

Chapter I

PROVISIONAL RULES OF PROCEDURE OF THE SECURITY COUNCIL

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INTRODUCTORY NOTE

This chapter of the *Supplement* contains material pertaining to the practice of the Security Council in relation to all the provisional rules of procedure with the exception of those rules which are dealt with in other chapters as follows: chapter II: Agenda (rules 6-12); chapter III: Participation in the proceedings of the Council (rules 37-39); chapter VII: Admission of new Members (rules 58-60); chapter VI: Relations with other organs (rule 61). Material relating to the application of Article 27 (rule 40) is presented in chapter IV.

The major headings under which the material is entered in this chapter follow the classification previously adopted for the *Repertoire*. The arrangement of each part is based on the successive chapters of the provisional rules of procedure of the Security Council.

During the period under review, the Security Council adopted amendments to its provisional rules of procedure on one occasion when rules 41, 42, 43 and 44 were amended to include Russian and Spanish among the working languages of the Security Council (Case 43). Case histories entered in respect to other rules are confined entirely to those proceedings of the Council in which a question has arisen regarding the application of a certain rule, especially where discussion has taken place regarding variations from the usual practice. As was noted in the previous volumes, the case histories in this chapter do not attempt to provide cumulative evidence of the practices established by the Council, but are indicative of special problems which have arisen in the proceedings of the Council under its provisional rules.

Part I

MEETINGS (RULES 1-5)

NOTE

Part I deals with the practice concerning the convening of Council meetings and is concerned with interpretation of rules 1-5, which reflect the provisions of Article 28 of the Charter.

During the period under review there were no special instances of the application of rules 1, 3 and 5.

**1. CONSIDERATION OF THE ADOPTION OR AMENDMENT OF RULES 1-5

2. SPECIAL CASES CONCERNING THE APPLICATION OF RULES 1-5

Rule 2

CASE 1

At the 1601st meeting on 24 November 1971, in connexion with the complaint by Senegal, the representative of the United Kingdom, speaking on a point of order, referred to his delegation's letter¹ requesting a meeting of the Council at 11.30 the following morning in connexion with the situation in Southern Rhodesia. After citing rule 2 of the Security Council's provisional rules of procedure, he stated:

"I know, Sir, that you have consulted all the other members of the Council in connexion with the request to which I referred. It was my assumption in making that request that all members of the Council would wish to hear a full statement from me, as soon as I was in a position to make one, explaining the details of the agreed proposals

designed to achieve a settlement of the Rhodesian problem which were signed in Salisbury yesterday. Indeed, throughout this last week in the United Nations, in numbers of Committees, we have continually had requests addressed to us for information on precisely what was happening. It was for that reason that I asked for a meeting of this Council to coincide as closely as possible with the time when the United Kingdom Parliament itself will be informed."

The representative of the United Kingdom then stated that in case there was any objection to the Council holding a meeting the next day, that objection might be stated formally.

The representative of the USSR stated:

"Mr. President, I understand the position to be as follows: it is proposed that we discuss an item on the agenda of the Security Council, that item being the situation in Southern Rhodesia. If that is the case, the Soviet delegation is ready to discuss the question of the date for a meeting to consider this matter with you and with the other members of the Security Council. As I understand it, we are not considering convening a special meeting of the Security Council in order to listen to information on the results of the visit of a statesman of one country to one of that country's colonies. That is not how we understand the situation. There is no precedent for it and we should not create one. All sorts of visits take place, and all sorts of talks are held, and the Security Council is not convened just to listen to information from one delegation or another as to the results of such visits.

¹ S/10396, OR, 26th yr., Suppl. for Oct.-Dec. 1971, p. 40.

"I should therefore like to make it quite clear that if we are talking about discussing the question of the situation in Southern Rhodesia exactly as formulated in the agenda of the Security Council, then we are prepared to discuss both the date on which that meeting should be held and the time, and we have no objections. I should like to have your reply on this point."

The representative of France stated that the request for a meeting by the delegation of the United Kingdom was fully consistent with rule 2 of the provisional rules of procedure of the Security Council and therefore he was in favour of commencing a meeting as soon as possible to hear the representative of the United Kingdom. The representatives of Nicaragua, the United States, Argentina, Burundi, Italy, Japan and Belgium also expressed their support for a meeting as requested by the representative of the United Kingdom.

The representative of Somalia, after stating that the fourth report of the Security Council Committee on sanctions was awaiting discussion by the Council, suggested that since both that report and the United Kingdom request for a meeting related to the question of Southern Rhodesia, the Council should also include the former in its provisional agenda.

After the President (Poland) had stated that consultations were going on regarding the request of the representative of the United Kingdom for a meeting, the representative of Argentina stated:

"It seems to me that the Council in its wisdom has spared the President the task of holding consultations, because the majority of its members have already pronounced themselves. From what has been said it seems clear that there is no objection to hearing the statement of the representative of the United Kingdom a statement which promises to be extremely interesting.

"With regard to what appears to be a slight problem of form, that is, the wording of the agenda, rule 7 of our rules of procedure states that: 'The provisional agenda for each meeting of the Security Council is drawn up by the Secretary-General and approved by the President of the Security Council.' So that the question is in the hands of the Secretary-General, who will draw up the agenda, which you must then approve, Mr. President. If you agree, the consultations have taken place and the only thing remaining is to decide when the meeting is to be convened which, in principle, it had been thought would be 11.30 a.m."

The representative of Argentina then formally requested the President to determine whether there was any objection by members of the Council to a meeting at 11.30 the next morning, with the agenda to be decided upon in accordance with rule 7 of the Council's provisional rules of procedure.

The President stated that the question of the date and the hour of the meeting and the question of the agenda could be dealt with during consultations immediately following the adjournment of the present meeting.

The representative of Argentina, however, repeated his proposal that the President consult the members then and there to determine if there was any objection to a meeting at 11.30 a.m. the following day.

The representative of the USSR declared that he could not understand why the Council had to decide

the question of the exact hour and minute of tomorrow's meeting at that particular moment and why consultations on that point could not be held after the conclusion of the current meeting, as was suggested by the President.

The President then asked the representative of Argentina if he insisted on settling the question of tomorrow's meeting before adjourning; if not he would hold consultations on that point immediately following the adjournment of the present meeting.

The representative of Argentina stated that as long as the meeting took place the following morning he would not object to the modalities of consultations to determine the exact hour of that meeting.

Before adjourning the meeting, the President summarized the discussion to the effect that it had been agreed to hold a meeting the following morning and that the hour of the meeting would be set after consultations immediately following the adjournment of the present meeting.²

Rule 4

CASE 2

By letter³ dated 5 June 1970 addressed to the President of the Security Council, the representative of Finland requested, with reference to the Note of the President of the Security Council dated 20 April 1970,⁴ that a meeting of the Security Council be convened, at a date convenient to members, to consider the question of initiating periodic meetings of the Security Council in accordance with Article 28(2) of the Charter.

² For the texts of relevant statements, see: 1601st meeting: President (Poland), paras. 65, 71, 79-80, 107, 120, 126, 133-134, 136; Argentina, paras. 88-90, 109-110, 118-119, 123-125, 130; Belgium, para. 105; Burundi, paras. 116-117; France, paras. 74-77, 114-115; Italy, paras. 101-102, 135; Japan, para. 103; Nicaragua, para. 78; Somalia, paras. 83-85, 104; United Kingdom, paras. 66-70, 86-87, 106; United States, para. 82; USSR, paras. 72-73, 91-95, 111-113, 127, 132.

³ S/9824, *OR*, 25th yr., *Suppl. for April-June 1970*, p. 207.

⁴ S/9759, *OR*, 25th yr., *Suppl. for April-June 1970*, pp. 153-156. In his note, the President, having recalled that on 3 March 1970 the members of the Security Council had received informally, on behalf of the delegation of Finland, a memorandum on the question of initiating periodic meetings of the Security Council in accordance with Article 28(2) of the Charter, proposed, in the light of the preliminary discussions which had taken place among the members of the Council, that consultations be undertaken with a view to having this question considered, in due course, by the Security Council. He said that in making this proposal he was acting in his capacity as the representative of Finland. Attached to that note as an annex was the memorandum of 3 March 1970 in which historical background of Article 28(2), including the attempts over the years by the three Secretaries-General, the General Assembly and individual members to activate Article 28(2), had been reviewed and certain suggestions put forth to serve as basis for the proposed consultations among the members of the Security Council. These suggestions were: (1) that periodic meetings of the Security Council be regarded as a permanent institutional feature of the Organization and therefore in principle be held regularly; (2) that periodic meetings be held twice a year, as provided in Article 28(2) of the Charter and rule 4 of the provisional rules of procedure of the Security Council; (3) that it be understood that periodic meetings would provide an opportunity for a general exchange of views on the international situation and not arise from any particular event or issue, and not be expected to lead to decisions, resolutions, etc., on substantive issues; that (4) the agenda of periodic meetings be drawn up by the Secretary-General in consultation with the members of the Security Council, and normally consist of a single item—a report of the Secretary-General on the international situation; and that (5) periodic meetings normally be closed meetings, unless otherwise decided.

At the 1544th meeting of the Security Council on 12 June 1970 following the adoption of the agenda, without objection, a statement, based on prior consultations among the members of the Security Council and expressing the consensus of that organ, was read out by the President (Nepal) and approved by the Council.⁵

⁵ 1544th meeting, para. 3. For the text see, *OR, 25th yr., Resolutions and Decisions of the Security Council, 1970*, p. 10. See, also in this chapter, Cases 3 and 10 below.

CASE 3

In accordance with the decision taken at the 1544th meeting of the Security Council on 12 June 1970, the first periodic meeting of the Council was held in private on 21 October 1970 at the close of which a communiqué was issued by the Secretary-General in accordance with rule 55 of the provisional rules of procedure.⁶

⁶ See, *OR, 25th yr., Resolutions and Decisions of the Security Council, 1970*, p. 11.

Part II

REPRESENTATION AND CREDENTIALS (RULES 13-17)

NOTE

Since 1948, the reports of the Secretary-General on the credentials of the representatives of members of the Security Council have been circulated to the delegations of all Council members, and, in the absence of a request that they be considered by the Council, have been considered approved without objection.

During the period under review, objections were raised on one instance to the credentials of a representative stated to be illegally occupying the seat of the true representative of a Member State. The Council, having heard the objections to the acceptance of the credentials and statements made in reply to those objections, proceeded with its conduct of business without taking a decision on the question (Case 4).

****1. CONSIDERATION OF THE ADOPTION
OR AMENDMENT OF RULES 13-17**

**2. SPECIAL CASES CONCERNING THE APPLICATION
OF RULES 13-17**

Rule 13

CASE 4

At the 1565th meeting on 9 February 1971, in connexion with the admission of new members, the representative of Somalia stated that he wished to place on record his Government's "strong objections to acceptance of the credentials of the representative who, since December 1962, has been occupying the seat reserved for the true representative of the Government of the State of China."

The representatives of France, Italy, Poland, Syria and the USSR supported the reservations expressed by the representative of Somalia on the question of the representation of China in the United Nations.

The representative of China, in his reply, observed that "any reservation or objection made by a Member State with respect to the credentials of the representative of another Member State does not in any manner affect the legal status of that representative" and stated that the Security Council was not the proper forum for a debate on the question of China's representation.

The President (United States) stated that the credentials of the representative of China had been reported to the Council on 18 December 1962 and in the absence of any objection, they were considered to

have been approved. Thus, the provisions of rule 15 of the provisional rules of procedure were fully satisfied with respect to the credentials of the representative of China. He then added:

"With regard to the broad question of Chinese representation in the United Nations, I would certainly hope that the Security Council would not be asked, now or in the future, to take action on that question. The Security Council, composed of only fifteen members—less than one eighth of the membership of the United Nations—is manifestly the wrong organ in which to deal with a political question of great moment that concerns every single Member of the Organization. That fact was recognized from the very beginning of the controversy over Chinese representation, when the General Assembly in 1950 adopted resolution 396 (V)."

The Council proceeded with its meeting, without, however, taking a decision on the question of representation.⁷

CASE 5

By a letter⁸ dated 26 October 1971 addressed to the President of the Security Council, the Secretary-General transmitted the text of a resolution⁹ adopted by the General Assembly on 25 October 1971 by which the Assembly had decided to restore all the rights of the People's Republic of China and to recognize the representatives of its Government as the only legitimate representative of China to the United Nations; and to "expel forthwith the representatives of Chiang Kai-Shek from the United Nations and all its related organizations."

In a report¹⁰ dated 2 November 1971 to the President of the Security Council, concerning the credentials of the representative and deputy representative of the People's Republic of China on the Security Council, the Secretary-General stated that he had received from the Acting Minister of Foreign Affairs of that country, a telegram stating that Mr. Huang Hua and Mr. Chen Chu had been appointed, respectively, representative

⁷ For texts of relevant statements, see: 1565th meeting: President (United States), paras. 99-101; China, paras. 92-98; France, paras. 85-88; Italy, paras. 90-91; Poland, para. 89; Somalia, paras. 52-74; Syria, paras. 78-80; USSR, paras. 82-84.

⁸ S/10378, mimeo.

⁹ Resolution 2758 (XXVI)

¹⁰ S/10382, mimeo.

and deputy representative of the People's Republic of China in the Security Council.

After drawing attention to General Assembly resolution 2758 (XXVI) of 25 October 1971, the Secretary-General stated that in his opinion the above-mentioned telegram appointing Mr. Huang Hua and Mr. Chen Chu representative and deputy representative of China on the Security Council constituted adequate provisional credentials.

At the 1599th meeting of the Security Council on 23 November 1971, prior to the adoption of the agenda relating to the complaint by Senegal, statements were made by members of the Council welcoming the representative of the People's Republic of China in the Council who made a statement¹¹ in reply.

¹¹ For texts of relevant statements, see: 1599th meeting, paras. 1-94.

Part III

PRESIDENCY (RULES 18-20)

NOTE

Part III of this chapter is confined to proceedings of the Council directly related to the office of the President.

During the period under review, there were no cases of special application or interpretation of rule 18 which deals with the monthly rotation of the presidency of the Council, and of rule 20, on the temporary cession of the chair. The material assembled in the section is concerned with rule 19 and covers instances in which the President has held consultations with Council members in-between the meetings of the Council with a view to reaching an agreement on measures to be adopted by the Council¹² (Cases 6, 7, 8, 9, 11, 12, 14), those in which the President has expressed the consensus of the members in the course of a meeting (Cases 10, 13, 16), others in which the President has announced such consensus not in the course of a meeting but via notes circulated as Security Council documents¹³ one instance in which the President suggested a procedure by which the Council would adjourn to allow for informal consultations on a draft resolution¹⁴ before the Council (Case 15), and one instance in which the President having made a statement, which certain representatives believed had contravened an understanding reached during informal consultations, was requested to adhere to that understanding (Case 17).

Material relevant to the exercise by the President of his functions in connexion with the agenda is dealt with in chapter II. The exercise of President's functions in the conduct of a meeting is reflected in the material included in part V of this chapter.

¹² During the period under review, the Security Council has continued to resort to informal consultations as a procedure for facilitating the reaching of its decisions. Agreements or consensus resulting from such consultations have, in some instances, been presented to the Council by the President in the form of a statement of consensus or a draft resolution, which the Council, at its formal meeting, would then approve without further debate. In other instances such agreements or consensus have been announced by the President in notes circulated as Security Council documents.

¹³ For texts of such notes, see S/8697/Add.1, OR, 24th yr., Suppl. for Jan.-March 1969, p. 32; S/9632, OR, 25th yr., Suppl. for Jan.-March 1970, p. 118; S/9748, *ibid.*, Suppl. for April-June 1970, p. 148; S/9803, *ibid.*, p. 184; S/9911, *ibid.*, Suppl. for July-Sept. 1970, p. 131; S/9951, *ibid.*, p. 147; S/9999, *ibid.*, Suppl. for Oct.-Dec. 1970, p. 53; S/10274, OR, 26th yr., Suppl. for July-Sept. 1971, p. 40; S/10299, *ibid.*, Suppl., for July-Sept. 1971, pp. 56-57.

¹⁴ S/10376, mimeo.

**1. CONSIDERATION OF THE ADOPTION OR AMENDMENT OF RULES 18-20

2. SPECIAL CASES CONCERNING THE APPLICATION OF RULES 18-20

Rule 19

CASE 6

At the 1474th meeting on 10 June 1969, in connexion with the Cyprus Question, the President (Paraguay) stated that as a result of consultations a draft resolution had emerged and he asked the Deputy to the Under-Secretary-General to read it out. Under the draft resolution,¹⁵ the Security Council would, *inter alia*, extend the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a further period ending 15 December 1969.

The Council adopted the draft resolution unanimously.¹⁶

CASE 7

At the 1504th meeting on 26 August 1969, in connexion with the situation in the Middle East, the President (Spain) announced that as a result of consultations undertaken in the past few days, members of the Council had reached agreement on the text of a draft resolution¹⁷ representing a consensus of the Council.

After noting that there was no objection to the draft resolution, the President declared it unanimously adopted by the Council.¹⁸

CASE 8

At the 1506th meeting on 29 August 1969, in connexion with the letter dated 18 August 1969 addressed to the President of the Security Council by the representative of the United States¹⁹ concerning the question of "micro-states", the President (Spain) stated that after consultations on the subject "I understand there is no objection to the establishment of a committee

¹⁵ Text same as resolution 266 (1969) of 10 June 1969.

¹⁶ For text of the President's statement, see 1474th meeting, paras. 9-10, 64.

¹⁷ S/9410. Text same as resolution 270 (1969) of 26 August 1969.

¹⁸ For text of the President's statement, see 1504th meeting, paras. 2-3.

¹⁹ S/9397, OR, 24th yr., Suppl. for July-Sept. 1969, pp. 159-160.

of experts, consisting of all members of the Security Council, to study the question considered at our 1505th and 1506th meetings.²⁰

CASE 9

At the 1521st meeting on 11 December 1969, in connexion with the Cyprus Question, the President (Zambia) noted²¹ that the text of a draft resolution²² prepared in the course of informal consultations had been circulated to members of the Council and informed the Council that in the process of further consultations it had been decided to make a slight modification to the third preambular paragraph.²³

The Council adopted the draft resolution unanimously.²⁴

CASE 10

At the 1544th meeting on 12 June 1970, in connexion with the question of initiating periodic meetings of the Security Council, the President (Nepal) stated that after consultations among the members of the Security Council, he had been authorized to make the following statement²⁵ expressing the consensus of the Council:

"The members of the Security Council have considered the question of initiating periodic meetings in accordance with Article 28, paragraph 2, of the Charter. They consider that the holding of periodic meetings, at which each member of the Council would be represented by a member of the Government or by some other specially designated representative could enhance the authority of the Security Council and make it a more effective instrument for the maintenance of international peace and security. As to the date and other practical aspects of the first such meeting, these will be considered later in consultations.

"It is understood that periodic meetings, the purpose of which would be to enable the Security Council to discharge more effectively its responsibilities under the Charter, would provide members with an opportunity for a general exchange of views on the international situation, rather than for dealing with any particular question, and that such meetings would normally be held in private, unless it were otherwise decided.

"The provisional agenda of periodic meetings shall be drawn up by the Secretary-General in consultation with the members of the Council and in accordance with the relevant provisions of the provisional rules of procedure."

The statement as read by the President was approved by the Council without objection.²⁶

CASE 11

At the 1552nd meeting on 9 September 1970, in connexion with the situation created by increasing

²⁰ For text of the President's statement, see 1506th meeting, para. 61. See also in this supplement, chapter V, Case 9.

²¹ For the text of the President's statement, see 1521st meeting, paras. 2-4.

²² S/9550, mimeo.

²³ S/9550/Rev.1, mimeo. Text same as resolution 274 (1969) of 11 December 1969.

²⁴ 1521st meeting, para. 72. See also in this supplement, chapter VIII, part II, p. 122.

²⁵ S/9835, OR, 25th yr., Suppl. for April-June 1970, p. 210.

²⁶ For text of the President's statement, see 1544th meeting, paras. 1-3. Also see, in this chapter, Case 2 above.

incidents involving the hijacking of commercial aircraft, the President (Sierra Leone) stated²⁷ that after extensive consultations, members of the Council had agreed on the text of a draft resolution²⁸ representing a consensus of the Council.

After the President had read the text of the draft resolution, the Council adopted it without vote.²⁹

CASE 12

At the outset of the 1557th meeting on 17 November 1970, in connexion with the question of Southern Rhodesia, the President (Syria) declared that during consultations that had taken place since the last meeting of the Council, a draft resolution³⁰ had been prepared which appeared to have the support of all members of the Council.

After reading the text of the draft resolution, the President asked the Council to vote on it, which the Council then adopted unanimously.³¹

CASE 13

At the 1576th meeting on 26 August 1971, in connexion with the complaint by Guinea, the President (Italy) recalled that at its 1573rd meeting, the Council had adopted resolution 295 (1971) under which the Security Council had taken a decision to send a Special Mission to the Republic of Guinea to consult with authorities and to report on the situation immediately. The Security Council, he recalled, had further decided that the Special Mission would be appointed after consultations between the President of the Security Council and the Secretary-General. As a result of those consultations, he had been authorized to make a statement expressing the consensus of the Council. He then made the following statement:

"It is the consensus of the Security Council that the Special Mission called for in resolution 295 (1971) should be composed of two members of the Council instead of three. The Special Mission will proceed to Conakry to consult the Government of the Republic of Guinea on its complaint and will report back to the Council as soon as possible."

Following adoption of the consensus statement the President announced³² that he and the Secretary-General had decided that the Special Mission would be composed of Argentina and Syria and would be accompanied by the necessary staff from the Secretariat.³³

CASE 14

At the 1471st meeting on 29 March 1969, in connexion with the situation in the Middle East, the President (Hungary) announced that as a result of consultations among members of the Council, a draft resolution sponsored by three delegations had been completed and would be circulated soon for the Council's consideration. However, he said, since the day

²⁷ For text of the President's statement, see 1552nd meeting, paras. 1, 4-12.

²⁸ S/9933/Rev. 1. Text same as resolution 286 (1970) of 9 September 1970.

²⁹ 1552nd meeting, para. 12.

³⁰ S/9980. Text same as resolution 288 (1970) of 17 November 1970.

³¹ For text of the President's statement, see 1557th meeting, paras. 1-3.

³² S/10299, OR, 26th yr., Suppl. for July-Sept. 1971, pp. 56-57.

³³ For text of the President's statement, see 1576th meeting, paras. 1-6. Also, see chapter V, Case 3 and chapter X, Case 3.

of national mourning in the United States was to be observed on 31 March 1969, the sponsors, out of respect, had decided to postpone introduction of their draft resolution until after that day.

The President, after noting that no one then wished to take the floor, declared that the date of the next meeting would be set by the incoming President of the Council. He then adjourned the meeting.³⁴

CASE 15

At the 1598th meeting on 20 October 1971, in connexion with the situation in Namibia, the President (Nicaragua), after referring to a draft resolution submitted earlier in the meeting by the representative of Argentina,³⁵ stated that the best course for the Council to follow under the circumstances was to adjourn the meeting now and allow the President to convene another meeting at some future date after consultation with members of the Council in order to continue consideration of the Argentine draft resolution. He suggested that the time in between be utilized to carry on consultations between the sponsor of the draft resolution and members of the Council.

The Council accepted the President's suggestion.³⁶

CASE 16

At the 1603rd meeting on 30 November 1971 the President (Poland) observed that in pursuance of resolution 295 (1971) the Security Council had dispatched a Special Mission to Guinea, consisting of the representatives of Argentina and Syria. He stated that the Special Mission had been in Guinea from 30 August to 2 September 1971 and had submitted its report to the Council.³⁷

On behalf of the Security Council and with the authorization of its members the President then made the following statement of consensus:³⁸

"It will be recalled that on 3 August the Council dispatched a Special Mission to the Republic of Guinea. The Special Mission, consisting of the representative of Syria, Ambassador George J. Tomch, and the deputy representative of Argentina, Minister Julio Cesar Carasales, visited Guinea from 30 August to 2 September 1971 and held extensive consultations with officials of the Government of Guinea.

"In those consultations, the Guinean authorities co-operated fully with the Special Mission and extended to it all the facilities necessary for the successful achievement of its task.

"Upon its return to New York, and in accordance with its terms of reference, the Special Mission submitted its report to the Security Council, circulated as document S/10309. The Security Council began its first examination of the report of the Special Mission at its 1586th meeting on 29 September 1971.

"It is evident from this report that there is continuing concern in Guinea regarding the possibility of renewed acts against that country's ter-

ritorial integrity and political independence similar to those which led to the events of November 1970. In this respect, the view has been expressed by the Government of Guinea that action should be taken by the Security Council to prevent Portugal from violating the territorial integrity and political independence of Guinea.

"It is also clear that the failure by Portugal to apply the principle of self-determination, including the right to independence, in Guinea (Bissau) is having an unsettling effect on conditions in the area.

"The Security Council, having taken note with appreciation of the report of the Special Mission and of the representations made by the Government of Guinea, reiterates operative paragraph 1 of Security Council resolution 295 (1971), which 'Affirms that the territorial integrity and political independence of the Republic of Guinea must be respected'."

CASE 17

At the 1621st meeting on 21 December 1971, in connexion with the situation in the India/Pakistan subcontinent, the President (Sierra Leone), at the outset of the meeting, announced that agreement had been reached on an acceptable draft resolution sponsored by Argentina, Burundi, Japan, Nicaragua, Sierra Leone and Somalia.³⁹ He then added:

"The proposed draft resolution is factual and is capable of commanding the support of all members around this table. It is non-partisan and to a considerable extent represents a compromise of the multiplicity of draft resolutions that have been presented to the Council or discussed in the corridors during the past two weeks. It has been voided of all controversial aspects and therefore it is in a position to command the support of all.

"The draft resolution before the Council this evening takes account of the realities of the existing situation. It calls upon both sides to the conflict to make the cessation of all hostilities durable and provides for withdrawals of all armed forces from the troubled zones. To this end it stresses the need for the preservation of peace in the subcontinent. Lasting peace in the area is incapable of being achieved unless the Geneva Conventions of 1949 are respected and meticulously observed.

"A point in this connexion is the rumoured retaliatory measures now taking place in Dacca and elsewhere. We are aware that feelings are high and the danger of reprisals for sufferings meted out by the troops of the Pakistan Government since March is imminent.

"The draft resolution also calls for concerted efforts from the international community for the rehabilitation of the millions of refugees who would better serve their land by returning to their ancestral homes.

"The efforts devoted by all of you towards the achievement of a fruitful solution to the problem confronting the India/Pakistan subcontinent since the Council started meeting on 4 December have been prodigious. We have all laboured hard and long and we look forward to a realization of our efforts. The way in which this could be achieved

³⁴ For text of the President's statement, see 1471st meeting, paras. 2-6.

³⁵ S/10376, *OR*, 26th yr., *Suppl. for Oct.-Dec. 1971*, p. 27.

³⁶ For text of the President's statement, see 1598th meeting, paras. 94-95, 98-100.

³⁷ S/10309/Rev. 1, *OR*, 26th yr., *Special Supplement No. 4*.

³⁸ For text of the President's statement, see 1603rd meeting, paras. 2-5.

³⁹ S/10465. Text same as resolution 307 (1971).

would be by the speedy adoption of the draft resolution now before the Council.”

With regard to the President’s statement, the representative of Pakistan* stated as follows:

“I have listened with close attention to the statement made by you just now, Sir. It was the understanding of my delegation that first the co-sponsors of the draft resolution in document S/10465 would present that draft resolution and make introductory statements. Consequently, I take it that the statement you have just now made does not have any bearing of an interpretative character on the draft resolution before us and that you have made that statement perhaps in your capacity as the representative of Sierra Leone.

“We are considering a matter of utmost gravity and therefore we have to weigh every word that is uttered because the proceedings of this Council touch upon some of the most fundamental principles of the Charter and any interpretation which departs from the spirit of those principles can have profound consequences and is bound to reflect on the prestige and the efficacy of this Council. Therefore, my delegation would prefer to listen to what the co-sponsors have to say in regard to the draft resolution.”

Following the statement by the representative of

Pakistan, the representative of Somalia, one of the co-sponsors of the draft resolution, stated:

“The agreement reached between me, on behalf of the co-sponsors and the two parties was that the draft resolution would first be put to a vote by you, Sir, without any kind of introductory statement and that immediately the vote on the draft resolution had been taken, my delegation, on behalf of the co-sponsors, would make an interpretative statement on certain of its aspects. I trust that you will proceed accordingly.”

The President replied as follows:

“In accordance with the usual custom, I have only tried to appeal to members to proceed on this matter with all seriousness and to see that something is done. If Ambassador Farah had not made his statement, I had intended to suggest that the draft resolution now be put to the vote and that, after the voting, members be given an opportunity to make statements in explanation of their votes and then, lastly, the parties—India and Pakistan—be given an opportunity to make their statements.”

The draft resolution was then put to the vote⁴⁰ and adopted by 13 votes to none with 2 abstentions.

⁴⁰ For texts of relevant statements, see: 1621st meeting: President (Sierra Leone) paras. 3-8, 13; Pakistan, paras. 10-11; Somalia, para. 12.

Part IV

SECRETARIAT (RULES 21-26)

NOTE

This part relates to rules 21-26 of the provisional rules of procedure, which delineate the specific functions and powers of the Secretary-General, under Article 98 of the Charter, in connexion with the meetings of the Security Council.

Within the period under review, the Secretary-General has been requested or authorized (i) to study, together with the representative of the United States, the matter concerning a threat received by the representative of Jordan from the Jewish Defence League;⁴¹ (ii) to draw up the provisional agenda of a periodic meeting in consultation with the members of the Council and in accordance with the relevant provisions of the provisional rules of procedure;⁴² (iii) to transmit to the General Assembly the text of a resolution adopted by the Security Council;⁴³ (iv) to give every assistance to an *ad hoc* sub-committee established by the Council in the performance of its task;⁴⁴ (v) to

⁴¹ Statement by the President (USSR), in connexion with the situation in the Middle East, 1509th meeting, para. 63.

⁴² Statement by the President (Nepal), in connexion with the question of initiating periodic meetings of the Security Council, 1544th meeting, para. 2.

⁴³ Statement by the President (Spain), in connexion with admission of new Members, 1554th meeting, para. 177.

⁴⁴ In connexion with the situation in Namibia, resolution 276 (1970) of 30 January 1970, para. 8; resolution 283 (1970) of 29 July 1970, para. 16.

appoint a special mission after consultations with the President of the Security Council;⁴⁵ (vi) to undertake a detailed study and review of all multi-lateral treaties to which South Africa was a party and which, either by direct reference or on the basis of relevant provisions of international law, might be considered to apply to the Territory of Namibia;⁴⁶ (vii) to transmit the text of a resolution adopted by the Council to the International Court of Justice;⁴⁷ (viii) to dispatch a special mission to the spot composed of members of the Council assisted by the military experts in order to, *inter alia*, carry out an inquiry into the facts brought to the attention of the Council;⁴⁸ and (ix) to appoint, if necessary, a special representative to lend his good offices to certain parties for the solution of humanitarian problems resulting from the dispute.⁴⁹

In a number of instances, the Secretary-General has also been requested to follow the implementation of resolutions or to keep certain questions under review,

⁴⁵ In connexion with the complaint by Guinea, resolution 289 (1970) of 23 November 1970, para. 4; resolution 295 (1971) of 3 August 1971, para. 3.

⁴⁶ In connexion with the situation in Namibia, resolution 283 (1970) of 29 July 1970, para. 9.

⁴⁷ In connexion with the situation in Namibia, resolution 284 (1970) of 29 July 1970, para. 2.

⁴⁸ In connexion with the complaint by Senegal, resolution 294 (1971) of 15 July 1971, para. 4.

⁴⁹ In connexion with the situation in India/Pakistan sub-continent, resolution 307 (1971) of 21 December 1971, para. 6.

reporting on their developments to the Council as he deemed appropriate.⁵⁰

The Secretary-General has furthermore been requested by resolutions or during meetings of the Security Council, to submit reports on developments relating to the maintenance of international peace and security. In response to such requests or at his own initiative, the Secretary-General has on a number of occasions submitted oral reports to the Council.⁵¹

During the period under review there has been no case of special application or interpretation of rules 23 and 24.

****1. CONSIDERATION OF THE ADOPTION
OR AMENDMENT OF RULES 21-26**

**2. SPECIAL CASES CONCERNING THE APPLICATION
OF RULES 21-26**

Rule 21

CASE 18

At the 1512th meeting on 15 September 1969, before proceeding to the discussion of the item on the agenda pertaining to the situation in the Middle East, the President (USSR) called upon the Secretary-General to make a statement. The Secretary-General stated:

"At the 1509th meeting of the Security Council, on 11 September, you, Mr. President, drew my attention to terrorist threats against Permanent Representatives of Member States of the United Nations, and asked me to study the matter, together with the representative of the United States, so that the necessary measures could be taken.

"I wish to inform the Security Council that I have been in contact with the Permanent Representative of the United States. I have been assured that police protection is being provided to the delegations concerned on a round-the-clock basis. Should further protection be required, I am advised that the United States Mission would arrange for it upon request, as it has always been prepared to do in the past. I have also been assured that the United States authorities are examining appropriate steps to prevent the occurrence of similar threats. It is my intention to keep up my contacts with the Permanent Representative, and I shall keep the Council informed of developments."⁵²

⁵⁰ In connexion with the situation in Namibia, resolution 264 (1969) of 20 March 1969, para. 9; resolution 269 (1969) of 12 August 1969, para. 9; resolution 301 (1971) of 20 October 1971, para. 16; in connexion with the situation in the Middle East, resolution 267 (1969) of 3 July 1969, para. 8; resolution 271 (1969) of 15 September 1969, para. 7; resolution 298 (1971) of 25 September 1971, para. 5; in connexion with the question of Southern Rhodesia, resolution 277 (1970) of 18 March 1970, para. 20; in connexion with the question of race conflict in South Africa, resolution 282 (1970) of 23 July 1970, para. 5; in connexion with the complaint by Guinea, resolution 290 (1970) of 8 December 1970, para. 11; in connexion with the complaint by Senegal, resolution 302 (1971) of 24 November 1971, para. 8; in connexion with the situation in the India/Pakistan sub-continent, resolution 307 (1971) of 21 December 1971, para. 6.

⁵¹ For texts of such reports, see, in connexion with the situation in the Middle East: 1537th meeting, paras. 6-8; 1539th meeting, para. 6; 1540th meeting, para. 84; 1551st meeting, paras. 11-14.

⁵² For texts of relevant statements, see: 1512th meeting: President (USSR), para. 3; Secretary-General, paras 4-5.

CASE 19

In a note dated 28 March 1970,⁵³ the Secretary-General informed the Security Council that, in response to requests by the Governments of Iran and the United Kingdom, and after extended consultations with the two parties, he had agreed to exercise his good offices in a matter pertaining to Bahrain on the basis of mutually agreed terms of reference which envisaged an ultimate action by the Security Council. Under the plan, the Secretary-General was to send a personal representative to ascertain the wishes of the people of Bahrain regarding their status. His Personal Representative was to submit his findings in the form of a report to the Secretary-General who would transmit them to the Security Council for its consideration and endorsement. He also pointed out that actions such as this had become customary in United Nations practice and had proved to be a valuable means of relieving and preventing tension by a quiet approach in certain situations which could only be prolonged and aggravated by premature disclosure and public debate. By a letter dated 4 April 1970,⁵⁴ addressed to the President of the Security Council, the representative of the USSR transmitted the text of a letter addressed to the Secretary-General in which the USSR, in referring to the latter's initiative on the question of Bahrain took exception to the statement by the Secretary-General that such actions had become customary in United Nations practice. The USSR letter emphasized that under the United Nations Charter, decisions involving United Nations action in the maintenance of international peace and security are taken by the Security Council.

By a letter dated 6 April 1970,⁵⁵ to the President of the Security Council, the Secretary-General transmitted his reply to the USSR letter in which he acknowledged that he found himself at variance with some aspects of the views of the USSR. When, as the Secretary-General pointed out, Member States of the United Nations approached him directly asking for the exercise of his good offices on a delicate matter in which they shared the hope for an early amicable solution through quiet diplomacy without taking the issue before the Security Council or consulting its members individually, he examined the proposals carefully and, if they were fully consistent with the principles and purposes of the Charter and in no way impinged upon the authority of the Security Council or any other organ of the United Nations, he felt obligated to assist Member States in the manner requested. To do otherwise, in his opinion, would thwart a commendable effort by Member States to abide by a cardinal principle of the Organization, namely, the peaceful settlement of disputes. The Good Offices Mission to Bahrain, the Secretary-General reiterated, was engaged only in fact-finding the results of which would be reported to the Council which then could take substantive action.⁵⁶

⁵³ S/9726, *OR*, 25th yr., *Suppl. for Jan.-March 1970*, pp. 175-176.

⁵⁴ S/9737, *OR*, 25th yr., *Suppl. for Apr.-June 1970*, p. 143; see also the statement by the representative of the USSR thereon, 1536th meeting, para. 73.

⁵⁵ S/9738, *OR*, 25th yr., *Suppl. for Apr.-June 1970*, pp. 143-144.

⁵⁶ For the position of the Secretary-General regarding the question of prior consultation with the Security Council in the exercise of his good offices, see also the following communications: letter dated 7 March 1969 from the President of the Security Council to the Secretary-General, S/9054, *OR*,

CASE 20

At the 1611th meeting on 12 December 1971 in connexion with the situation in the India/Pakistan subcontinent, the representative of the United States asked if the Secretary-General had received any replies in response to the General Assembly resolution 2973 (XXVI) of 7 December 1971.⁵⁷ On behalf of the Secretary-General, the Under-Secretary-General replied as follows:

"On behalf of the Secretary-General, I wish to inform the members of the Security Council that immediately after the adoption by the General Assembly on 7 December of resolution 2793 (XXVI), the Secretary-General communicated the text of the resolution to the Governments of India and Pakistan.

"The Government of Pakistan has responded by letter of 9 December 1971, which is published as document A/8567 and S/10440.

"The Government of India has responded by letter of 12 December 1971, which is published as document A/8580 and S/10445. The document is being processed and will be ready for distribution at about 9.00 p.m."⁵⁸

Rule 22

CASE 21

At the outset of the 1558th meeting on 22 Novem-

24th yr., Suppl. for Jan.-March 1969, p. 109; letter dated 7 March 1969 from the Secretary-General to the President of the Security Council, S/9055, *Ibid.*, p. 110; letter dated 19 March 1969 from the representative of the USSR to the President of the Security Council, S/9101, *Ibid.*, p. 132.

⁵⁷ The resolution, *inter alia*, called upon the Governments of India and Pakistan to take measures for an immediate cease-fire and withdrawal of their armed forces from the other side's territory and requested the Secretary-General to keep the General Assembly informed on the implementation of the resolution.

⁵⁸ For texts of relevant statements, see 1611th meeting: United States, para. 6; Under-Secretary-General, para. 8.

ber 1970, in connexion with the complaint by Guinea, the Secretary-General informed the Council that shortly after noon that day, he had received by telephone from the Permanent Representative of Guinea, information that the President of Guinea had addressed an urgent message to the Secretary-General, which the Permanent Representative delivered to his office at two o'clock that afternoon. After quoting the text of the message⁵⁹ the Secretary-General stated that he and the representative of Guinea had informed the President of the Security Council of the situation so that steps might be taken to convene the meeting. Later that afternoon, the Secretary-General stated that he had received also a message from the resident representative of the United Nations Development Programme (UNDP) in Conakry, sent at the request of the Government of Guinea, which confirmed that "at 2:00 a.m. local time, disembarkment of external forces described by the Government as Portuguese took place in Conakry" and that the resident representative had personally seen four ships disembark, and fighters flying over the city. The Secretary-General further informed the Council that he had received a second message from the President of Guinea that evening requesting him to convene an urgent meeting of the Security Council and that he had sent a cabled reply informing the President of Guinea that steps had been urgently taken to convene the meeting of the Council that evening and that the Council was about to meet. He assured the President of Guinea that any decision taken by the Council would be immediately transmitted to him.⁶⁰

⁵⁹ S/9988. See also 1558th meeting, para. 19. In the message, the President of Guinea reported that Guinean territory had been the object of armed aggression by Portuguese forces and requested immediate intervention by airborne United Nations troops.

⁶⁰ For the text of the relevant statement, see: 1558th meeting, paras. 3-13.

Part V

CONDUCT OF BUSINESS (RULES 27-36)

NOTE

Part V sets out the cases bearing on rules 27 to 36. Cases relating to rules 37 to 39 are contained in chapter III, "Participation in the proceedings of the Security Council." Chapter V, which deals with the subsidiary organs of the Council, should be consulted in connexion with rule 28. During the period under review, there were no special instances of the application of rules 29, 34 and 35.

As in the previous volumes of the *Repertoire*, the cases assembled in this part are indicative of the special problems which have arisen in the application of the rules on the conduct of business, rather than the routine practice of the Security Council. They relate to such matters as the following points:

1. Rule 27

The order of intervention in the debate (Cases 22-24).

2. Rule 30

The extent to which the President would rule on a point of order (Cases 26-28). There have been a number of instances during the period under review in which representatives, having requested to be recognized on a point of order, made statements on matters on which no ruling was required. Such instances were not included in the study.

3. Rule 31

The requirement of written submission for proposed resolutions, amendments and substantive motions (Cases 29-34).

4. Rule 32

Request for separation of vote (Cases 35 and 36).

5. Rule 33

On suspension and adjournment of meetings (Cases 37-42).

6. Rule 36

On the order of voting on two amendments to the same draft resolution (Case 43).

****1. CONSIDERATION OF THE ADOPTION
OR AMENDMENT OF RULES 27-36**

**2. SPECIAL CASES CONCERNING THE APPLICATION
OF RULES 27-36**

a. Rule 27

CASE 22

At the 1516th meeting on 4 December 1969, in connexion with the Complaint by Senegal, the representative of Portugal,* in the course of his statement, addressed three questions to the representative of Senegal. After the President (Zambia) had inquired whether he wished to reply, the representative of Senegal made a statement in reply to the queries addressed to him by the representative of Portugal.⁶¹

CASE 23

At the 1517th meeting on 5 December 1969, in connexion with the Complaint by Senegal, the representative of Senegal addressed a query to the representative of Portugal. When the President (Zambia) asked him if he wished to reply, the representative of Portugal* stated that he would do so at a later stage.⁶²

CASE 24

At the 1608th meeting on 6 December 1971, in connexion with the situation in the India/Pakistan sub-continent, the President (Sierra Leone) recalled rule 27 of the Provisional Rules of Procedure and added:

"Accordingly, will those who wish to take the floor kindly add their names to the list of speakers which the Secretariat and I keep. They will then be called upon in the order of their inscription. We cannot conduct orderly debates if representatives who indicate that they wish to raise points of order instead make substantive statements or proceed to exercise their right of reply."⁶³

CASE 25

At the outset of the 1546th meeting on 20 July 1970, in connexion with the question of race conflict in South Africa, the President (Nicaragua) informed the members of the Council that the Secretary-General had invited them to a ceremony commemorating the first anniversary of the flight of Apollo 11 to the moon at 5.00 that afternoon and that if the list of speakers had not been completed by that time he would, with the consent of the Council, suspend the meeting for half an hour to enable Council members to attend that ceremony.

The meeting was suspended at 5.05 p.m. after the representatives of the United Kingdom and Ghana* had made their statements. Before concluding his statement the representative of Ghana stated:

"Mr. President, I had wanted to make some preliminary comments on the statement which was made

⁶¹ For text of relevant statements, see: 1516th meeting: President (Zambia), para. 94; Portugal, paras. 88-93; Senegal, paras. 95-98.

⁶² For text of relevant statements, see: 1517th meeting: President (Zambia), para. 6; Portugal, para. 7; Senegal, para. 5.

⁶³ For text of the President's statement, see: 1608th meeting, paras. 212-213.

earlier this afternoon by the representative of the United Kingdom but I am deeply conscious that perhaps in doing so I might be upsetting your own programme for the afternoon. If you will allow me, perhaps I could stop here and take the floor on another occasion in order not to upset your programme for the afternoon."

Upon the resumption of the meeting at 6.10 p.m. after the President had called upon the representative of Ghana to continue his statement, he replied:

"I thank you, Mr. President, for calling on me but there have been some consultations between delegations that wish to speak at this afternoon's meeting and my own delegation, and I have agreed to pass since I did not wish to stand in the way of a brother delegation's exercising its privilege. I shall continue if you wish me to do so, but I should not like to stand in the way of my colleagues."

The President then declared:

"I take note of the statement just made by the representative of Ghana, and I now call on the representative of Sierra Leone, although the representative of Ghana may speak again when he wishes to."

The representative of Sierra Leone then took the floor.⁶⁴

b. Rule 30

CASE 26

At the 1537th meeting on 12 May 1970, in connexion with the situation in the Middle East, the representative of Spain submitted a draft resolution⁶⁵ and requested that it be put to the vote immediately.

The President (France) took note of the proposal and stated that if no one wished to speak on the subject he would put the proposal to the vote. At that point the representative of Israel asked for the floor and the President recognized him. However, the representative of Syria intervened on a point of order, stating that the Council was then engaged in the procedural part of the debate, namely, the proposal of the representative of Spain to proceed to a vote immediately on his delegation's draft resolution and that, therefore, a non-member of the Security Council had no right to take the floor.⁶⁶

The President after observing that the debate had not been closed when he had given the floor to the representative of Israel ruled that the representative of Israel should be allowed to speak before proceeding to the vote.

Further discussion ensued in which the representative of the United States and the United Kingdom argued in favour of allowing the representative of Israel to make a statement. The representative of the USSR, however, formally proposed that the Council proceed immediately to the vote on the draft resolution submitted by the representative of Spain. The Council rejected the Soviet motion by 7 votes in favour with 2 against and 6 abstentions. The representative of Israel was then given the floor.

⁶⁴ For texts of relevant statements, see: 1546th meeting, President (Nicaragua), paras. 4-5, 82, 84; Ghana, paras. 80, 83.

⁶⁵ S/9800, adopted without change as resolution 279 (1970) of 12 May 1970.

⁶⁶ See chapter III, Case 8.

Following the statement by the representative of Israel,* the representative of the United States formally proposed an amendment⁶⁷ to the draft resolution whereupon the representative of the Soviet Union formally proposed an amendment⁶⁸ to that amendment. The President, invoking rule 36 of the provisional rules of procedure, first put the Soviet sub-amendment to the vote, followed by the United States amendment, both of which were rejected by the Council.⁶⁹

The President then put the draft resolution as a whole to the vote⁷⁰ which the Council adopted unanimously.⁷¹

CASE 27

At the 1589th meeting on 6 October 1971, prior to the adoption of the agenda pertaining to the situation in Namibia, the representative of Sierra Leone, speaking on a point of order, formally proposed that a documentary film on Namibia which had been unofficially shown to interested members of the Security Council before the meeting, be shown again officially by the Secretariat to the Council and that the film form part of the documentary record of the Council in regard to the agenda item before it.

The representative of France stated that although he had nothing against the film, he was concerned that if the Security Council admitted such documentary evidence, "then perhaps other delegations, including that of South Africa and other Member States, will also wish to produce films as Council documents, and the Council will then become a kind of cinema club." Accordingly he said he could not support the proposal.

Similarly, the representative of the United Kingdom stated that the proposal could open up the possibility of the Security Council, in the future, being offered other films as evidence and being burdened with the chore of watching those films in order to determine their suitability as evidence. He therefore urged further reflection in that regard.

The representative of Argentina offered a compromise solution whereby the Council would decide to incorporate the film in its files and make it available to Council members in accordance with rule 49 of the provisional rules of procedure. Thus, those Council members who wished to see the film could request the Secretariat to have the film shown to them, either individually or in groups.

The representative of the United States expressed concern at the precedent of admitting films as documentary evidence, as films could be put together to project one point of view or another. He therefore suggested that the representative of Sierra Leone "put into the record, in his own words, his view of the results of the film."

The representative of the USSR noted that there was no precedent in the practice of the Security Council whereby a film could form part of the documentary record of the Council, although there were instances

of films being shown by other United Nations bodies such as the Committee of Twenty-Four and the Fourth Committee of the General Assembly. As he understood it, the representative of Sierra Leone would like to have any discussion about that film included in the verbatim record. In that sense it would be a document of the Security Council. He then stated:

"I do not think that one should complicate matters. If somebody wants to see a documentary film during the consideration of any item, it is up to him. Those who want to will see it; and those who do not won't see it."

The representative of Sierra Leone stated that discussion in the Council had shown that members were agreed on the value of the film in question and its importance, although they had reservations on the right procedure to follow with regard to his proposal to have the film included in the documentary evidence of the Council. He said that he had based his proposal under rule 39 of the provisional rules of procedure which enabled the Security Council to invite members of the Secretariat and other competent persons to give assistance in examining matters within its competence. But he said he would accept the suggestion that the question be held in abeyance to enable further reflection and informal discussions on the subject.

The President (Nicaragua) said that he would initiate consultation with regard to the proposal of the representative of Sierra Leone and observed that the discussion had indicated a definite interest in the possibility of having the film form part of the archives of the Secretariat or having it appear in the records of the Council.

The Council then proceeded to adopt the agenda and continue its discussion on the situation in Namibia.⁷²

CASE 28

At the 1606th meeting on 4 December 1971, in connexion with the situation in the India/Pakistan sub-continent the President (Sierra Leone), after informing the Council that he had received a letter⁷³ from the representative of India requesting that the letter and an attached communication from the delegation of Bangladesh be circulated as an official document of the Security Council, ruled that the Council defer consideration of the subject matter contained in that communication pending its circulation to Council members.⁷⁴

The representative of the USSR stated that it was not necessary to defer consideration of the communication from the delegation of Bangladesh pending its circulation and observed that in several instances in the past, the Security Council had entertained requests to participate in its deliberations without the right to vote even prior to the circulation of the document containing the formal request.

⁷² For texts of relevant statements, see, 1589th meeting: President (Nicaragua), para. 43; Argentina, paras. 16-18; France, para. 10; Sierra Leone, paras. 2-8, 35-37; United Kingdom, para. 15; United States, paras. 19-21; USSR; paras. 23-26, 31-32.

⁷³ S/10415, *OR*, 26th yr., *Suppl. for Oct.-Dec. 1971*, p. 89.

⁷⁴ The communication attached to the Indian letter was addressed to the President of the Council by Justice Abu Sayud Chowdhury, who signed himself "Leader, Bangladesh Delegation to the United Nations" and asked that he be allowed to make a statement before the Council on behalf of the people and Government of Bangladesh.

⁶⁷ 1537th meeting, paras. 107, 112.

⁶⁸ *Ibid.*, paras. 113, 128.

⁶⁹ *Ibid.*, paras. 129-130.

⁷⁰ 1537th meeting, para. 131.

⁷¹ For text of relevant statements, see: 1537th meeting: President (France), paras. 50-52, 54, 64, 67, 72, 75, 77-78, 109-110, 120, 122, 125; Israel, paras. 79, 96, 100; Spain, paras. 44-46; Syria, paras. 53, 55, 63, 76, 111; USSR, paras. 57-60, 65-66, 92-94, 113, 123, 128; United Kingdom, paras. 69-71; United States, paras. 61-62, 91, 112, 121, 124.

The President stated that he regarded the statement by the representative of the USSR as a challenge to his ruling and that therefore he would submit his ruling to the Council for immediate decision as required under Rule 30 of the provisional rules of procedure. The representative of Somalia, supported by the representative of Syria then invoked Rule 33 of the provisional rules of procedure and moved that the Council postpone consideration of the question of the participation of the representative of Bangladesh or of any other delegation until after the Council had heard the statements of the representatives of India and Pakistan.

The representative of Italy also supported the proposal of the representative of Somalia but added that after the representatives of India and Pakistan had made their statements the Council should hear the statements of members already on the list of speakers.

The President then stated as follows:

"I regret that I shall have to stand on my ruling. I appeal to representatives to decide on it, as it has been challenged. I now request the representatives to make an immediate decision. There being no objections, my ruling stands."⁷⁵

CASE 29

At the 1613th meeting on 13 December 1971, in connexion with the situation in the India/Pakistan sub-continent, the representative of the USSR, speaking on a point of order, stated that the representatives of Bangladesh should be invited to be heard by the Security Council under Rule 39⁷⁶ of the provisional rules of procedure.

The representative of Argentina, opposing the USSR proposal, stated that it would create a bad precedent if representatives of secessionist or subversive movements were allowed a hearing by the Council.

The President (Sierra Leone) stated that since the representative of the USSR had raised a point of order he was compelled, under rule 30, to state his ruling immediately. He then gave his ruling that there was a difference in international law between recognition of a state and recognition of a government and in his opinion Bangladesh did not possess the necessary criteria for recognition as a State.

After further discussion, the representative of the USSR formally proposed that Justice Abu Sayud Chowdhury be invited under rule 39.

The President said that he assumed the representative of the USSR had made the proposal as a point of order, in regard to which, he would, in accordance with rule 30 state his ruling. He said his ruling was to the effect that he was satisfied that on this occasion the representative of the USSR had properly named an individual who qualified as a competent person under rule 39 and who should accordingly be invited to address the Council. However, since an objection had been raised to inviting the individual named by the representative of the USSR, he would, in accordance with rule 30, submit his ruling to the Security Council for immediate decision.

⁷⁵ For text of relevant statements, see: 1606th meeting: President (Sierra Leone), paras. 28-30, 48, 61-62, 66-67; Italy, para. 65; Somalia, para. 63; Syria, para. 64; USSR, paras. 57-60.

⁷⁶ See chapter III, Case 7.

The representative of the USSR then stated that he would not insist on a vote on his proposal, whereupon the President stated that "I take this to mean that the representative of the Soviet Union has withdrawn his proposal."⁷⁷

c. Rule 31

CASE 30

During the course of the 1464th meeting held on 20 March 1969, in connexion with the situation in Namibia, the representative of Zambia read out the text of a draft resolution⁷⁸ co-sponsored by six delegations, including his own, which he said he was formally presenting on behalf of the co-sponsors for the consideration of the Council. Following the oral presentation of the draft resolution by the representative of Zambia, the President (Hungary) stated the following:

"I have taken note of the fact that a draft resolution has been submitted to the Security Council. That document will be circulated as an official document of the Council very soon."⁷⁹

CASE 31

At the 1527th meeting on 29 January 1970, in connexion with the situation in Namibia, the representative of Finland, after stating that he was introducing "the provisional text" of a draft resolution jointly sponsored by the delegations of Burundi, Finland, Nepal, Sierra Leone and Zambia, pointed out that the sponsors had, however, made one revision to the provisional text and then introduced the revision orally. He then stated: "I think that the text of the draft will be distributed shortly." Subsequently, the draft resolution was circulated as document S/9620.

At the 1528th meeting on 29 January 1970, the representative of Finland again took the floor to state that further revisions had been made by the sponsors to the draft resolution and that those revisions would be circulated as soon as possible. He then proceeded to read out the revised text⁸⁰ of the draft resolution.⁸¹

CASE 32

During the course of the 1573rd meeting on 3 August 1971, in connexion with the complaint by Guinea, the representative of Somalia, after orally introducing a draft resolution sponsored by the delegations of Burundi, Sierra Leone, Syria and Somalia, noted that the text of the draft resolution had not yet been circulated to members of the Council since it had not been possible for the Secretariat, which had received the text only a short time ago, to process and circulate the text during this meeting. He therefore proposed that the Council suspend its meeting until 8.00 p.m. so as to allow for the document containing the text of the draft resolution to be circulated and for consultations to take place between certain members and sponsors of the draft resolution.

⁷⁷ For texts of relevant statements, see: 1613th meeting: President (Sierra Leone), paras. 76, 80-82, 90-94, 101, 115, 119-120, 124, 129, 134-136, 138; Argentina, paras. 83-89; USSR, paras. 77-79, 95, 108-114, 121, 123, 137.

⁷⁸ S/9100 adopted without change as resolution 264 (1969).

⁷⁹ For text of relevant statements, see: 1464th meeting: President (Hungary), para. 61; Zambia, paras. 33 and 60.

⁸⁰ Adopted without change as resolution 276 (1970) of 30 January 1970.

⁸¹ For texts of relevant statement, see: 1527th meeting, paras. 30-31; 1528th meeting, paras. 35-38.

After further discussion, during which the representatives of the United States and the USSR supported the motion of the representative of Somalia, the President (Italy) suspended the meeting.

When the meeting resumed, the President, after noting that the text of the draft resolution had been circulated, declared that the text had been amended in some places and requested the representative of Somalia to indicate the changes in the text.⁸²

The representative of Somalia then read out the changes in the text, after observing that they had been agreed upon during consultations among various delegations. After a brief discussion the draft resolution, as revised was put to the vote and adopted.⁸³

CASE 33

At the 1615th meeting on 15 December 1971, in connexion with the situation in the India/Pakistan sub-continent, after the representative of Syria had orally introduced a draft resolution sponsored by his delegation, the President (Sierra Leone) stated:

"The draft resolution which the representative of Syria has just read is being processed, along with another draft resolution, and I understand that it will be two hours before either of them is available, because they have to be translated into the various languages before being processed and distributed. That is the position so far as this resolution is concerned."

The representative of the United Kingdom then orally introduced a draft resolution sponsored by the delegations of France and the United Kingdom after which the representative of the USSR also orally introduced a draft resolution sponsored by his delegation.

The President then informed the Council that the draft resolutions just introduced by their respective sponsors orally would take no less than two hours to be processed and translated in other languages.⁸⁴

CASE 34

At the 1617th meeting on 16 December 1971 in connexion with the situation in the India/Pakistan sub-continent, the President (Sierra Leone), in answer to a query by the representative of the United States, stated that members could submit amendments to any of the draft resolutions before the Security Council, either orally or in writing. The representative of the United States, while submitting a draft resolution⁸⁵ stated as follows:

"... we should like to submit a draft resolution which, at one point in the consultations, seemed to have a great deal of support. I shall read out, and after the text has been circulated and the meeting is resumed, I hope that the Council would be willing to discuss it."

After reading out the text of the draft resolution, he further stated:

⁸² S/10281, adopted without change as resolution 295 (1971) of 3 August 1971.

⁸³ For text of relevant statements, see: 1573rd meeting: President (Italy), paras. 63-64, 80; Somalia, paras. 40, 57, 65-71; United States, paras. 59-60; USSR, para. 62.

⁸⁴ For texts of relevant statements, see: 1615th meeting: President (Sierra Leone), paras. 113, 128; Syria, paras. 110-112; United Kingdom, paras. 114-116; USSR, paras. 125-127.

⁸⁵ S/10459, *OR*, 26th yr., *Suppl. for Oct.-Dec. 1971*, p. 112.

"That is the essence of the draft that was circulating here and it is one that has a good deal of appeal to our Government. I would urge that it be printed up and circulated and be available for consideration when next we meet."

The President (Sierra Leone) then stated:

"As the representative of the United States has already stated, this appears to be a draft which has been neither submitted nor circulated. If the members agree with the Proposal to rise for a period of an hour, the draft resolution may then be processed and circulated for discussion."

The meeting was thereupon suspended. Upon resumption of the meeting, the draft resolution was circulated and it bore the names of Japan and the United States as co-sponsors. The representative of the United States then took the floor to orally introduce minor amendments to the draft resolution,⁸⁶ stating that the changes had been unanimously accepted during consultation on the draft resolution.⁸⁷

CASE 35

At the 1622nd meeting on 29 December 1971, in connexion with the situation in Southern Rhodesia, the representative of Somalia recalled that his delegation had prepared a working paper containing the text of an informal draft resolution that had been privately circulated to Council members. He then stated that he wished to introduce the working paper officially and proceeded to read out the text of the draft resolution contained in that working paper. However, at the 1623rd meeting on 30 December, after the President (Sierra Leone) had observed that the draft resolution had not been formally submitted to the Council, the representative of Somalia stated that he would do it then.

In introducing the draft resolution⁸⁸ he observed that the draft was basically the same as the one he had read out at the previous meeting, except for some changes in operative paragraph 6. He then read out the new text of that paragraph.

The President, after observing that it would take about one hour to process the draft resolution, suspended the meeting for that duration with the consent of the Council. After the resumption of the meeting the representative of Somalia declared that a further change had been made in operative paragraph 2 of the draft resolution and then read out the new text of that paragraph. At the same meeting the draft resolution was put to the vote but was not adopted because of the negative vote of a permanent member of the Council.⁸⁹

d. Rule 32

CASE 36

At the 1481st meeting on 24 June 1969, in connexion with the situation in Southern Rhodesia, the representative of Spain requested separate votes on a

⁸⁶ S/10459/Rev. 1, *Ibid.*, pp. 112-113.

⁸⁷ For texts of relevant statements, see: 1617th meeting: President (Sierra Leone), paras. 13, 16; United States, paras. 14-15.

⁸⁸ S/10489, *OR*, 26th yr., *Suppl. for Oct.-Dec. 1971*, p. 129.

⁸⁹ For texts of relevant statements, see: 1622nd meeting Somalia, paras. 4-36; 1623rd meeting (PV): President (Sierra Leone), paras. 228, 236-237, 240-241, 266-272; Somalia, paras. 231-233, 246-255.

preambular paragraph and two paragraphs of a draft resolution⁹⁰ sponsored by Algeria, Nepal, Pakistan, Senegal and Zambia. The President (Paraguay), after consultations with the co-sponsors of the draft resolution, announced, however, that they had indicated their wish that the draft resolution be put to the vote as a whole and not by division.

The Council then proceeded to vote on the draft resolution as a whole.⁹¹

CASE 37

During the course of the 1606th meeting on 4 December 1971, in connexion with the situation in the India/Pakistan sub-continent, four separate draft resolutions were introduced in the following chronological order: a draft resolution sponsored by the delegation of the United States,⁹² a draft resolution sponsored by the delegation of the USSR,⁹³ a draft resolution sponsored by the delegations of Argentina, Burundi, Nicaragua, Sierra Leone and Somalia,⁹⁴ and a draft resolution sponsored by the delegations of Belgium, Italy and Japan.⁹⁵

After completion of the voting on the United States draft resolution, the President (Sierra Leone) was about to put the Soviet draft resolution to the vote when the representative of Argentina took the floor on a point of order and stated the following:

"Mr. President, I wish to request an explanation from you because you have just said that you would put to the vote the draft resolution of the USSR. On the basis of the numbering of those documents the draft resolution submitted by Belgium, Italy and Japan has precedence as it is numbered S/10417; the Soviet proposal is numbered S/10418. I should like to know if there is any special reason why we should abandon the order established in our rules of procedure."

The President replied as follows:

"According to the order of presentation and receipt, the first draft resolution received by the President was that of the United States; the second was that of the Union of Soviet Socialist Republics; the third was the draft resolution just explained by the representative of Italy, and the fourth was the one mentioned recently by the representative of Somalia. That is the order in which they were received and presented. I am not responsible for the numbering."⁹⁶

e. Rule 33

CASE 38

At the 1484th meeting on 2 July 1969, in connexion with the situation in the Middle East, the representative of Jordan,* alluding to lateness of the hour, requested that he be allowed to take the floor the next day in order to continue his statement. In light of the request by the representative of Jordan, the representative of the United States then invoked rule 33 of the provi-

sional rules of procedure and formally moved that the Council be adjourned until 4.00 p.m. the following day.

The President (Senegal) after quoting rule 33 of the provisional rules of procedure stated that he assumed the representative of the United States was moving for adjournment under paragraph 3 of rule 33. After noting the absence of any objections to the United States proposal, he adjourned the meeting until 4.00 p.m. the following day.⁹⁷

CASE 39

At the 1503rd meeting on 20 August 1969, in connexion with the complaint of Ireland, the representative of the United Kingdom, objecting to the adoption of the agenda, quoted Article 2 (7) of the Charter prohibiting United Nations intervention in matters which were essentially within the domestic jurisdiction of any State.

After some debate, the Council agreed to a proposal by the representative of Finland that, as a matter of courtesy, the representative of Ireland* be invited to make a statement prior to the adoption of the agenda.⁹⁸

After the Council had heard the representative of Ireland, the representative of Zambia observed that the question before the Council was whether or not to proceed with the adoption of the agenda. In his view, however, as well as in that of other members of the Council, in the light of the statements which had been made before the Council, the best procedure to follow would be to adopt a decision to adjourn the meeting. Consequently, he formally proposed such adjournment under rule 33, paragraph 2, of the provisional rules of procedure of the Council.

The President after remarking that the motion for adjournment which had been submitted had to be decided without debate, and since there was no objection, declared that motion unanimously adopted by the Council.⁹⁹

CASE 40

At the 1534th meeting on 17 March 1970, in connexion with the situation in Southern Rhodesia, the representative of the United Kingdom moved that instead of proceeding to a vote on the two draft resolutions¹⁰⁰ before it, the Council adjourn until 3.00 p.m. the following day.

After statements by the representatives of Sierra Leone and Burundi opposing the motion for adjournment, the Council voted on the motion and rejected it by six votes in favour, seven against, with two abstentions.¹⁰¹

Following the Council's rejection of the United Kingdom motion for adjournment, the representative of the United States proposed that the meeting be suspended for half an hour. After a brief discussion, during which the representative of Nicaragua and the United Kingdom supported the U.S. motion and the representatives of Burundi, Poland, Sierra Leone and Syria and Zambia opposed it, the motion was put to a vote and rejected

⁹⁰ S/9270/Rev. 1, mimeo.

⁹¹ For texts or relevant statements, see: 1481st meeting, President (Paraguay), para. 57; Spain, para. 50.

⁹² S/10416, *OR*, 26th yr., *Suppl. for Oct.-Dec. 1971*, p. 90.

⁹³ S/10418, *Ibid.*, p. 91.

⁹⁴ S/10419, *Ibid.*

⁹⁵ S/10417, *Ibid.*, pp. 90-91.

⁹⁶ For texts of relevant statements, see: 1606th meeting, President (Sierra Leone), para. 392; Argentina, para. 391.

⁹⁷ For the text of relevant statements, see: 1484th meeting: President (Senegal), paras. 258-259; Jordan, para. 255; United States, para. 257.

⁹⁸ See also chapter VIII, part II, p. 139.

⁹⁹ For the text of relevant statements, see: 1503rd meeting: President (Spain), paras. 20-21, 69-70; Finland, paras. 15-17; United Kingdom, paras. 2-14, 18-19; Zambia, paras. 67-68.

¹⁰⁰ S/9676/Rev.1, and S/9696, mimeo.

¹⁰¹ 1534th meeting, para. 138.

by six votes in favour, seven against, with two abstentions.¹⁰²

The Council then proceeded to vote on the two draft resolutions before it.¹⁰³

CASE 41

At the 1611th meeting on 12 December 1971, in connexion with the situation in the India/Pakistan sub-continent, the President (Sierra Leone) informed the Council that the Foreign Minister of Pakistan,* who was the next speaker inscribed on the list of speakers, had requested the Council to recess for fifteen minutes, as he had received important messages from his Government which he would like to study before addressing the Council.

After noting that there was no objection, the President declared the meeting suspended for fifteen minutes.¹⁰⁴

CASE 42

At the 1611th meeting on 12 December 1971, in connexion with the situation in the India/Pakistan sub-continent, the President (Sierra Leone) after observing that there were no more speakers on his list, suggested that the meeting be adjourned till the following day.

The representative of the United States opposed the President's suggestion for adjournment and urged the Council to proceed to a vote on the draft resolution¹⁰⁵ submitted by his delegation.

In the ensuing discussion, the President's suggestion for adjournment was supported by the representatives of France, Poland, and the USSR while the representative of China wished the meeting to continue in order to reach a satisfactory solution to the question under discussion. The representative of Somalia, who had earlier suggested to the President that further discussion be allowed to take place on the question of adjournment, then proposed that the meeting be adjourned. Following the proposal of the representative of Somalia, the representative of the United States said he would withdraw his objection to adjournment, whereupon the President declared the meeting adjourned.¹⁰⁶

CASE 43

At the 1614th meeting on 14 December 1971, in connexion with the situation in the India/Pakistan sub-continent, the representative of the United Kingdom stated that consultations were in progress with regard to a draft resolution being prepared jointly by his dele-

¹⁰² 1534th meeting, para. 172.

¹⁰³ For texts of relevant statements, see: 1534th meeting: President (Colombia), paras. 133-134, 138, 152, 157; Burundi, para. 137; Nicaragua, para. 158; Poland, para. 170; Sierra Leone, paras. 135, 151, 166; Syria, para. 153; United Kingdom, paras. 132, 154; United States, para. 149.

¹⁰⁴ For text of relevant statement, see: 1611th meeting: President (Sierra Leone), paras. 138-139.

¹⁰⁵ S/10446, mimeo.

¹⁰⁶ For texts of relevant statements, see: 1611th meeting: President (Sierra Leone), paras. 244-246, 251, 254, 260, 271-272, 279, 285, 288-289; China, paras. 264-265; France, paras. 268-269; Poland, para. 267; Somalia, paras. 262, 280-284; USSR, paras. 255-259, 273-275; United States, paras. 247-250, 253, 270, 276-278, 286-287.

gation and the delegations of France, and that those consultations were not likely to be completed that day. He therefore suggested the Council's adjournment until next morning.

After some discussion as to whether the meeting should be adjourned till the following day or whether, in view of the urgency of the situation, it should be reconvened that evening, the representative of the United Kingdom formally moved, under rule 33 of the provisional rules of procedure, "to suspend the meeting until such time as you (the President) are satisfied that consultations have proceeded to a degree that we are able to reach agreement and can have a fruitful meeting."

The representative of Somalia stated that he did not see any justification in suspending the meeting for the purpose of proceeding with consultations because "if members are going to hold consultations, naturally they are going to consult with the two main parties to the conflict" and "if either of those two parties wishes to take the floor at this stage, of course, such consultations would be of no avail." He asked the President to ascertain if either of those two parties wished to take the floor.

The President (Sierra Leone) then stated as follows:

"Under rule 33, I cannot prevent the representative of the United Kingdom from invoking that procedure, but I might again appeal to all members, for the purposes of compromise, that we agree to suspend the meeting and re-convene tonight as soon as notice is given by me. I promise that I shall be taking part in the consultations and that, sooner or later, we will know at what specific time we are to re-convene. If it becomes apparent that no agreement has been reached, I will still re-convene the meeting with a view to adjourning until tomorrow morning, if that is agreeable."

The representative of the United Kingdom thereupon reminded the President that he had made a formal proposal under rule 33 and as such the proposal had to be put to the vote right away.

The Council then proceeded to vote on the United Kingdom proposal and adopted it by 11 votes to none, with 4 abstentions.¹⁰⁷ The meeting was thereupon adjourned.¹⁰⁸

f. Rule 36

CASE 44

At the 1537th meeting on 12 May 1970, in connexion with the situation in the Middle East, the representative of Spain submitted a draft resolution¹⁰⁹ and requested that it be put to the vote immediately. Before the vote, however, the representative of the United States proposed an amendment to the draft resolution. Following a procedural debate, the representative of the USSR proceeded to submit a formal sub-amendment to the amendment proposed by the representative of the United States.

¹⁰⁷ 1614th meeting, para. 49.

¹⁰⁸ For texts of relevant statements, see: 1614th meeting: President (Sierra Leone), paras. 45, 47, 49; Somalia, para. 44; United Kingdom, paras. 12, 17, 46, 48.

¹⁰⁹ S/9800, adopted without change as resolution 279 (1970) of 12 May 1970.

The President (France) invoking rule 36 of the provisional rules of procedure, first put the USSR sub-amendment to the vote, followed by the United States amendment, both of which were rejected by the Council.

The President, then put the draft resolution as a

whole to the vote which the Council adopted un-animously.¹¹⁰

¹¹⁰ For text of relevant statements, see: 1537th meeting: President (France), paras. 120, 122, 125, 129-131; Spain, para. 46; United States, paras. 91, 114, 121, 124, 127; USSR, paras. 113, 123, 126, 128.

Part VI

**VOTING (RULE 40)

Part VII

LANGUAGES (RULES 41-47)

NOTE

During the period under review, the Security Council adopted amendments to its provisional rules of procedure when rules 41, 42, 43 and 44 were amended to include Russian and Spanish among the working languages of the Security Council (Case 45).

During this period the practice of waiving the right to consecutive interpretation of their statements has generally been followed by Members of the Council. This practice was later extended also to include statements by the President (Case 46).

1. CONSIDERATION OF THE ADOPTION OR AMENDMENT OF RULES 41-47

Rules 41-44

CASE 45

In separate *notes verbales*¹¹¹ dated 16 January 1969, the representatives of the USSR and Spain requested the President to convene a meeting of the Security Council in order to consider the question of adopting measures in pursuance of General Assembly resolution 2479 (XXIII) of 21 December 1968 in which the Assembly, *inter alia*, considered it desirable to include Russian and Spanish among the working languages of the Security Council. The text of that resolution had earlier been transmitted by the Secretary-General to the President of the Council by a letter¹¹² dated 9 January 1969.

The Council considered the question at its 1463rd meeting on 24 January 1969 and had before it a draft resolution¹¹³ co-sponsored by Algeria, Colombia, Hungary, Pakistan, Senegal, Spain, USSR and Zambia. Under the draft resolution the Council would decide to include Russian and Spanish among the working

languages of the Council and, in this connexion, to amend rules 41, 42, 43 and 44 of the provisional rules of procedure of the Council. Annexed to the aforementioned draft resolution was a revised text of those rules.

Introducing the draft resolution, the representative of the USSR stated that the proposed amendments to rules 41, 42, 43 and 44 of the provisional rules of procedure of the Security Council reflected the increase in the number of the Council's working languages and would not call for any other changes in the rules of procedure. He noted that the changes in those rules would have no effect on the existing practice in the Security Council which provided for simultaneous interpretation in all the official languages of all statements made in the Council. He also noted that in view of the increase in the number of working languages of the Council, the question had been raised concerning changes that might be made in the existing practice regarding consecutive interpretation of statements made by the representatives of member states in the Council. He said the answer could only be determined from future experience of the Council.

The representative of Spain expressed the hope of his delegation that the draft resolution to include Russian and Spanish as working languages of the Security Council would be unanimously adopted.

The representative of China, Colombia, Finland (President), France, Hungary, Pakistan, Paraguay, Nepal, Senegal, United Kingdom, United States and Zambia expressed their support for the draft resolution. The representative of the United Kingdom stated however, that a decision to increase the working languages of the Council should not be regarded as a precedent.

The representative of the United States expressing his delegation's support for the draft resolution, noted the desirability of taking additional steps to deal with

¹¹¹ S/8967 and S/8968, *OR*, 24th yr., *Supplement for Jan.-March 1969*, p. 56.

¹¹² S/8962, *ibid.*, p. 54.

¹¹³ S/8976, text same as resolution 263 (1969) of 24 January 1969.

the problem of consecutive interpretation. He hoped that a further amendment to the rules of procedure might be adopted soon to provide for consecutive interpretation only at the prior request of a member of the Council. Such an additional amendment would deal with the anachronistic system of consecutive interpretation, facilitate the Council's work and contribute substantially to economy and efficiency in the Secretariat.¹¹⁴

The Council adopted the draft resolution unanimously.¹¹⁵ In connexion with the adoption of the resolution and of the annex attached to it containing a new wording of rules 41, 42, 43 and 44 of the provisional rules of procedure the President made the following statement:

"The provisional rules of procedure of the Security Council deal with consecutive interpretation of statements into the working languages, and the revisions now made are the consequence of the decision to add Russian and Spanish to the working languages of the Council. The established practice of simultaneous interpretation of statements into all the official languages of the Security Council remains unchanged. In the light of subsequent experience of the practical effects of the decision to increase the number of its working languages, the Council may wish to consider at a later stage whether any improvements in the practices of the Council could be made in order to enable it to carry out its tasks as effectively as possible."

¹¹⁴ For texts of relevant statements, see: 1463rd meeting: President (Finland), paras. 181-187; Algeria, paras. 169-172; China, paras. 173-180; Colombia, paras. 132-140; France, paras. 68-77; Hungary, paras. 58-67; Pakistan, paras. 101-110; Paraguay, paras. 91-100; Nepal, paras. 141-150; Senegal, paras. 151-168; Spain, paras. 46-57; USSR, paras. 18-45; United Kingdom, paras. 78-90; United States, paras. 111-124; Zambia, paras. 125-140.

¹¹⁵ *Ibid.*, para. 185.

2. SPECIAL CASES CONCERNING THE APPLICATION OF RULES 41-47

Rule 42

CASE 46

At the outset of the 1565th meeting on 9 February 1971, in connexion with admission of new members, the President (United States), *inter alia*, stated:

"It strikes me as an anachronism that consecutive interpretation into the other three working languages, in addition to their simultaneous interpretation into the official languages, is now almost exclusively restricted to procedural and ceremonial statements by the President. Thus, statements by the President welcoming new members, congratulating his predecessor, returning compliments paid to him, and inviting non-members who have asked to participate under rule 37 to take their seats, when interpreted consecutively three times have slowed the Council's work and consumed inordinate amounts of our valuable time. On occasions in the past, Presidents of the Council have waived consecutive interpretation of certain statements of the kind I have just mentioned but no steady practice has yet been established. It is my hope to contribute to the effective functioning of the Security Council by following their good example. I therefore declare that during my presidency, consecutive interpretation will not be required of the President's routine procedural and ceremonial statements.¹¹⁶ I shall so indicate when I believe consecutive interpretation of my statements is required. Of course, any member will have the right to request that a particular statement of the President should be interpreted consecutively."¹¹⁷

¹¹⁶ This practice was subsequently followed by succeeding presidents of the Council.

¹¹⁷ For text of relevant statement, see 1565th meeting, para 5.

Part VIII

PUBLICITY OF MEETINGS, RECORDS (RULES 48-57)

NOTE

In accordance with rule 49, the verbatim records of each meeting are made available in the working languages to the representatives of the Council, as well as to the representatives of any other States which have participated in the meeting. In mimeographed copies of the record is incorporated a note showing the time and date of distribution. Corrections are requested in writing, in quadruplicate, within three working days, to be submitted in the same language as the text to which they refer. These corrections are included, in the absence of any objection, in the Official Record of the meeting which is printed and distributed as soon as possible after the time limit for correction. During the period under review, the Security Council held seven private meetings;¹¹⁸ at the close of each, it issued

¹¹⁸ The seven meetings were the following:
1513 15 Oct. 1969 Adoption of the Council's draft report to the General Assembly

a communiqué through the Secretary-General in accordance with rule 55 of the provisional rules of procedure.

**1. CONSIDERATION OF THE ADOPTION OR AMENDMENT OF RULES 48-57

**2. SPECIAL CASES CONCERNING THE APPLICATION OF RULES 48-57

1553	10 Oct. 1970	Adoption of the Council's draft report to the General Assembly
1555	21 Oct. 1970	First periodic meeting
1596	19 Oct. 1971	Adoption of the Council's draft report to the General Assembly
1618	17 Dec. 1971	Appointment of the Secretary-General
1619	20 Dec. 1971	Appointment of the Secretary-General
1620	21 Dec. 1971	Appointment of the Secretary-General.

**Part IX

APPENDIX TO PROVISIONAL RULES OF PROCEDURE