and other islands of China".³³

The representative of the United Kingdom, in connexion with the related questions of the adoption of the agenda and the priority of consideration to be given to the two items on the provisional agenda, made the following motion:

"1. That the Council vote first on the question whether to inscribe the New Zealand item:

"2. That the Council vote second on the question whether to conclude its consideration of the New Zealand item before taking up the Soviet Union item, if that is adopted on the agenda; and

"3. That the Council vote third on the question whether to inscribe the Soviet Union item."

The representative of France declared that the priority of the New Zealand item seemed to be imposed both by the drafting of the provisional agenda and by the chronological order in which the two requests for inclusion had been submitted.

". . . We should not have to vote on whether to reverse the order of these two items unless the present order is challenged . . . But I do not see how we can vote to give an item already included in our agenda priority over another item not yet included."

The representative of the USSR observed:

"The first item on every agenda is the adoption of the agenda; and the first item on today's provisional agenda is accordingly the item 'Adoption of the agenda'.

"Consequently, the first matter before the Council is to adopt its agenda. So far we have not done so; we have not yet adopted our agenda or decided what items to include in it. The adoption of the agenda takes place in two stages: the first being a decision on the items to be included, and the second a decision on the order in which these items will be considered.

"The motion submitted by the United Kingdom representative reverses this normal order of procedure . . .

³¹ 584th meeting: paras. 51-52.

³² S/3354, O.R., 10th year, Suppl. for Jan.-March 1955, p. 27.

³³ S/3355, O.R., 10th year, Suppl. for Jan.-March 1955, pp. 27-28.

"I propose that the Security Council should follow the normal procedure, and I request the President to ensure that the normal procedure for the adoption of the agenda is followed."

The representative of the United Kingdom proposed a revision of his original motion as follows:

"1. That the Council vote first on the question whether to inscribe the New Zealand item;

"2. That the Council vote second on the question whether to inscribe the Soviet Union item;

"3. That the Council vote third on the question whether to conclude its consideration of the New Zealand item before taking up the Soviet Union item."

The representative of the USSR presented an amendment to paragraph 3 of the motion submitted by the representative of the United Kingdom as follows:

"That the Council include as the first item on its agenda the item proposed by the Soviet Union, under the heading 'Acts of aggression by the United States of America against the People's Republic of China in the area of Taiwan (Formosa) and other islands of China'."

The representative of Belgium stated that if the Council voted first on the USSR amendment it would be faced with the necessity of making an illogical decision since it would be establishing an order of priority between two items, without knowing whether both would be adopted.

In reply the representative of the USSR observed that by the time his amendment was put to the vote the Council would have decided to include or reject the two items of the provisional agenda and would then be in a position legitimately to decide their order of consideration.³⁴

Decision: *The Council, after adopting the first two paragraphs of the United Kingdom motion, rejected the USSR amendment, and adopted paragraph 3 of the motion, after which it adopted the agenda.*³⁵

B. CONSIDERATION OF

1. Requirements for the inclusion of an item in the agenda

CASE 7

At the 574th meeting on 5 April 1952, the provisional agenda included letters, dated 2 April 1952, from the representatives of eleven Asian-African Member States, bringing, under Article 35 (1), the situation in Tunisia to the attention of the Security Council.³⁶

The representative of France, objecting to the inclusion of the item in the agenda, stated:

". . . What it [*the French delegation*] asks is that the Council, confining itself to the facts, should note

³⁴ For texts of relevant statements see:

690th meeting: President (New Zealand), paras. 88, 94, 101-103, 108, 110; Belgium, para. 106; France, paras. 79, 99; USSR, paras. 76, 89-93, 97-98; United Kingdom, paras. 74-75, 95-96.

³⁵ 690th meeting: paras. 110-114.

³⁶ S/2579, S/2581, S/2575, S/2580, S/2574, S/2582, S/2576, S/2577, S/2583, S/2578, S/2584, O.R., 7th year, Suppl. for April-June 1952, pp. 9-15.

that the agreement reached between the French Government and the Bey, and solemnly proclaimed by the latter, has put the problem on the road to solution, has ended this question and removed anything which, even by the broadest interpretation that might be given to the terms of the Charter, could be found to be a 'situation' or a 'dispute'; and that the Council need not therefore include in its agenda a question and a problem which no longer exists . . ."

The representative of Chile, emphasizing the number and importance of the Member States which had brought the question before the Council, declared that these Members could not be silenced, that they had a right to be heard, and that the rejection of their request to present their case would constitute a serious denial of justice. He and the representative of Brazil supported the inclusion of the item in the agenda.

At the 575th meeting on 10 April 1952, the representative of the United Kingdom opposed the inclusion of the item in the agenda and expressed doubts whether the participation of the applicant Member States in the debate would assist in promoting a peaceful settlement of the problem.

The representative of the United States, speaking in support of the position taken by the French delegation observed:

" . . . If this item is not included in our agenda at this time, the Council will nevertheless remain open to any Member of the United Nations to bring the question to the Council's attention again. My Government will naturally re-assess the situation if that is done."

The representative of China, in support of the inclusion of the item in the agenda, observed:

"In ordinary cases, when a new item of the agenda is proposed, the Security Council usually adopts the item right away and proceeds to debate the substance of the issues involved. However, on several occasions in the history of this Council, we had a preliminary discussion of the kind which we are having now. In every such instance we ended the preliminary discussion with the adoption of the agenda. The practice has been so uniform as to amount to a tradition.

"In my mind this tradition has two elements. In the first place, the Security Council has the right and, I would say, even the duty, to examine carefully whether a question proposed for the agenda of the Security Council properly belongs to the sphere of our duties. We could not allow it to be understood that any question, if proposed by a Member State, should automatically go on the agenda. It is for this reason that preliminary discussions of this type are useful.

"In the second place, this tradition means that in case of doubt the Security Council has invariably given the benefit of the doubt to the party or parties proposing the addition of a new item to the agenda. During the four and a half years in which I have been a member of this Council, I have not known of a single instance where a preliminary debate of this

kind ended with the rejection of the new item proposed.

" . . .

"If we should vote down now the proposal of the eleven Member States to put the Tunisian question on the agenda of the Council, it would be the first time in the history of the Security Council that such a proposal had been voted down. This to me is a very serious business. I think we should pause to consider the step we are about to take."

The representative of Greece expressed doubt as to the timeliness of including the item in the agenda. He further remarked:

" . . . we should be failing our duty as members of the Security Council were we to include in our agenda every situation which, in the opinion of some Member States, endangers international peace and security, without first considering the timeliness of such a procedure for its potentialities to bear fruits."

The representative of the USSR observed that the representative of France, while opposing the inclusion of the item in the agenda, had spoken at length on the substance of the Tunisian question, and, by his opposition, was attempting to deprive the ten Member States, who were not members of the Council, of an opportunity to submit the views of their governments on the question. He declared that the interests of these States were especially affected within the meaning of rule 37, that the Council must afford them all an opportunity to be heard, and that this was their legitimate right.

At the 576th meeting on 14 April 1952, the representative of Chile, noting that Article 35 of the Charter empowered any Member to bring any dispute or situation that might lead to international friction to the attention of the Council, observed:

" . . . I have come very close to the view that the simple fact that a State makes use of this clearly defined right should mean that the matter is automatically placed on the agenda of the Council . . . For it is inconceivable that the Charter should grant such a specific right to States . . . while on the other hand these States . . . can be deprived, by a minority of the members of the Council, of even the opportunity of explaining why they believe that a dispute or a situation is a threat to international peace and security. This interpretation is perfectly compatible with the Council's exclusive right to decide subsequently on its competence in the matter and to hand down a decision on the substance.

"However, even if we agree that the Council has discretion to include in or exclude from its agenda a subject brought up by a Member State . . . it is obvious that this power should be used with extreme caution . . . In the past, the Council has invariably shown such caution, as our Chinese colleague reminded us last Thursday when he told us that never in its six years of existence had it failed to place on its agenda a matter brought up by a Member State; I would add that even questions brought up by a single country, not by eleven as in this case, have been included, and even questions which might have seemed to be

outside the Council's competence, such as the case of Iran."³⁷

Decision: *At the 576th meeting on 14 April 1952, following the rejection of the Chilean proposal to include the item in the agenda but to defer its consideration, the Council rejected the provisional agenda by 5 votes in favour, 2 against, with 4 abstentions.*³⁸

CASE 8

At the 619th meeting on 26 August 1953, a communication³⁹ dated 2 August 1953, from the representatives of fifteen Member States addressed to the President of the Security Council concerning events in Morocco, constituted item 2 of the provisional agenda.

The representative of France objected to the inclusion of this item in the agenda. He maintained:

"... any matter covered by the treaty of protectorate falls in essence, and by the very terms of the treaty, within the national jurisdiction of France. In virtue of Article 2, paragraph 7, of the Charter the United Nations cannot deal with such a matter; and in the present case the Security Council can only acknowledge its own lack of competence by refusing to place on its agenda discussion of the item submitted by the fifteen delegations of the African and Asian group."

The representative of Pakistan, noting that jurisdiction of France over Morocco had been denied by the International Court of Justice, maintained that Article 2 (7) could not be invoked by France to bar an investigation by the Security Council of the serious situation in Morocco.

The representative of Lebanon, stating that the question was not of a purely domestic character but had definite international implications, observed:

"... Surely fifteen nations feeling this and, from their intimate knowledge of what goes on among their own peoples, having their own reasons for considering that the situation falls within the competence of the Security Council, must be believed and must be given a chance to expound their reasons. How can a decision be taken not to include this item in the agenda of the Security Council without first listening to these arguments in full?"

At the 620th meeting on 27 August 1953, the representative of the United States observed:

"In passing on the question of inclusion of this item in the agenda we must decide whether the developments in Morocco constitute a situation the continuance of which endangers the maintenance of international peace and security. We are not asked to express our position on colonialism, or on other

similar questions, important and appealing though they may be... it must be obvious to anybody who looks at the facts candidly that the situation in Morocco does not in fact endanger international peace and security, just as it must be clear to anyone who surveys the United Nations candidly that the surest way to undermine the position of the Security Council is to divert it from its primary mission of maintaining the peace of the world and use it instead to deal with all sorts of other questions under the pretext of safeguarding international peace and security."

The representative of the United Kingdom stated:

"In the view of Her Majesty's Government, this question is outside the competence of the Security Council. Therefore, even apart from practical considerations, the item should not be placed on our agenda. We submit, in fact, that consideration of the question would involve interference in the domestic affairs of a Member State, and such interference might have grave consequences, and might even have consequences which would be grave for the existence of our Organization."

At the 621st meeting on 31 August 1953, the representative of Greece observed:

"... those who—like us—are open-minded as regards the consideration of the Moroccan question at the forthcoming session of the General Assembly would be confronted with an additional difficulty deriving from Article 12 of the Charter..."

The representative of the USSR supported the inclusion of the item in the agenda. He maintained:

"The right of the United Nations to consider questions connected with the situation in Morocco also derives from Chapter XI of the United Nations Charter..."

"Since Morocco is at present one of the territories falling within the scope of Chapter XI of the Charter there can be no doubt that the United Nations is entitled to take an interest in the situation in that territory, and that it is particularly entitled to intervene when the Power responsible for the administration of the territory, that is to say France, has violated its obligations, especially if that violation might lead to the violation of international peace and security..."

The President, speaking as the representative of China, stated:

"... The view of my delegation is that this item should be included in the agenda without prejudice to the question of competence. That question is in itself complicated. It is only after a more detailed consideration that we can decide finally whether this Council is competent or not.

"..."

"... The fifteen Member States which have requested the inclusion of this item in the agenda undoubtedly have something in mind. I should like to hear from them how they think the Security Council might be helpful. That is an additional reason for my favouring the inclusion of this item."

³⁷ For texts of relevant statements see:

574th meeting: President (Pakistan), paras. 53-91; Brazil, paras. 93-102; Chile, paras. 39-51; France, paras. 23-34.

575th meeting: China, paras. 21-34; Greece, paras. 35-43; USSR, paras. 44-56; United Kingdom, paras. 6-12; United States, paras. 13-20;

576th meeting: Chile, paras. 29-39.

577th meeting: paras. 121-122.

³⁸ S. O. R., 3th year, *Suppl. for July-Sept. 1953*, p. 51.

At the 622nd meeting on 1 September 1953, the representative of Lebanon, citing the Czechoslovak question and the Anglo-Iranian Oil Company Case, stated:

"... it is quite clear to me that it is the established position in the Security Council that when the merits of an item or the competence of the Council to consider it are questioned, the item should first be placed on the agenda so that the parties involved may be given an opportunity to state their views before the Council. There is no reason why there should be any change in that position in the present case."

At the 623rd meeting on 2 September 1953, the President, speaking as representative of Colombia, stated that he would vote against the inclusion of the item in the agenda purely for technical reasons because "we think that under Article 2, paragraph 7, of the Charter the Security Council is not competent to consider this question".

The representative of Chile observed:

"In the opinion of my delegation there are therefore adequate reasons for holding that this subject should be examined by the Security Council. Failure to examine it would amount to indifference towards a problem which may become considerably more serious unless measures are speedily taken to allay the anxieties of people . . .

"Chile therefore holds the view that the Moroccan problem is serious and of such a nature as to justify its inclusion in the agenda of the Security Council, to enable that important political body to analyse it, to seek quietly the possible solutions to this international dispute, and to present the parties with a just and equitable formula which may open the way to a period of harmony and of moral and political peace in that part of the world."⁴⁰

Decision: At the 624th meeting on 3 September 1953, the Council rejected the agenda by 5 votes in favour, 5 against, with 1 abstention.⁴¹

2. Effect of the inclusion of an item in the agenda⁴²

CASE 9

At the 672nd meeting on 3 June 1954, the Council had on its provisional agenda a letter⁴³ dated 29 May 1954 from the representative of Thailand, bringing to the attention of the Council the situation in Thailand. The representative of the USSR, objecting to the inclusion of this item on the agenda, stated that:

⁴⁰ For texts of relevant statements see:

619th meeting: France, paras. 5, 26-29, 32; Lebanon, paras. 72, 105-119; Pakistan, paras. 35-63;

620th meeting: United Kingdom, paras. 16, 25; United States, para. 9;

621st meeting: President (China), paras. 90, 95; Greece, paras. 7, 9; USSR, paras. 64-65, 84;

622nd meeting: Lebanon, para. 30;

623rd meeting: President (Colombia), para. 29; Chile, paras. 37, 39;

624th meeting: President (Colombia), paras. 13-14; Pakistan, para. 5.

⁴¹ 624th meeting: para. 45.

⁴² See also, in this connexion, Case 19 below.

⁴³ S/3220, O.R., 9th year, Suppl. for April-June 1954, p. 10.

"... Consideration of this matter in the Security Council would not only not contribute to a settlement of the question of the restoration of peace in Indo-China, but might prevent the successful solution of the problem at the Geneva conference."

The representative of France observed:

"... the Thailand representative's request, as we understand it, is in no way intended to place the Indo-Chinese problem as a whole—any more than the problems at present being discussed at Geneva—before the Security Council. Its sole object is to secure, as a precautionary measure, the despatch to Thailand territory of a mission of the Peace Observation Commission, which would be able, if subsequent events necessitated such a course, to report to the Security Council on any threats which might develop at any time and imperil the security of Thailand."⁴⁴

Decision: The Council adopted the agenda by 10 votes in favour and 1 against.⁴⁵

CASE 10

At the 679th meeting on 10 September 1954, item 2 of the provisional agenda was "Letter-dated 8 September 1954 from the representative of the United States . . ."⁴⁶

The representative of the USSR objected to the inclusion of this item in the agenda.

The representative of the United States observed that his Government had already made a *prima facie* case for the adoption of the agenda in the letter of submission. He urged the Council to adopt the agenda.

The President (Colombia) stated:

"Approval of the agenda does not imply acceptance of the arguments put forward by either party. Indeed, if we are to examine those arguments and learn the facts of the case, we must first adopt the agenda. The representative of the Soviet Union and of the United States will then be able to explain to us in detail the circumstances of the incident referred to the Security Council."⁴⁷

Decision: The Council adopted the agenda by 10 votes in favour and 1 against.⁴⁸

C. OTHER DISCUSSION ON THE ADOPTION OF THE AGENDA

1. Order of discussion of items on the agenda

CASE 11

At the 583rd meeting on 26 June 1952, the agenda included the following items: "2. Question of an appeal to States to accede to and ratify the Geneva Protocol of 1925 for the prohibition of the use of bacterial weapons; 3. Admission of new Members . . .; and 4. Ques-

⁴⁴ For texts of relevant statements see:

672nd meeting: France, para. 14; USSR, paras. 6, 11.

⁴⁵ 672nd meeting: para. 17.

⁴⁶ S/3287, O.R., 9th year, Suppl. for July-Sept. 1954, p. 35.

⁴⁷ For texts of relevant statements see:

679th meeting: President (Colombia), para. 24; USSR, paras. 6-7, 21; United States, para. 23.

⁴⁸ 679th meeting: para. 25.

tion of a request for investigation of alleged bacterial warfare."⁴⁹

After the President (USSR) had declared that substantive discussion on item 2 had been concluded, the representative of the United States declared that he would insist that the Council at its next meeting move at once to the consideration of the fourth item.

The President observed:

"... If you are raising this matter, let us discuss it. If you insist on transposing the items, contrary to the rules of procedure and contrary to the accepted method of discussing agenda items in the order in which they stand on the agenda, let us discuss this matter, as we previously agreed to do, that is to say, after the debate on agenda item 2 is concluded. We can now discuss your proposal if you submit it formally."

The representative of the United States replied:

"According to the well-established rules of procedure of the Security Council as I understand them, I think that when the Council meets it adopts an agenda. I do not think that a decision need be taken today as to what our agenda should be at the next meeting. I am not suggesting that this be done. I do insist that when the provisional agenda for the next meeting is submitted, it include the item 'Question of a request for investigation of alleged bacterial warfare', and at our next meeting, I shall argue for the immediate discussion of that item, regardless of its place upon the provisional agenda.

"In serving this notice now, I do not think that I am in any way violating any practice, procedure or rule of the Security Council. It is quite the contrary."

The President stated:

"... the agenda for our next meeting is very clear. There are three items on the Council's agenda: item 2, 3 and 4. We have discussed item 2 and the next in order is item 3—'Admission of new Members'..."

CASE 12

At the 584th meeting on 1 July 1952, the representative of the United States proposed that the provisional agenda be amended so that the Council might proceed at once to a discussion of item 3, entitled "Question of a request for investigation of alleged bacterial warfare".

The representative of the USSR moved the adoption of the agenda. After discussion of the connexion between a decision to adopt the agenda and a decision to determine the order of the agenda items, the representative of the United States withdrew his motion without prejudice to his right to reintroduce it. After the Council had decided in accordance with the President's view, that the agenda had been adopted, the representative of the United States renewed his motion.

The representative of the USSR stated:

"The USSR delegation opposes the inversion of the items of the agenda and insists that the Security Council should proceed to discuss the question of the

admission of new Members; only when discussion on that item has been completed, should it take up the item proposed by the United States. This will be the legitimate way of considering the question, the way which is in accordance both with the rules of procedure and with the substance of the matter."

The President then put to the vote the United States proposal.⁵⁰

Decision: *The United States proposal was adopted by 9 votes in favour and 1 against, with 1 abstention.*⁵¹

CASE 13

At the 690th meeting on 31 January 1955, when the provisional agenda contained, as item 2, a letter submitted by the representative of New Zealand, and, as item 3, a letter submitted by the representative of the USSR,⁵² the representative of the United Kingdom stated that it would be proper for the Council to adopt both items. He added:

"... If this is agreed, however, I would propose that the Council should give prior consideration to the New Zealand item, and reach a conclusion upon it before taking up the Soviet item..."

The representatives of Belgium, Brazil, Iran and Peru agreed with the views expressed by the representative of the United Kingdom.

The representative of the USSR declared that it would be more correct to consider the question of priority after deciding whether to include the items in the agenda.

The representative of the United Kingdom submitted a motion that the Council vote on the following questions: first, whether to inscribe the New Zealand item; second, whether to conclude consideration of the New Zealand item before taking up the USSR item, if the latter were adopted; and third, whether to inscribe the USSR item on the agenda.⁵³

The representative of the USSR observed:

"The procedure the United Kingdom representative has just proposed is an unusual procedure, which up to now has not been followed in the Security Council. The Council's normal procedure is first to decide on the items to be included in its agenda and afterwards to consider the order in which these items are to be examined.

"... He is proposing that we should forthwith, in our first vote, not merely take a decision on the items to be included in the agenda but also determine in advance which of these items should be considered first, and then after this has been settled, to decide whether or not the second item should be included..."

⁴⁹ For texts of relevant statements see: 583rd meeting: President (USSR), paras. 134, 138; United States, paras. 133, 135-136;

584th meeting: President (United Kingdom), paras. 19-20, 23, 26, 29, 31, 34-36, 53, 68; Brazil, paras. 14-15; China, para. 28; Pakistan, para. 24; USSR, paras. 17-18, 21-22, 55, 64, 67; United States, paras. 13, 27, 37.

⁵¹ 584th meeting: para. 68.

⁵² See part III.A., Case 6.

⁵³ 690th meeting: para. 75.

⁴⁸ See part III.A., Case 5.

"I have made a proposal, and I insist that the normal procedure be observed, namely, that to begin with we vote on the inclusion in the agenda of each of the items which are on the provisional agenda. After that, the Security Council should discuss and decide which of the questions on the agenda should be examined first. After it has decided which of the questions it will discuss first, it can and should go on to examine the substance of that question. This is the normal, customary order of procedure, and I see no reason for departing from it."

The representative of France remarked concerning the United Kingdom proposal that he did not see how the Council could vote to give an item already included in the agenda priority over another item not yet included.

The representative of the United States declared:

"In this case, it does not seem to me that we are planning to establish a priority over another question which is not before us. What the United Kingdom representative's motion asks us to do is merely to declare that we shall conclude the New Zealand item first, which is really not quite the same thing. It does not seem to me that the motion of the representative of the United Kingdom is revolutionary or very novel.

"This Council is the master of its own procedure. We can decide what we shall take up first, what we shall take up second and what we shall take up third. It is the kind of thing that every legislative body does every day."

The representative of the United Kingdom revised⁵⁴ his original motion to provide that the Council vote on the following questions: first, whether to inscribe the New Zealand item; second, whether to inscribe the USSR item; and third, whether to conclude consideration of the New Zealand item before taking up the USSR item.

The representative of the USSR submitted an amendment⁵⁵ to paragraph 3 of the United Kingdom revised motion that the Council include as the first item on its agenda the item proposed by the Soviet Union.

After further discussion, the President (New Zealand) indicated that he would put to the vote the first two paragraphs of the revised motion submitted by the representative of the United Kingdom, and that, before coming to paragraph 3 of that motion, he would put to the vote the USSR amendment.⁵⁶

Decision: *The Council, after it had adopted, in the order suggested by the President, the motion submitted by the representative of the United Kingdom and had rejected the USSR amendment, adopted its agenda.*⁵⁷

⁵⁴ 690th meeting: para. 96.

⁵⁵ 690th meeting: para. 98.

⁵⁶ For texts of relevant statements see:

690th meeting: President (New Zealand), paras. 88, 94, 101-103, 108, 110; Belgium, paras. 44-47; Brazil, paras. 37-43; Iran, paras. 59-62; Peru, paras. 48-55; USSR, paras. 76-78; United Kingdom, paras. 26, 74-75, 95-96; United States, paras. 82-83.

⁵⁷ 690th meeting: paras. 110-114.

2. Scope of items and sub-items on the agenda in relation to the scope of discussion

CASE 14

At the 657th meeting on 4 February 1954, the provisional agenda included as item 2 the Palestine question and, as sub-items thereunder, Complaints by Israel against Egypt concerning (a) enforcement by Egypt of restrictions on the passage of ships trading with Israel through the Suez Canal, and (b) interference by Egypt with shipping proceeding to the Israeli port of Elath.⁵⁸

The representative of the United Kingdom, referring to a letter⁵⁹ dated 3 February 1954 from the representative of Egypt which requested the Council to place on the agenda for urgent consideration a complaint against Israel concerning violations of the Egyptian-Israeli General Armistice Agreement, proposed that the Council approve the provisional agenda, ask the representative of Egypt to circulate an explanatory memorandum in regard to his proposed item, and, upon receipt of the memorandum, meet to decide whether, and in what form, to put the additional item on the agenda.

After the representative of Lebanon had moved that the complaint submitted by Egypt be included in the provisional agenda as sub-item (c), the representative of the United States declared that he would support the Lebanese motion provided that the complaints brought by Israel and Egypt were discussed in turn and not simultaneously. He proposed that item 2 on the provisional agenda should comprise two sub-items: (a) Complaint by Israel against Egypt concerning . . . , and (b) Complaint by Egypt against Israel concerning . . .

The representative of Lebanon withdrew his proposal in favour of the one submitted by the representative of the United States.

The representative of France, noting that the two complaints related to different orders of facts, inquired as to the guarantees which the Council would have, were the United States proposal accepted, that the two questions would not be confused in the course of the debate.

The representative of the United Kingdom inquired whether, if the Council approved the United States amendment, the President would feel obliged to call to order any speaker who might touch item (b) when discussing item (a), or *vice versa*.

The President (New Zealand) replied in the affirmative. The representative of the USSR observed:

" . . . it seems to me a most unusual situation that the President should be required to give assurances that he will interrupt or refuse to recognize certain speakers, as if the essential purpose of our discussion of the question were to preclude the expression of opinion about it on one pretext or another, by maintaining that such and such a statement is irrelevant or relates to item (b) and not to item (a), and so on.

" . . .

⁵⁸ See part II.C., Case 3.

⁵⁹ S/3172, O.R., 9th year, Suppl. for Jan.-March 1954, p. 5.

"I should like to add that it seems to me quite possible that when we are discussing the first item, the complaint by Israel, we shall touch upon general issues which might have some relation to the second item, the complaint by Egypt. Surely we are not to be prohibited from referring to them too? If, in clarifying one question we find it necessary to introduce certain matters which are relevant—and necessarily relevant—to the discussion of the other, are we for that reason to keep silent?"

"If that is so, we must first draw up a special set of rules of procedure for the discussion of the Palestine question. I think that any declaration or assurance by the President would be out of place in the Security Council, which must act in accordance with its existing rules of procedure and with its established practice."⁶⁰

The representative of the United Kingdom "relying on the assurances given just now by the President in connexion with calling representatives to order," withdrew his motion.

Decision: *The Council adopted, without vote, the agenda with the amendment submitted by the representative of the United States.*⁶¹

CASE 15

At the 665th meeting on 8 April 1954, the provisional agenda included as item 2 the Palestine question and thereunder, two sub-items: "(a) Complaint by Lebanon on behalf of the Government of the Hashemite Kingdom of the Jordan of: Flagrant breach of article III, paragraph 2, of the General Armistice Agreement . . ." and "(b) Complaints by Israel against Jordan concerning the repudiation by Jordan of its obligations under the General Armistice Agreement: . . ."

The representative of Lebanon expressed the hope that the Council would, as in the case of the Suez Canal question, deal first with sub-item 2 (a) and conclude discussion of that item before proceeding to item 2 (b) of the agenda.

The President (USSR) replied:

"Normally, all items are discussed in the order in which they appear on the agenda. Item 2 of the agenda of our present meeting, of course, is the Palestine question, consisting of a 'Complaint by Lebanon on behalf of the Government of the Hashemite Kingdom of the Jordan', followed by the matters to which the complaint relates, and 'Complaints by Israel against Jordan', followed by the matters submitted for consideration under that head.

"Accordingly, the point raised by the representative of Lebanon appears to be unnecessary for the moment, since it is clear, there being no other proposals of any kind, that the matters raised must be discussed in the order in which they appear in the provisional agenda."

⁶⁰ For texts of relevant statements see: 657th meeting: President (New Zealand), para. 94; France, paras. 36-67, 82; Lebanon, paras. 18, 51; USSR, paras. 98-99, 101-102; United Kingdom, paras. 3-8, 92; United States, para. 46.

⁶¹ 657th meeting: para. 114.

The representative of the United Kingdom stated that he had been prepared to agree to the adoption of the agenda on the assumption that, since the two sub-items were interrelated, the Council would consider them as a whole.

The representative of Lebanon, in opposing the views of the representative of the United Kingdom, recalled:

"At this point, I can only say in passing that it was none other than the representative of the United Kingdom himself, the predecessor of the present representative, who insisted not very long ago, in the memory of all of us here, that another item which was put forward by Israel should be debated separately without any reference to the larger issues . . . It can be shown that at the time the representative of the United Kingdom did this, he did it more or less out of order. However, it was he more than anyone else who insisted then and, in fact, succeeded in getting a ruling from the President that if anybody were to trespass on the absolutely restricted area of the item put forward by Israel, that person would at least be admonished; and it actually happened."

The representative of France, expressing his agreement with the views of the representative of the United Kingdom, stated that the sub-items (a) and (b) were part of the more general item, "The Palestine question", and that it would be wrong to prevent any delegation from dealing with either of these two sub-items in whatever order it considered appropriate in the context of the general theme of the discussion.

The representative of the United States observed:

"... it has become abundantly clear that complaints such as those included in our provisional agenda are interrelated. If we are to take constructive action which will be helpful to the parties themselves and conducive to peace in the area, we must treat them as interrelated in our consideration here."

The representative of China stated:

"... As far as the precedents of the Security Council are concerned, they are mixed. Prior to the month of February 1954, there was no objection to the simultaneous discussion of various parts of the Palestine question. During the month of February, I found myself in the minority. The majority insisted that various aspects of the Palestine question should be kept in water-tight compartments.

"I felt that during the month of February we had set a bad precedent. However, that is the most recent precedent, and I can understand why members of the Council may insist that it should be followed."

He suggested that the Council should start discussing sub-item (a) and that the various practical needs could be taken care of by the existing rules of procedure.

The representative of Brazil suggested that the discussion should proceed according to the order of sub-items, but after they had been so rearranged as to separate the issues relating to frontier conflicts and armed incidents from those relating to implementation of Armistice Agreements.

The representative of New Zealand, who supported the view that sub-items 2 (a) and 2 (b) should be dis-

cussed simultaneously, maintained that the Council was free to determine its procedure, which it should adjust to the requirements of the situation.

The President proposed that the provisional agenda be adopted as it stood and that the order of consideration of the various points should be deferred until the next meeting of the Council.

The representative of France observed:

"What is in question here is not only the order of the items but also the possibility of a speaker dealing with them either jointly or separately, or relating them to each other. There is already a certain order in the document submitted to us; we could very well reverse that order and nevertheless say that the questions could not be mixed. What I wish to have is an assurance that the adoption of the agenda will leave the Council completely free, at its next meeting, to discuss the items not only in the order it wishes, but with any desired relationship between them."

The representative of the United Kingdom, supporting the views of the representative of France, expressed doubt whether the two questions were separable.

At the 666th meeting on 12 April 1954, the representative of Brazil, stating that the Council should not, at that early stage, prejudge the substance, terms and character of its decisions, submitted, on behalf of the Brazilian and Colombian delegations, the following suggestion:

"... which is not a formal proposal: first, that the provisional agenda be adopted; second, that a general discussion be held in which reference may be made to any or all of the items of the agenda; and third, that the Security Council should not commit itself at this stage as to the separate or joint character of its eventual resolution or resolutions."

The President, speaking as the representative of the USSR, observed:

"... it would be advisable to consider these two complaints in the order in which they appear in the provisional agenda, but, in our discussion of these complaints, there should be nothing to prevent our referring, within certain reasonable limits and to a certain reasonable degree, to other more general questions, in so far as they relate to the complaints in question and to the facts set forth in the complaints, which we must correctly evaluate."

The representative of Lebanon, referring to the suggestion made by the representatives of Brazil and Colombia, queried whether it would not be possible for the Council either to hold a general debate first and then discuss sub-item (a), or to discuss sub-item (a) first and hold the general debate afterwards.

At the 667th meeting on 22 April 1954, the representative of Brazil submitted, on behalf of the Brazilian and the Colombian delegations, the following proposal:

"1. The provisional agenda is adopted.

"2. A general discussion shall be held in which reference may be made to any or all of the items of the agenda.

"3. The Security Council does not commit itself at this stage as to the separate or joint character of its eventual resolution or resolutions."

At the 670th meeting on 4 May 1954, the representative of Lebanon submitted the following amendments to the Brazilian-Colombian proposal:

"(1) Insert after paragraph 1 the following paragraph, to be numbered 2: 'The Council proceeds to take up and decide upon the items on the agenda in the order in which they appear'.

"(2) Change the number of paragraph 2 to 3, substitute the phrase 'during the discussion of any item' for the phrase 'a general discussion shall be held in which', and add the following words at the end of the paragraph: 'within reasonable limits'.

"(3) Delete the present paragraph 3."⁶²

Decision: *The Council, following its rejection, paragraph by paragraph, of the Lebanese amendments, adopted⁶³ the Brazilian-Colombian proposal by 8 votes in favour, 2 against, with 1 abstention.*

3. Phrasing of items on the agenda

CASE 16

At the 577th meeting on 18 June 1952, the Security Council had on its provisional agenda two items: "2. Appeal to States to accede to and ratify the Geneva Protocol of 1925 for the prohibition of the use of bacterial weapons"; and "3. Adoption of a recommendation to the General Assembly concerning the simultaneous admission to membership in the United Nations of all fourteen States which have applied for such admission."

The representative of the United States proposed that, in accordance with a practice which had become standard in the proceedings of the Council, the words "Question of" be inserted at the beginning of each item of the provisional agenda.

The President, speaking as representative of the USSR, replied that "in Security Council practice items do not invariably begin with the word 'question'". The Russian text of the letter from the USSR delegation to the Secretariat worded item 2 as "Concerning an appeal to States . . ." and not as "Appeal to States . . .". The Russian text might perhaps be more accurately translated into English, by rendering it as "Question of an appeal", but in Russian it should continue to read "Concerning an appeal". In his opinion there was little difference between the wording submitted by the USSR delegation and that proposed by the United States delegation.

The representatives of Brazil and France maintained that only by the insertion, in item 2, of the word "ques-

⁶² For texts of relevant statements see:

665th meeting: President (USSR), paras. 6-7, 135; Brazil, paras. 68-70; China, paras. 49-53; France, paras. 34, 146; Lebanon, paras. 5, 25-29; New Zealand, paras. 77-81; United Kingdom, paras. 11, 15; United States, paras. 46-47;

666th meeting: President (USSR), para. 71; Brazil, paras. 21-25; Lebanon, para. 130;

667th meeting: Brazil, para. 34; Lebanon, para. 53;

670th meeting: Lebanon, para. 29.

⁶³ 670th meeting: paras. 63-73.

tion" before the words "Appeal to States" would the Council avoid giving the impression that it had prejudged the decision which it would adopt at the conclusion of the debate.

With regard to the wording of item 3, the representative of Greece proposed the deletion of the word "fourteen" in order to avoid giving a limitative character to the item.

The representative of the United Kingdom, noting that his delegation had always maintained that items on the agenda of the Security Council should be formulated in a neutral and non-tendentious way, stated that the phrasing of item 3, "Adoption of a recommendation . . .", tended to suggest that the Council ought to adopt such a recommendation. He proposed to word item 3 as: "Admission of new Members: (a) Adoption of a recommendation . . ."

The President, speaking as representative of the USSR, inquired whether the letter "(a)" in the United Kingdom proposal implied a sub-item "(b)". Since the provisional agenda consisted of one item, he saw no reason for an enumeration.

The representative of the United Kingdom replied that the letter "(a)" was designed to make it clear that the USSR proposal would be only one of several possible proposals before the Council. He was prepared to eliminate the letter "(a)" provided the President would agree to place the words "Adoption of a recommendation . . ." on a separate line.

The President, speaking as the representative of the USSR, stated that the proposal submitted by his delegation should be put on the agenda in the form originally proposed with the addition of the words "proposal for" before the text of the item.

"At the same time, every delegation is entitled to submit its own proposal in the form it regards as most suitable, whatever the subject of the proposal may be, whether it is a proposal on the admission of new Members or any other kind of proposal. Every delegation has that right. In this case, however, we are discussing a question proposed by the Soviet Union delegation in the wording proposed by that delegation. This is the Soviet Union delegation's own proposal. Every delegation is entitled to take whatever position it pleases on that proposal while it is being discussed. The proposal of a given delegation remains the proposal of that delegation."

The representative of Chile proposed that item 3 should be worded as follows:

"3. Admission of new Members:

"(a) . . . Proposal for the adoption of a recommendation to the General Assembly . . . ;

"(b) Consideration of other applications for admission of new Members, and of other proposals relating to admission."

The representative of the USSR would thereby be assured that the item proposed by his delegation would constitute one of the bases of discussion, while other members of the Council would be enabled also to consider other proposals with regard to applications for membership.

The President observed that the Chilean proposal was unprecedented for it meant that the Council would have given authorization in advance for the consideration of a proposal unknown to it.

"It is an established part of the practice of the Security Council that before it is placed on the agenda, every proposed item must be considered by the Council; it must be considered by means of the procedure of deciding the question of inclusion of this proposed item in the provisional agenda. From the point of view of precedent, it is hardly desirable to take an *a priori* decision to include in the agenda certain indeterminate proposals which are unknown to the Security Council."

The representatives of Chile and the Netherlands submitted a joint proposal to include, as sub-item 3 (b) "Consideration of General Assembly resolution 506 (VI)".

The representative of the United Kingdom withdrew his proposal and associated himself with the joint proposal submitted by Chile and the Netherlands.⁶⁴

Decision: *The Council rejected the USSR proposal by 1 vote in favour and 7 against, with 3 abstentions. The joint proposal submitted by the delegations of Chile and the Netherlands was adopted by a unanimous vote. The agenda, thus amended, was adopted.*⁶⁵

CASE 17

At the 594th meeting on 2 September 1952, in connexion with the Question of Admission of new Members, the representative of Turkey drew attention to the use of the word "simultaneous" in item 2 (a) of the provisional agenda. He observed that the word was not in harmony with and, indeed, went counter to the spirit of the Charter and suggested that its use was a mistake.

The President (Brazil) observed that the Council, at its 591st meeting, had adopted the item as part of the agenda, following the wording of the draft resolution of the Soviet Union. He added that "the question of the propriety or impropriety of simultaneous admission will no doubt come up during the discussion of the draft resolution".⁶⁶

CASE 18

At the 626th meeting on 19 October 1953, the provisional agenda included as item 2 "The Palestine question: (a) Letters dated 17 October 1953 from the representatives of France, United Kingdom and United States addressed to the President of the Security Council (S/3109, S/3110 and S/3111)". The representative of Lebanon inquired:

" . . . What are we adopting? We do not adopt a letter that we have received; we adopt a particular topic that we are going to discuss. That topic certainly is included somewhere in the letters mentioned

⁶⁴ For texts of relevant statements see: 577th meeting: President (USSR), paras. 4, 44, 50-51, 61, 63; Brazil, para. 13; Chile, paras. 56, 59, 77; France, para. 27; Greece, paras. 3, 30; Netherlands, para. 73; United Kingdom, paras. 32-34, 42-43, 48, 84; United States, para. 2.

⁶⁵ 577th meeting: paras. 87-89.

⁶⁶ For texts of relevant statements see: 594th meeting: President (Brazil), para. 25; Turkey, para. 22.

by the President. I should like to know what that topic is. Will the President, therefore, please tell us what we are adopting."

In reply to the statement of the President (Denmark) that the Council had to adopt or reject the Palestine question, as the item in the agenda, together with the proposals made in the letters accompanying it, the representative of Lebanon declared that he would have to vote against the adoption of the agenda unless he knew fully what that item was.

The representative of France maintained that when the provisional agenda mentioned a document, the adoption of that agenda did not mean that the document was approved; it meant that the Council was going to discuss the document or the action to be taken upon it.

The representative of the USSR, stating that he could not determine his attitude on an agenda without knowing what it was about, declared that there was no justification for refusing to clarify the agenda. If the desire was to hear a report by the Chief of Staff of the Truce Supervision Organization, as the letters contained in the agenda indicated, it ought to be agreed that the matter deserved to be included as a separate sub-item under the general heading of "The Palestine question".

The representatives of China and Greece were of the opinion that the identical letters contained in the provisional agenda had indicated that the subject of discussion would be the question of tension between Israel and the neighbouring Arab States. The representative of China, noting that the indication was sufficiently concrete to permit the Council to proceed, declared:

"... There is a tradition in the Security Council with regard to the provisional agenda, namely, that the provisional agenda should not contain language prejudicing the substance of questions. It is for that reason that the language used in the agenda is always non-committal..."

After the representative of Lebanon had suggested certain alterations in the text of the identical letters contained in the agenda, the President observed:

"... It has never before happened in the Council that a request was made to alter the words of a document appearing under the question of the adoption of the agenda."

The representative of China proposed to retain the provisional agenda as it stood with sub-item (a), and add a sub-item (b) which would read: "Complaint made by Lebanon of act of violence by Israel against Jordan".

The representative of China withdrew his proposal after the representative of Lebanon submitted an amendment to the provisional agenda, as follows:

"In paragraph 2, add after the words 'the Palestine question' the following words: 'Recent acts of violence committed by Israel armed forces against Jordan'."

At the 627th meeting on 20 October 1953, the representative of Greece maintained that to adopt the amendment submitted by the representative of Lebanon would be to prejudge the question. He therefore proposed the following wording:

"The Palestine question: compliance with and enforcement of the General Armistice Agreements, with special reference to recent acts of violence, and in particular to the incident at Qibya on 14-15 October 1953.

"(a) Report by the Chief of Staff of the Truce Supervision Organization."

The representative of Lebanon proposed the deletion of the letter "(a)" before the words "Report by the Chief of Staff..." and the replacement of the period after "14-15 October 1953" with a colon. Upon acceptance by the representative of Greece of the alterations suggested by the representative of Lebanon, the latter withdrew his amendment.

The representative of China observed:

"... As an institution, we should see to it that no delegation can obtain a substantial advantage through procedure. Our rules in regard to procedure and our practices should all be calculated to promote that objective. Therefore the procedure should be simple, clear and consistent."⁶⁷

Decision: After further discussion, the agenda, as amended, was adopted without a vote.⁶⁸

4. Postponement of consideration of items

CASE 19

At the 576th meeting on 14 April 1952, when the provisional agenda comprised, under the general heading of "The Tunisian question", communications from eleven Member States, the representative of Chile submitted a draft resolution⁶⁹ (1) to include in the agenda the consideration of the communications submitted by those States, on the understanding that such action did not imply any decision regarding the competence of the Council to consider the substance of the question, and (2) to postpone the consideration of the communications for the time being. He stated that his proposal to suspend the discussion indefinitely should be understood as not prejudicing the Council's right to deal with the matter at any time, should serious events prompt any Member to request such action.

The representative of the United Kingdom opposed the Chilean draft resolution on the ground that it would have the effect of putting the question on the agenda.

The representative of Brazil, who at the 574th meeting had stated that he would be quite receptive to any proposal toward the postponement of the consideration of the item after its inclusion in the agenda,⁷⁰ reserved the position of his delegation on the Chilean draft resolution.

⁶⁷ For texts of relevant statements see:

626th meeting: President (Denmark), paras. 3, 75, 83; China, paras. 39-40, 108, 116; France, para. 6; Greece, para. 13; Lebanon, paras. 2, 4, 71-74, 77; USSR, paras. 31, 33, 36.

627th meeting: President (Denmark), para. 51; China, para. 36; Greece, paras. 7-10; Lebanon, paras. 33-34.

⁶⁸ 627th meeting: paras. 52-53.

⁶⁹ S/2600, 576th meeting: para. 104.

⁷⁰ 574th meeting: para. 95.

The representative of the Netherlands believed that the adoption of the Chilean draft resolution could create a disturbing influence on direct negotiations between the parties concerned.

The President, speaking as the representative of Pakistan, observed that he would support the Chilean draft resolution for it at least preserved the dignity and sense of justice on which the United Nations was supposed to be founded. The postponement of discussion, he maintained, would safeguard the chances of the success of negotiations between the parties.

The representative of China, supporting the Chilean draft resolution, stated that he was not convinced by the argument that the adoption of the draft resolution could hamper negotiations between the parties concerned.

The representative of the USSR stated that the Chilean proposal did not meet, in its present form, the request made by the eleven Member States in their communications to the Security Council. He added:

"... These States ask for the inclusion of the question of the situation in Tunisia in the agenda of the Security Council, but they do not ask the Security Council to postpone the consideration of the question of the situation in Tunisia. The proposal which we are now considering represents an attempt to combine two things which cannot be combined: on the one hand, it seemingly includes the question of the situation in Tunisia in the agenda of the Security Council, but on the other hand, it immediately excludes that question from the Council's agenda."⁷¹

Decision: *The draft resolution submitted by the representative of Chile was rejected by 5 votes in favour, 2 against, with 4 abstentions.*⁷²

⁷¹ For texts of relevant statements see: 576th meeting: President (Pakistan), paras. 82-85; Brazil, para. 57; Chile, paras. 40-41, 67-68, 118-120; China, paras. 99-100; Netherlands, para. 63; USSR, paras. 110, 117; United Kingdom, para. 47.

⁷² 576th meeting: para. 121.

Part IV

THE AGENDA: MATTERS OF WHICH THE SECURITY COUNCIL IS SEIZED⁷³

NOTE

Rule 10 of the provisional rules of procedure was designed to enable the Security Council to continue, at the next meeting, the consideration of an unfinished item without a renewed debate on the adoption of the agenda. However, the provisional agenda has not invariably contained all items of unfinished business. The case histories included in section A of this part cover those instances in which there has been discussion of the requirement for the insertion of unfinished items of the agenda in the agenda of the next meeting.

The tabulation appearing in section B brings up to date that appearing in the corresponding chapter of the original volume of the *Repertoire*. The observations made there concerning the tabulation apply here also.

Section B.2 of this chapter presents case histories setting forth the significant discussion in the Security Council of the retention of items on the agenda in the sense of the list of matters of which the Security Council is seized. The relation of the Summary Statement issued under rule 11 to notifications made to the General Assembly under Article 12 (1) is dealt with in the Note to chapter VI, part I, section A.

A. RULE 10

CASE 20

At the 594th meeting on 2 September 1952, the provisional agenda contained three sub-items under the general heading "Admission of new Members: (a) Adoption of a recommendation to the General Assembly concerning . . .; (b) Consideration of resolution 506 (VI) of the General Assembly; and (c) New applications for membership . . ."

The President (Brazil) stated that the first two sub-items of the provisional agenda were the same as had

been contained in the agenda of the 591st meeting held on 9 July 1952, when the Council had decided to postpone the consideration of the question of the admission of new Members until 2 September 1952. The President believed that it would be advisable to add sub-item (c) in order that the Council might have an opportunity to consider the applications on which the Council had not yet reported to the General Assembly.

The representative of the USSR requested the President to take a vote on the first sub-items, 2 (a) and 2 (b), or to adopt them without a vote, since they apparently gave rise to no objection or comment as they already appeared in the agenda for the Security Council's previous meetings, and to put sub-item 2 (c) to a separate vote.

The President, expressing his agreement with the request of the representative of the USSR, declared that if there were no objection, he would consider sub-items 2 (a) and 2 (b) as included in the agenda.⁷⁴

Decision: *The Council adopted sub-items 2 (a) and 2 (b) without a vote.*⁷⁵

CASE 21

At the 599th meeting on 12 September 1952, when the provisional agenda included as item 2 "Admission of new Members", the representative of the USSR inquired why sub-item 2 (a), "Consideration of resolution 506 (VI) of the General Assembly", still remained on the provisional agenda. He stated that during the previous meeting the Council had proceeded to discuss sub-

⁷³ See *Repertoire of the Practice of the Security Council 1946-1951*, chapter II, part IV, Note, p. 83.

⁷⁴ For texts of relevant statements see:

594th meeting: President (Brazil), paras. 6-9, 16; USSR, paras. 10-15.

⁷⁵ 594th meeting: para. 16.

item (b) because it had considered sub-item (a) to be superfluous. He believed that there was no justification for including sub-item (a) in the agenda.

The President (Brazil) replied that the Council had not yet disposed of sub-item (a), and that the Council at the last meeting had decided merely to pass to sub-item (b). The representative of Pakistan explained that the question of whether that sub-item had been disposed of depended upon how the Council intended to interpret the meaning of "pending applications" as referred to in resolution 506 (VI) of the General Assembly. He continued:

"... If, however, we think that 'pending applications' within the meaning of the resolution comprise certain applications which have not yet been considered, it is perfectly obvious that sub-item 2 (a) should be retained on the agenda until we have exhausted or come to a conclusion one way or the other on sub-item 2 (b)."

The President declared:

"... in accordance with rule 10 of our rules of procedure, the provisional agenda for today's meeting includes all matters not disposed of at the previous meeting. Sub-item 2 (a), as I have already explained twice, was not disposed of, since the question of the report which the Security Council is to present to the General Assembly on the status of pending applications is still before us. A few minutes ago, the representative of Pakistan brought the question of this report into the discussion. But how can we discuss the report if we do not retain sub-item 2 (a) in the agenda?"⁷⁶

Decision: *The agenda was adopted by 9 votes in favour and none against with 1 abstention, one member being absent.*⁷⁷

⁷⁶ For texts of relevant statements see: 599th meeting: President (Brazil), paras. 4-5, 12, 24-25, 33; China, para. 41; Pakistan, paras. 14-15, 19-21; USSR, paras. 2-3, 6-7, 11, 26, 29, 31.

⁷⁷ 599th meeting: paras. 57-58.

CASE 22

At the 675th meeting on 20 June 1954, the Security Council adopted the agenda, item 2 of which was "Cablegram dated 19 June 1954 from the Minister for External Relations of Guatemala addressed to the President of the Security Council." At the 676th meeting on 25 June 1954, item 2 of the provisional agenda was the same as the item adopted at the previous meeting with the addition of a letter dated 22 June 1954 from the representative of Guatemala addressed to the Secretary-General.

Various representatives expressed opposition to the adoption of the agenda on the ground that the matter was being dealt with by the Inter-American Peace Committee, an organ of the Organization of American States.

The representative of Lebanon, enumerating the reasons for supporting the inclusion of the item in the agenda, stated:

"The second reason is that we have already adopted this agenda. We adopted it at the 675th meeting on 20 June, and nobody objected to its adoption then; and we find no fresh reason today why a similar agenda should not be taken up and examined by the Security Council."

The representative of the USSR found no justification for putting to the vote the question of inscribing the item on the agenda. He declared:

"If we consult the rules of procedure of the Security Council, in particular rule 10, we find that any item of the agenda of the Security Council, the consideration of which has not been completed, must automatically be included in the agenda of the next meeting..."⁷⁸

Decision: *The agenda was rejected by 4 votes in favour and 5 against, with 2 abstentions.*⁷⁹

⁷⁸ For texts of relevant statements see: 676th meeting: Brazil, paras. 12, 27; China, paras. 123-124; Lebanon, paras. 101-104; USSR, paras. 138-140; United Kingdom, paras. 94-95.

⁷⁹ 676th meeting: para. 195.

B. RULE 11

1. Retention and deletion of items from the Secretary-General's Summary Statement on matters of which the Security Council is seized

This tabulation, which supplements that appearing in the *Repertoire*, 1946-1951, pp. 85-91, covers matters appearing in the Secretary-General's Summary Statements during the period 1952-1955. The items included are (1) those of which the Security Council was seized at the close of the period covered by the earlier tabulation, and (2) items of which the Council has been seized since that time. Items are listed in the order in which they have appeared in the Summary Statement. Items to the end of 1951 are numbered to conform with the numbering in the earlier tabulation. The titles used are those occurring in the Summary Statement except for occasional abridgments.

Item	First inclusion in the agenda	First entry in Summary Statement	Last action of the Council as of 31 December 1953	Final entry in Summary Statement as of 31 December 1955
1. The Iranian question	3rd meeting 28 January 1946	S 45 23 April 1946	Adopted Netherlands proposal to adjourn discussion and resume it at the request of any member 43rd meeting, 22 May 1946*	

* See *Repertoire of the Practice of the Security Council 1946-1951*, Case 56, pp. 92-93.

Item	First inclusion in the agenda	First entry in Summary Statement	Last action of the Council as of 31 December 1955	Final entry in Summary Statement as of 31 December 1955
3. Statute and Rules of Procedure of Military Staff Committee	1st meeting 17 January 1946	S/45 23 April 1946	Referred report of Military Staff Committee to Committee of Experts 23rd meeting, 16 February 1946	
4. Special Agreements under Article 43 of the Charter	1st meeting 17 January 1946	S/45 23 April 1946	Discussed report of Military Staff Committee 157th meeting, 15 July 1947	
5. Rules of Procedure of the Security Council	1st meeting 17 January 1946	S/45 23 April 1946	Amended rules 468th meeting, 28 February 1950	
14. The general regulation and reduction of armaments	88th meeting 31 December 1946	S/238 ^b 3 January 1947	Dissolved Commission for Conventional Armaments in accordance with recommendation in General Assembly resolution 502 (VI) 571st meeting, 30 January 1952	
Information on armed forces of United Nations (General Assembly resolutions 41 (I) and 42 (I))	89th meeting 7 January 1947	S/246 ^b 10 January 1947		
19. Appointment of a Governor of the Free Territory of Trieste	143rd meeting 20 June 1947	S/382 20 June 1947	Postponed discussion of the item 647th meeting, 14 December 1953	
20. The Egyptian question	159th meeting 17 July 1947	S/425 18 July 1947	Rejected Chinese draft resolution 201st meeting, 10 September 1947 ^c	
21. The Indonesian question (II)	171st meeting 31 July 1947	S/461 1 August 1947	Failed to adopt Canadian draft resolution and rejected Ukrainian SSR draft resolution 456th meeting, 13 December 1949 ^d	
22. Voting Procedure in the Security Council	197th meeting 27 August 1947	S/533 29 August 1947	Presidential statement concerning outcome of meetings of five permanent members in accordance with General Assembly resolution of 14 April 1949, 195th plenary session 452nd meeting, 18 October 1959	
24. Procedure in application of Articles 87 and 88 of the Charter with regard to the Pacific Islands under Strategic Trusteeship of the United States	220th meeting 15 November 1947	S/603 15 November 1947	Adopted resolution concerning procedure to be employed in application of Articles 87 and 88 of the Charter to strategic areas under Trusteeship 415th meeting, 7 March 1949	

^b Combined in S/279 of 14 February 1947 in accordance with the Security Council's decision to deal with the two items together.

^c See *Repertoire of the Practice of the Security Council 1946-1951*, Case 59, pp. 95-96.

^d *Ibid.*, Case 61, p. 97.

Item	First inclusion in the agenda	First entry in Summary Statement	Last action of the Council as of 31 December 1955	Final entry in Summary Statement as of 31 December 1955
a. Applications for membership ^e				See item 62 below
Reconsideration (General Assembly resolution 113 (II), 17 November 1947):				
Italy	} 221st meeting 22 November 1947	S/610 28 November 1947	Reported to General Assembly that there had been no change of position on either application (A/515), 221st meeting, 22 November 1947	
Transjordan				
Reconsideration ^f				
Italy	279th meeting 10 April 1948	S/719 12 April 1948	Not recommended 279th meeting, 10 April 1948	
Albania	} 279th meeting 10 April 1948	S/719 12 April 1948	Reported to the General Assembly that there had been no change of position on any of the applications, 280th meeting, 10 April 1948	
Austria				
Bulgaria				
Finland				
Hungary				
Ireland				
Mongolian People's Republic				
Portugal				
Romania				
Transjordan				
Ceylon	318th meeting 11 June 1948	S/843 16 June 1948	Not recommended 351st meeting, 18 August 1948	
Reconsideration (General Assembly resolution 197 I (III) 8 December 1948)				
Ceylon	384th meeting 15 December 1948	S/1184 12 January 1949	Not recommended 384th meeting, 15 December 1948	
Republic of Korea	409th meeting 15 February 1949	S/1244 7 February 1949	Not recommended 423rd meeting, 8 April 1949	
Letter of 11 February 1949 from the representative of the USSR concerning application by the Democratic People's Republic of Korea	409th meeting 15 February 1949	S/1257 14 February 1949	Rejected USSR proposal to refer application to Committee on Admission of New Members 410th meeting, 16 February 1949	
26. The Palestine question	222nd meeting 9 December 1947	S/623 12 December 1947	Adjourned its consideration of Syrian complaint of armed raids on Syrian territory by Israeli forces 709th meeting, 22 December 1955	
27. The India-Pakistan question ^g	226th meeting 6 January 1948	S/641 9 January 1948	Adopted a modified joint United Kingdom-United States draft resolution (S/2839) to urge the two Governments to continue negotiations 611th meeting, 25 December 1952	

^e The Security Council has since 22 November 1947 considered those applications which failed to obtain recommendations as pending applications.

^f Reconsideration of the applications of Italy and Transjordan is requested by France, the United Kingdom and the United States by letter of 3 April 1948 (S/709). Reconsideration of the applications of Albania, Bulgaria, Finland, Hungary, Italy, the Mongolian People's Republic, Romania was requested by the Ukrainian SSR by letter of 5 April 1948 (S/712). Reconsidera-

tion of the applications of Austria, Ireland, and Portugal was requested by France, the United Kingdom, and the United States by letter of 7 April 1948 (S/715).

^g The India-Pakistan question: This item was entitled the Kashmir question in S/641. This was changed to the Kashmir and Jammu question in S/653 of 17 January 1948. The present title, India-Pakistan question, first appears in S/675 of 13 February 1948.

<i>Item</i>	<i>First inclusion in the agenda</i>	<i>First entry in Summary Statement</i>	<i>Last action of the Council as of 31 December 1955</i>	<i>Final entry in Summary Statement as of 31 December 1955</i>
44. Complaint of bombing by air forces of the territory of China	493rd meeting 31 August 1950	S/1774 7 September 1950	Failed to adopt U.S. draft resolution (S/1752) and rejected USSR draft resolution (S/1745/Rev.1) 501st meeting, 12 September 1950	
48. Complaint of failure by the Iranian Government to comply with provisional measures indicated by the International Court of Justice in the Anglo-Iranian Oil Company case	559th meeting 1 October 1951	S/2364 2 October 1951	Adopted French motion to adjourn the debate until the International Court had ruled on its own competence 565th meeting, 19 October 1951	
49. Application for membership				See item 62 below
General Assembly resolution 550 (VI) of 7 December 1951 Reconsideration of application of Italy	568th meeting 18 December 1951	S/2451 22 December 1951	Not recommended 573rd meeting, 6 February 1952	
General Assembly resolution 495 (V) of 4 December 1950	568th meeting 18 December 1951	S/2451 22 December 1951	Postponed indefinitely 569th meeting, 19 December 1951	
50. Admission of new Members	577th meeting 18 June 1952	S/2679 23 June 1952	Rejected USSR draft resolution 597th meeting, 8 September 1952	See item 62 below
Adoption of a recommendation to the General Assembly concerning the simultaneous admission to membership in the United Nations of all fourteen States which have applied for such admission				
Consideration of General Assembly resolution 506 (VI)	577th meeting 18 June 1952	S/2679 23 June 1952	Adopted the suggestion that the Secretariat prepare a draft of a special report to the General Assembly 604th meeting, 19 September 1952	S/2786 23 September 1952
New applications for membership				See item 62 below
Libya (S 2467)	594th meeting 2 September 1952	S/2770 8 September 1952	Not recommended 600th meeting, 16 September 1952	
Japan (S 2673)	594th meeting 2 September 1952	S/2770 8 September 1952	Not recommended 602nd meeting, 18 September 1952	
Viet-Nam (S/2446)	594th meeting 2 September 1952	S/2770 8 September 1952	Not recommended 603rd meeting, 19 September 1952	
Laos (S/2706)	594th meeting 2 September 1952	S/2770 8 September 1952	Not recommended 603rd meeting, 19 September 1952	
Cambodia (S/2672)	594th meeting 2 September 1952	S/2770 8 September 1952	Not recommended 603rd meeting, 19 September 1952	
Democratic Republic of Viet-Nam (S/2466)	594th meeting 2 September 1952	S/2770 8 September 1952	Not recommended 603rd meeting, 19 September 1952	

<i>Item</i>	<i>First inclusion in the agenda</i>	<i>First entry in Summary Statement</i>	<i>Last action of the Council as of 31 December 1955</i>	<i>Final entry in Summary Statement as of 31 December 1955</i>
51. Question of appeal to States to accede to and ratify the Geneva Protocol of 1925 for the prohibition of the use of bacterial weapons	577th meeting 18 June 1952	S/2679 23 June 1952	Rejected USSR draft resolution 583rd meeting, 26 June 1952	
52. Question of request for investigation of alleged bacterial warfare	581st meeting 23 June 1952	S/2687 1 July 1952	Rejected USSR draft resolution 585th meeting, 1 July 1952 Failed to adopt US draft resolution 587th meeting, 3 July 1952 Failed to adopt US draft resolution 590th meeting, 9 July 1952	
53. Question of recommendation regarding the Secretary-General	612th meeting (private) 11 March 1953	S/2957 16 March 1953	Recommended 617th meeting 31 March 1952	S/2981 6 April 1953
54. The date of election to fill a vacancy in the International Court of Justice	618th meeting 12 August 1953	S/3083 17 August 1953	Adopted resolution (S/3078) 618th meeting, 12 August 1953	S/3083 17 August 1953
55. Applications to become parties to the Statute of the International Court of Justice				
Japan	641st meeting 23 November 1953	S/3149 8 December 1953	Recommended 645th meeting, 3 December 1953	S/3149 8 December 1953
San Marino	641st meeting 23 November 1953	S/3149 8 December 1953	Recommended 645th meeting, 3 December 1953	S/3149 8 December 1953
56. Letter dated 29 May 1954 from the acting permanent representative of Thailand to the United Nations addressed to the President of the Security Council (S/3220)	672nd meeting 3 June 1954	S/3224 8 June 1954	Failed to adopt Thailand draft resolution (S/3229) 674th meeting, 18 June 1954	
57. Cablegram dated 19 June 1954 from the Minister of External Relations of Guatemala addressed to the President of the Security Council (S/3232)	675th meeting 20 June 1954	S/3257 29 June 1954	Failed to adopt Brazilian-Colombian draft resolution (S/3236/Rev.1) Adopted French draft resolution (S/3237) 675th meeting, 20 June 1954 ^m	
58. The date of election to fill a vacancy in the International Court of Justice	677th meeting 28 July 1954	S/3277 2 August 1954	Adopted (S/3274) 677th meeting, 28 July 1954	S/3277 2 August 1954
59. Letter dated 8 September 1954 from the representative of the U.S. addressed to the President of the Security Council	679th meeting 10 September 1954	S/3289 13 September 1954	Adjourned to meet again upon request of any delegation 680th meeting, 10 September 1954	

^m At the 678th meeting, 25 June 1954, the Council failed to adopt the agenda. See Cases 22, 23.

Item	First inclusion in the agenda	First entry in Summary Statement	Last action of the Council as of 31 December 1955	Final entry in Summary Statement as of 31 December 1955
60. Election of members to fill vacancies in the International Court of Justice	681st meeting 7 October 1954	S/3303 11 October 1954	Recommended Mr. Zafrulla Khan to succeed to vacancy left by Sir Benegal Rau Recommended five candidates to fill vacancies 681st meeting, 7 October 1954	S/3303 11 October 1954
61. Letter dated 28 January 1955 from the representative of New Zealand addressed to the President of the Security Council concerning the question of hostilities in the area of certain islands off the coast of the mainland of China. Letter dated 30 January 1955 from the representative of the USSR addressed to the President of the Security Council concerning the question of acts of aggression by the U.S. against the People's Republic of China in the area of Taiwan and other islands of China	689th meeting 31 January 1955	S/3359 7 February 1955	Postpone consideration of matters contained in the letter from representative of New Zealand 691st meeting, 14 February 1955 Rejected USSR motion to consider the next item on the agenda 691st meeting, 14 February 1955	
62. Applications for membership ^a	701st meeting 10 December 1955	S/3507 13 December 1955		
Reconsideration				
Republic of Korea	703rd meeting 13 December 1955	S/3515 15 December 1955	Not recommended 703rd meeting, 13 December 1955	
Viet-Nam				
Albania				
Jordan				
Ireland				
Portugal				
Hungary				
Italy				
Austria	701st meeting 10 December 1955	S/3507 13 December 1955	Recommended 705th meeting, 14 December 1955	S/3515 15 December 1955
Romania				
Bulgaria				
Finland				
Ceylon				
Nepal				
Libya				
Cambodia				
Laos				
Spain	701st meeting 10 December 1955	S/3507 13 December 1955	Recommended 705th meeting, 14 December 1955	S/3515 15 December 1955
Reconsideration				
Mongolian People's Republic	701st meeting 10 December 1955	S/3507 13 December 1955	Rejected USSR amendment (S/3517) to United Kingdom draft resolution (S/3513) and postponed further consideration of latter 708th meeting, 21 December 1955	
Japan				

^a Under this agenda heading the sub-items were (1) resolution 817 (IX), (2) resolution 918 (X), and (3) letter dated 23 Sep-

tember 1955 from the Minister for Foreign Affairs of Spain concerning the application of Spain.

Item	First inclusion in the agenda	First entry in Summary Statement	Last action of the Council as of 31 December 1955	Final entry in Summary Statement as of 31 December 1955
63. Proposal to call a General Conference of the Members of the United Nations for the purpose of reviewing the Charter (Art. 109)	707th meeting 16 December 1955	S/3515 19 December 1955	Adopted joint draft resolution (S/3504) 707th meeting, 16 December 1955	S/3515 19 December 1955

2. Proceedings of the Security Council regarding the retention and deletion of items from the agenda

CASE 23

At the 676th meeting on 25 June 1954, in connexion with the Guatemalan question which had been placed on the agenda at the previous meeting of the Council, the question before the Council was the adoption of the agenda.

In expressing opposition to the adoption of the agenda, the representative of Brazil observed:

"In view of the action already taken by the Organization of American States, which is acting with commendable expedition, the most reasonable attitude which the Security Council can assume in the matter is to wait for the report of the fact-finding committee. We have already received a first communication from the Inter-American Peace Committee and for that reason are bound to receive another one, after the committee has completed its task. Any action by the Security Council at this stage or even any discussion of the subject without the proper information would not be justified and could only introduce confusion into the present situation. For this reason, the Brazilian delegation is of the opinion that we should not proceed with such a discussion. I would therefore vote against the adoption of the agenda."

The representative of the United Kingdom, in announcing that he would abstain on the vote, observed that it was not at the moment open to the Security Council to take any further action in the matter without more facts at its disposal. The action being taken by the Organization of American States would enable the Security Council to obtain such information. He added:

"This does not, of course, mean that the Security Council is surrendering its ultimate responsibility in the matter. Her Majesty's Government in the United Kingdom, for the reasons I have given, considers it of the greatest importance that this should not occur. But in fact the Council will remain seized of the matter and will receive information from the Inter-American Peace Committee.

"It would be contrary to the general attitude of my Government to register a positive objection to a complaint, such as that raised by Guatemala, being received on the Council's agenda. I cannot therefore entirely agree with the representatives of Brazil and Colombia in their objection to the inscription of this item on the agenda. But I do agree with them in thinking that the Council should be careful not to

risk confusing the issue or prejudicing the chances of the valuable initiative taken by the Organization of American States.

". . . These then are the considerations that will influence me when we come to a vote on the adoption of the agenda and will lead me to abstain. In doing so, I shall of course bear in mind the consideration that the Security Council, if it refused to adopt this question on the agenda today, would in no way be disinteresting itself in the case or divesting itself of its ultimate responsibility."

The representative of France shared the view expressed by the representative of the United Kingdom. He added:

"In suspending its action until it is more fully informed, the Security Council is in no way jettisoning the matter which has been submitted to it. By applying the procedure provided for by Article 52 of the Charter, it is not declining any of the responsibilities which the last paragraph of that Article solemnly confers on it and which governs the interpretation of the preceding paragraphs . . ."

The representative of China, in opposing the adoption of the agenda, made the following observation:

". . . not to adopt the agenda is one question, and the removal of this item from the agenda is quite another question. By voting against the adoption of the agenda for this particular meeting, we do not eliminate the item from the agenda of the Security Council."

The representative of New Zealand, who favoured the adoption of the agenda, declared:

"My delegation considers, however, that the Council should not, by any decision it may reach, give the appearance of abdicating the supreme responsibility and authority conferred on it by the Charter.

"This, we feel, is a matter of principle and of cardinal importance to small nations like our own. In our view any decision not to proceed today with the discussion of the Guatemalan complaint does not affect this principle and does not prejudice the Council's right to take up the question in the future if events make this necessary. Therefore, we consider, very emphatically, that the Council should not proceed with the substantive debate today but should at the same time maintain its over-riding responsibility."⁸⁰

⁸⁰ For texts of relevant statements see: 676th meeting: Brazil, para. 27; China, para. 123; France, para. 99; New Zealand, paras. 129-130; United Kingdom, paras. 94-96.

CASE 24

At the 691st meeting on 14 February 1955, the agenda included, as item 2, "Letter dated 28 January 1955 from the representative of New Zealand to the President of the Security Council concerning the question of hostilities in the area of certain islands off the coast of the mainland of China", and, as item 3, "Letter dated 30 January 1955 from the representative of the Union of Soviet Socialist Republics to the President of the Security Council concerning the question of acts of aggression by the United States of America against the People's Republic of China in the area of Taiwan (Formosa) and other islands of China".

Following a discussion of the rejection by the Central People's Government of the People's Republic of China of the invitation extended by the Security Council at the 690th meeting to participate in the discussion of the New Zealand item, the suggestion was made by various representatives that the Council adjourn without taking any further decision. The representative of the USSR submitted a motion to pass to the consideration of item 3 of the agenda. In reply to the observation that the Council had at the previous meeting decided to give priority to the New Zealand item, he declared that he was not asking for a reversal of that decision. His motion was based on the premise that consideration of the New Zealand item had been completed. He said:

"... I consider that the Security Council cannot remain inactive, and that it must take the necessary action to remove the threat of war that has arisen in the Far East and is growing ever more menacing."

The representative of New Zealand objected to the USSR proposal on the ground that the Council had not concluded its consideration of the New Zealand item and that in view of the decision of the Security Council concerning the priority of that item, the USSR motion was out of order.

The representative of the United Kingdom, in opposing the motion made by representative of the USSR declared that the latter assumed

"... that inactive means that you are not doing something positive, that you are not taking some decision. However, that is not true, certainly not in international affairs..."

"... by the mere fact of having raised this question here and having started people thinking—and we hope that all interested countries will do their best to stop the fighting—we are in fact taking action.

"... I cannot think of anything more inappropriate and more impolitic than to plunge suddenly into the violent action that would be caused by proceeding to the Soviet item on our agenda, even if it were in order, which I think it is not..."

The President (Peru), in stating the opinion of the Chair, assumed that the USSR motion was not one to reconsider the decision according priority to the New Zealand item, but a new motion based on the ground that, as no action had been adopted or envisaged, the Council must pass to the next item of its agenda. He observed that the USSR representative had already had a reply to the effect that the representatives of New Zealand and the United Kingdom did not regard the topic as completely exhausted. Speaking in his capacity as representative of Peru, he added that he considered the jurisdiction of the Council had been established and could not be revoked. Faced with an acute and urgent problem, the Council was obliged to give it its whole attention and maintain its watchfulness.⁸¹

The USSR motion was rejected by 10 votes in favour to 1 against.⁸²

⁸¹ For texts of relevant statements see: 691st meeting: President (Peru), paras. 105, 124-125, 133; USSR, paras. 97, 109; United Kingdom, paras. 121-123.

⁸² 691st meeting: para. 134.