

Chapter II

AGENDA

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INTRODUCTORY NOTE

The present chapter contains material concerning rules 7, 9, 10 and 11 of the provisional rules of procedure of the Security Council. No material requiring treatment under rules 6 and 8 has been found for the period under review.

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

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

Part II provides information concerning the preparation of the provisional agenda (rule 7).

Part III contains material on the procedure and

practice of the Security Council in connexion with the adoption of the agenda. Section A includes a list of votes taken in adopting the agenda arranged by forms of proposals voted upon. This list is followed by two case histories summarizing the discussion in the Council concerning a procedural aspect of the adoption of the agenda. Section B presents case histories setting forth discussion in the Council of the requirements for the inclusion of an item in the agenda and of the effects of such inclusion. Section C covers other questions which have been discussed in connexion with the adoption of the agenda, such as the order of discussion of items and the scope of items in relation to the scope of the discussion.

Part IV relates to the list of matters of which the Security Council is seized. The tabulation in Section B (rule 11) brings up to date the tabulations in the previous volumes of the *Repertoire* and includes items which have appeared in the Secretary-General's Summary Statement on matters of which the Security Council is seized during the period 1956 to 1958 inclusive.

Part I

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

Part II

THE PROVISIONAL AGENDA

NOTE

The provisional agenda of each meeting is drawn up by the Secretary-General and approved by the President of the Security Council in accordance with rule 7. The inclusion of new items in the provisional agenda is confined to those items which have been brought to the attention of the Security Council by the Secretary-General under rule 6. The proceedings in connexion with a proposal to include a new item in the provisional agenda are included under rule 7 (Case 1).

The order of items appearing on the provisional agenda, other than the first item relating to adoption, usually reflects the stage of consideration reached at the previous meeting and the urgency of new communications. These items are generally described either by the title of the relevant document used as a heading or a sub-heading, or by a title which has been specifically requested or previously approved by the Council. The order of items on the provisional agenda and their wording may not coincide with the order and wording of the items in the agenda as adopted, for these are matters which are subject to the final approval of

the Security Council. Proceedings related to the order of discussion are included in part III, C (Cases 14, 15 and 16).

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

B. RULE 7: PREPARATION OF THE PROVISIONAL AGENDA

CASE 1

At the 749th meeting on 30 October 1956, when the Council considered the letter¹ dated 29 October 1956 from the representative of the United States concerning the Palestine question, with special reference to steps for the immediate cessation of the military action of Israel in Egypt, the representative of Iran proposed to include in the provisional agenda for the next meeting, as an additional item, the letter² dated 30 October 1956 from the representative of Egypt. This proposal was

¹ S/3706, O.R., 11th year, Suppl. for Oct.-Dec. 1956, p. 108.

² S/3712, O.R., 11th year, Suppl. for Oct.-Dec. 1956, pp. 111-112.

supported by the representatives of the USSR and Yugoslavia.

The President (France) stated that, in the absence of any objection, the letter from the Egyptian delegation would appear on the provisional agenda of the next meeting of the Council.³

³ For texts of relevant statements, see :

749th meeting : President (France), para. 207 ; Iran, para. 204 ; USSR, para. 206 ; Yugoslavia, para. 205.

C. RULE 8 : COMMUNICATION OF THE PROVISIONAL AGENDA

[Note : Questions have arisen in the Council during the period under review concerning meetings summoned as a matter of urgency. Discussion has turned on the justification for departure from the practice of consulting members of the Council beforehand and is described in chapter I (Cases 2 and 3).]

Part III

ADOPTION OF THE AGENDA (RULE 9)

NOTE

The first item of the provisional agenda for each meeting of the Security Council, under rule 9, is the adoption of the agenda. The usual practice of the Council is to adopt the provisional agenda without vote, either with or without amendments, unless an objection has been raised.⁴ Part III is concerned with the proceedings of the Council in those instances where an objection has been raised to the adoption of the agenda.

Section A, dealing with the manner in which the Council has taken decisions on the objections raised, has been presented in tabular form. The section also includes two case histories (Cases 2 and 3) of discussion in the Council on the procedure of voting on the adoption of the agenda. One of these (Case 3) concerns an occasion when the Council voted on the provisional agenda after a member had suggested that, in view of the importance of the question, a formal vote should be taken even if there were no express objections to the adoption of the agenda.

Section B presents case histories of the discussion in the Council when objection had been raised on grounds related to the substance of the item on the provisional agenda. The case histories are related to the procedural aspects of such discussion at the stage of the adoption of the agenda. They are not concerned with the grounds of objection which, except for the proceedings of the 783rd and 784th meetings (Case 11), are more fully presented in chapters X and XII. As previously in the *Repertoire*, material from the same episode in the practice of the Council is entered under one or the other sub-heading in section B, but the eventual decision of the Council is recorded only once.

⁴ Meetings of the Council on a question held in the morning and afternoon of the same day have been considered to be separate meetings, but the Council may dispense with the formality of adopting the same agenda twice on the same day. See *Repertoire of the Practice of the Security Council 1946-1951*, p. 68. On one occasion during the period under review, the Council, at two meetings (746th and 752nd) on a question, voted to adopt the provisional agenda over the objections of a member. At subsequent meetings (753rd and 754th) on the same question the Council adopted the agenda without vote, the President declaring the agenda adopted with the understanding that note would be taken of the objections raised by the member when the agenda was first adopted (Case 7).

Section C deals with other questions related to the adoption of the agenda, such as the order and latitude of discussion of items.

A. PROCEDURE OF VOTING ON ADOPTION OF THE AGENDA

1. Votes taken concerning individual items in the provisional agenda

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

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

734th meeting, 26 September 1956 : item 3 : voted upon at the same meeting.⁵

750th meeting, 30 October 1956 ; item 3 : voted upon at the same meeting.⁶

842nd meeting, 9 December 1958 ; item 2 (b) and 2 (c) : voted upon at the same meeting.⁷

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

730th meeting, 26 June 1956 ; objection to item 2.⁸

746th meeting, 28 October 1956 ; objection to item 2.⁹

752nd meeting, 2 November 1956 ; objection to item 2.¹⁰

754th meeting, 4 November 1956 ; objection to item 2.¹¹

778th meeting, 20 May 1957 ; objection to item 2.¹²

784th meeting, 20 August 1957 ; objection to item 2.¹³

⁵ 734th meeting : para. 123.

⁶ 750th meeting : para. 9.

⁷ 842nd meeting (PV) : p. 8.

⁸ 730th meeting : para. 85.

⁹ 746th meeting : para. 35.

¹⁰ 752nd meeting : para. 6.

¹¹ 754th meeting : para. 1.

¹² 778th meeting : para. 14.

¹³ 784th meeting : para. 87.

In the instances under (i) above, the agenda was adopted without vote after the vote on the individual item. In the cases under (ii), the vote was taken directly on the adoption of the agenda as a whole on each occasion. There was no instance in which a proposal was made to include the item in the agenda and postpone its consideration.

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

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

787th meeting, 6 September 1957.

3. *Votes taken on the adoption of the agenda as a whole*

755th meeting, 5 November 1956.¹⁴

CASE 2

At the 734th meeting on 26 September 1956, the provisional agenda contained, as item 2, "Situation created by the unilateral action of the Egyptian Government in bringing to an end the system of international operation of the Suez Canal, which was confirmed and completed by the Suez Canal Convention of 1888",¹⁵ submitted by France and the United Kingdom; and, as item 3, "Actions against Egypt by some Powers, particularly France and the United Kingdom, which constitute a danger to international peace and security and are serious violations of the Charter of the United Nations",¹⁷ submitted by Egypt.

The representative of Australia stated that his delegation considered that the formulation of the problem proposed by France and the United Kingdom indicated a proper perspective of the situation in respect to the Suez Canal, whereas the formulation presented by Egypt did not. It was unnecessary to include the third item, for the Egyptian Government would be given every opportunity to express its views in the course of the Council's consideration of the item proposed by France and the United Kingdom. He requested that separate votes be taken on the two items proposed for the agenda.

The President (Cuba) declared that, in accordance with the Australian proposal, the Council would take separate votes on items 2 and 3 of the provisional agenda.¹⁶

Decision: *The proposal to include item 2 in the agenda was adopted unanimously. The proposal to include item 3 was adopted by 7 votes in favour to none against, with 4 abstentions. The agenda was adopted.*¹⁸

¹⁴ 787th meeting: para. 27.

¹⁵ 755th meeting: para. 27.

¹⁶ S/3654, O.R., 11th year, Suppl. for July-Sept. 1956, p. 47.

¹⁷ S/3656, O.R., 11th year, Suppl. for July-Sept. 1956, p. 48.

¹⁸ For texts of relevant statements, see:

734th meeting: President (Cuba), paras. 121-123; Australia, paras. 87, 94-95.

¹⁹ 734th meeting: para. 123.

CASE 3

At the 755th meeting on 5 November 1956, the provisional agenda included, as item 2, a cablegram²⁰ dated 5 November 1956 from the Minister of Foreign Affairs of the Soviet Union concerning "Non-compliance by the United Kingdom, France and Israel with the decision of the emergency special session of the General Assembly of 2 November 1956 and immediate steps to halt the aggression of the aforesaid States against Egypt".

The representative of Belgium, after having observed that, in view of the importance of the question before the Council, the adoption of the agenda should be put to a formal vote even if there were no express objections to its adoption, called for a vote on the agenda.²¹

Decision: *The Council rejected the provisional agenda by 3 votes in favour to 4 against, with 4 abstentions.*²²

CASE 4

At the 787th meeting on 6 September 1957, the provisional agenda included under item 2, the Palestine question, the sub-items: (a) letter²³ dated 4 September 1957 from the permanent representative of Jordan; and (b) letter²⁴ dated 5 September 1957 from the acting permanent representative of Israel.

The representative of Iraq inquired whether the Council would first take up sub-item (a) and then proceed with sub-item (b).

The President (Cuba) replied:

"It is, of course, for the Council to take a decision on this point. As President, however, I felt that, since these two questions were so closely connected, they could be discussed jointly. I believe that this procedure would facilitate the work of the Council and enable it to resolve the matter..."

The representative of the USSR observed:

"The first document referred to in the provisional agenda... was received yesterday, and this allowed time for us to study the document and to form our opinion upon it. The letter from the representative of Israel... has appeared only today on the Council table. Hence, the Soviet delegation has not been able to study it prior to coming to this meeting... If the letter were merely a reply or a statement of the position of Israel in connexion with the question raised by Jordan, that would be a different matter, but in it the representative of Israel requests the Council to discuss a different question from that raised by Jordan. That is why the Soviet delegation

²⁰ S/3736, O.R., 11th year, Suppl. for Oct.-Dec. 1956, pp. 128-130.

²¹ 755th meeting: paras. 22-23, 26.

²² 755th meeting: para. 27.

²³ S/3878, O.R., 12th year, Suppl. for July-Sept. 1957, pp. 33-34.

²⁴ S/3883, O.R., 12th year, Suppl. for July-Sept. 1957, pp. 33-34.

finds itself in a difficult position as regards taking a decision as to whether this letter should be considered at today's meeting of the Council."

He believed, therefore, that the Council should adopt the provisional agenda and discuss the sub-items consecutively.

The representative of Iraq expressed views similar to those of the representative of the USSR.

The representative of the United States, in support of the suggestion made by the President, observed that there was ample precedent for the Council to discuss the two sub-items simultaneously. However, in order to avoid a procedural debate which would delay and complicate the consideration of the matter, his delegation would be willing to take up these questions either simultaneously or consecutively.

The representative of the United Kingdom stated that the Council, by adopting its agenda, would not necessarily make a prejudgement on how it intended to deal with the items. However, the Council could not proceed to deal with any item until it had adopted its agenda, since the first item before the Council was always the adoption of the agenda. He added:

"... I should like to remind my colleagues that we have had this kind of problem before in connexion with Palestine questions—that is to say, the problem of an item put down by one party which is then followed by an item put down by another party. I should like to refer to what happened in May 1954, when we had the same problem. After a very long procedural debate, which I hope we may be able to avoid on this occasion, the decision reached was the following:

"1. The provisional agenda is adopted.

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

"3. The Security Council does not commit itself at this stage as to the separate or joint character of its eventual resolution or resolutions." (670th meeting, para. 2).

"I would suggest that we might usefully follow the same procedure on the present occasion."

The President observed:

"... Our practice has been first to adopt the agenda so that it becomes a definite and not a provisional agenda and then to agree as to how the items on it should be discussed, whether concurrently, whether separately, whether the meeting should be adjourned etc. However, if the Council wishes to adopt the agenda with the prior condition set forth by the representative of the Soviet Union that after adopting the agenda sub-paragraphs (a) and (b) will be discussed separately the Council can certainly do so."

After the representative of the USSR had indicated that he had not intended to pose his suggestion as a "condition", the representatives of Australia and China

stated that the question of the order of debate should be taken up after the adoption of the agenda.

The President stated that the Council would first vote on the adoption of the agenda, and then consider whether the sub-items should be discussed separately or jointly.²⁵

Decision: *The agenda was adopted unanimously.*²⁶

B. CONSIDERATION OF:

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

CASE 5

At the 729th and 730th meetings on 26 June 1956, the Council had on its provisional agenda a letter²⁷ dated 13 June 1956 from the representatives of thirteen Member States requesting the Council, under Article 35 (1), to consider the situation in Algeria.

The representative of France objected to the inclusion of the item in the agenda on the ground of Article 2 (7), since the French Government considered that Algerian affairs were essentially within the domestic jurisdiction of France. In his view, the recognition of the right of the United Nations to intervene in the internal affairs of a State would establish a dangerous precedent and would mean the end of the United Nations. Article 34 was not applicable to the situation in Algeria, for under that Article the Council's competence was limited to disputes or situations of an international character. Furthermore, the competence of the Council did not extend to questions related to violation of fundamental human rights or the denial of the right of self-determination.

The representative of Iran stated that the situation in Algeria was of the kind envisaged by Articles 34 and 35 of the Charter. Stressing the number and importance of the Member States which had submitted the question to the Security Council, he declared that the question should be inscribed in the agenda so as to give those Member States an opportunity to express their views and in order to determine, under Article 34, if the continuance of the situation threatened the maintenance of international peace and security. The argument based on Article 2 (7) was unfounded, for a question bearing on the violation of human rights was not a matter essentially within domestic jurisdiction of a State. The United Nations had declared itself competent on the question of the treatment of persons of Indian origin in the Union of South Africa, the Indonesian question and the Czechoslovak question. The Security Council had

²⁵ For texts of relevant statements, see:

787th meeting: President (Cuba), paras. 3, 12, 19-20, 23-24, 27; Australia, para. 26; China, para. 25; Iraq, para. 8; USSR, paras. 13-16, 18, 21-22; United Kingdom, paras. 10-11; United States, para. 6.

²⁶ 787th meeting: para. 27.

²⁷ S/3609, O.R., 11th year, Suppl. for Apr.-June 1956, pp. 74-76. The signatories were Afghanistan, Egypt, Indonesia, Iran, Iraq, Jordan, Lebanon, Libya, Pakistan, Saudi Arabia, Syria, Thailand and Yemen.

followed from the beginning a liberal policy with respect to inclusion of items in the agenda, a policy which had been supported in the past by certain delegations at present opposed to the consideration of the Algerian question. When there had been doubt as to the inclusion of an item, the Council had given the benefit of that doubt to the party requesting the inclusion. In numerous instances the Security Council had included items in the agenda, while stressing the fact that in so doing it was in no way prejudging its competence or the substance of the question.

The representative of China stated that any action by the Council under Articles 34 and 35, to be fruitful, had to have the willing co-operation of France. He, as well as the representatives of Peru, the United States and Yugoslavia, maintained that under the circumstances the inclusion of the item in the agenda would not achieve any practical results. The representative of Cuba believed that it would be dangerous for the Council to intervene in questions within the domestic jurisdiction of a State.

The representative of the United Kingdom observed that one of the cardinal principles of the United Nations was not to intervene in the domestic affairs of its Members, and that a number of founder nations, without whose co-operation the Organization could hardly have been brought into being, would have hesitated to lend their efforts to that great enterprise unless they had known that the Charter enshrined this cardinal principle. Aside from the conclusive legal arguments against the inclusion of the item in the agenda, a debate in the Council on the question of Algeria would hamper a peaceful solution of the problem.

The representative of Belgium maintained that the prohibition contained in Article 2(7) was of a categorical and general character. It applied to all provisions of the Charter, including those bearing on human rights and specifically on the right of peoples to self-determination. Furthermore, the practice of placing a matter on the agenda to offer an opportunity of elucidating the question of competence was advisable when that question had not been discussed; in the Algerian matter, however, the question of competence had been the subject of previous lengthy discussion.²⁸

Decision: At the 730th meeting on 26 June 1956, the Council rejected the provisional agenda by 2 votes in favour and 7 against, with 2 abstentions.²⁹

CASE 6

At the 734th meeting on 26 September 1956, the provisional agenda included, as item 2, "Situation

²⁸ For texts of relevant statements, see :

729th meeting: France, paras. 29, 97, 100-104; Iran, paras. 30, 48, 50-54, 71, 75-92;

730th meeting: Belgium, paras. 60-61; 66-68; China, paras. 32-34; Cuba, paras. 35-42; Iran, paras. 3, 8-9, 13-17; 23-28; Peru, paras. 46-49; USSR, para. 76; United Kingdom, paras. 52-58; United States, para. 84; Yugoslavia, paras. 72-73.

²⁹ 730th meeting: para. 85.

created by the unilateral action of the Egyptian Government in bringing to an end the system of international operation of the Suez Canal, which was confirmed and completed by the Suez Canal Convention of 1888",³⁰ submitted by France and the United Kingdom; and, as item 3, "Actions against Egypt by some Powers, particularly France and the United Kingdom, which constitute a danger to international peace and security and are serious violations of the Charter of the United Nations",³¹ submitted by Egypt.

The representative of the United Kingdom stated, with reference to item 3, that this was clearly an attempt on the part of Egypt to confuse the issue and distract attention from the very problem which the Egyptian Government itself had created. If it was the view of other members that the Council should consider the item, he would be prepared not to oppose its inclusion in the agenda. The representative of France associated himself with the views expressed by the representative of the United Kingdom. The representative of Australia stated that the request to include item 3 in the agenda seemed to be an attempt to divert attention from the essential issue which was already before the Council.

The representative of the United States observed that his support for the inclusion of item 3 in the agenda did not mean that his Government was in agreement with the contention which had been made in the item submitted by Egypt.

The representative of the USSR, speaking in support of the inclusion of item 3 in the agenda, stated that at a time when the situation in the Near and Middle East was becoming increasingly acute, the Security Council was in duty bound to discuss the situation in order to promote the peaceful settlement of the dispute over Suez. Because the Council was obliged to hear both sides in a dispute, his delegation was in favour of inclusion of both items in the agenda.

The representatives of Iran and Yugoslavia expressed the view that the inclusion of item 3 in the agenda would in no way prejudice the substance of the issue.³²

Decision: At the 734th meeting on 26 September 1956, after item 3 had been included in the agenda by 7 votes to none, with 4 abstentions, the Council adopted the provisional agenda.³³

CASE 7

At the 746th meeting on 28 October 1956, the provisional agenda included a letter³⁴ dated 27 October 1956 from the representatives of France, the United Kingdom and the United States concerning the situation in Hungary.

³⁰ S/3654, O.R., 11th year, Suppl. for July-Sept. 1956, p. 47.

³¹ S/3656, O.R., 11th year, Suppl. for July-Sept. 1956, p. 48.

³² For texts of relevant statements, see :

734th meeting: Australia, para. 94; France, paras. 109-110; Iran, para. 83; USSR, paras. 56, 60-61; United Kingdom, paras. 18, 20; United States, para. 43; Yugoslavia, para. 74.

³³ 734th meeting: para. 123.

³⁴ S/3690, O.R., 11th year, Suppl. for Oct.-Dec. 1956, p. 100.

The representative of the USSR, in opposing the inclusion of the item in the agenda, observed that the Government of the Hungarian People's Republic, in its declaration of 28 October 1956, had protested against placing on the agenda the consideration of any question which concerned the domestic affairs of Hungary. He maintained that the invocation of Article 34 by the three sponsoring Powers, in submitting the item to the Security Council, was unwarranted because that Article empowered the Council to investigate only disputes or situations of an international character.

Decision: *At the 746th meeting on 28 October 1956, the Council adopted the agenda by 9 votes in favour to 1 against, with 1 abstention.*³⁵

At the 752nd meeting on 2 November 1956, the President (Iran) informed the Council that, by another letter³⁶ dated 2 November 1956, the representatives of France, the United Kingdom and the United States had requested an urgent meeting of the Council to consider the item on the situation in Hungary, of which the Council had already been seized.

The representative of the USSR observed:

"The Soviet delegation objected at a previous meeting of the Council [746th meeting] to the inclusion of this item in the agenda, and explained why it was opposed to the consideration of this question in the Security Council. Our objections still stand, and I shall vote again today against the inclusion of this item in the agenda, especially in view of the way in which this meeting of the Council was called. The President has already explained the hurried manner in which this was done, and there is no need for me to deal with the point."

Decision: *The agenda was adopted by 10 votes in favour and 1 against.*³⁷

At the 753rd meeting on 3 November 1956, the representative of the USSR again stated that he maintained the objections to the inclusion of the item in the agenda which he had raised at the 746th meeting. The President replied that the objections of the representative of the USSR were noted. The President made a similar statement at the 754th meeting on 4 November 1956.³⁸

CASE 8

At the 750th meeting on 30 October 1956, the provisional agenda contained, as item 2, a letter³⁹ dated 29 October 1956 from the representative of the United

³⁵ 746th meeting: para. 35.

³⁶ S/3723, *O.R.*, 11th year, *Suppl. for Oct.-Dec. 1956*, p. 117.

³⁷ 752nd meeting: para. 6.

³⁸ For texts of relevant statements, see:

746th meeting: President (France), paras. 7, 9; USSR, paras. 6, 8, 10, 12, 24; United Kingdom, paras. 30-31;

752nd meeting: President (Iran), paras. 3-4; USSR, para. 5;

753rd meeting: President (Iran), para. 3; USSR, para. 2;

754th meeting: President (Iran), para. 1.

³⁹ S/3706, *O.R.*, 11th year, *Suppl. for Oct.-Dec. 1956*, p. 108.

States; and, as item 3, a letter⁴⁰ dated 30 October 1956 from the representative of Egypt.

The representative of the United Kingdom, speaking of item 3, stated that the letter submitted by Egypt dealt with the substance of a letter which he himself had read out to the Council at its 749th meeting. He did not accept the implications and statements contained in the letter from the representative of Egypt, nor did he believe that the item would add to a constructive consideration of the serious question which was before the Council.

The President, speaking as the representative of France, associated himself with the statement made by the representative of the United Kingdom.

The representative of Iran proposed to include item 3 in the agenda.⁴¹

Decision: *At the 750th meeting on 30 October 1956, following the adoption of the Iranian proposal to include item 3 of the agenda by 7 votes in favour to none against, with 4 abstentions, the Council adopted the agenda.*⁴²

CASE 9

At the 755th meeting on 5 November 1956, the provisional agenda included, as item 2, a cablegram⁴³ dated 5 November 1956 from the Minister of Foreign Affairs of the Soviet Union concerning "Non-compliance by the United Kingdom, France and Israel with the decision of the emergency special session of the General Assembly of 2 November 1956 and immediate steps to halt the aggression of the aforesaid States against Egypt". The cablegram also included a draft resolution.

After the Council had rejected the provisional agenda,⁴⁴ several representatives explained their votes on grounds related to the substance of the item. The representatives of Belgium, China, Cuba, Peru and the United States maintained that the question of hostilities in Egypt was being dealt with by the emergency special session of the General Assembly and by the Secretary-General, and that the USSR proposal would hamper the efforts which were already being made to solve the problem.

The representative of the United Kingdom maintained that the USSR proposal was meaningless in terms of the United Nations since it embodied the idea that two permanent members of the Council should combine against two other permanent members, whereas the Organization had been founded on the assumption

⁴⁰ S/3712, *O.R.*, 11th year, *Suppl. for Oct.-Dec. 1956*, p. 111.

⁴¹ For texts of relevant statements, see:

750th meeting: President (France), para. 5; Iran, para. 6; United Kingdom, paras. 3-4.

⁴² 750th meeting: para. 9.

⁴³ S/3736, *O.R.*, 11th year, *Suppl. for Oct.-Dec. 1956*, pp. 228-230.

⁴⁴ For decision, see Case 3.

that there would be unity among those four great Powers.

The representative of the USSR, having noted that the resolutions of the General Assembly adopted at its first emergency special session had not been complied with, stated that the situation required immediate and resolute action by the United Nations in accordance with Article 42 of the Charter. The fact that the General Assembly was taking action on any question did not relieve the Security Council of the obligation to act if the circumstances so demanded. The Soviet Government had submitted the draft resolution to the Council only when it had become clear that the moral pressure of the General Assembly would have no effect on the aggressor States.⁴⁵

CASE 10

At the 778th meeting on 20 May 1957, the provisional agenda included, as item 2, a letter⁴⁶ dated 15 May 1957 from the representative of France relating to the Suez Canal.

The representative of the USSR, in opposing the inclusion of the item in the agenda, stated that any renewal of discussion on the Suez problem, particularly in the form suggested in the letter from the representative of France, could only lead to undesirable complications in regard to peace in the Middle East.

The representative of the United Kingdom, in supporting the inclusion of the item in the agenda, emphasized that the Egyptian declaration had not closed discussion on the question of the Suez Canal, as the representative of the USSR had claimed.⁴⁷

Decision: *The agenda was adopted by 10 votes to none, with 1 abstention.*⁴⁸

CASE 11

At the 783rd meeting on 20 August 1957, the provisional agenda included, as item 2, a letter⁴⁹ dated 13 August 1957 from the permanent representatives of Egypt, Iraq, Jordan, Lebanon, Libya, Morocco, Saudi Arabia, Sudan, Syria, Tunisia and Yemen requesting the President of the Security Council to convene an urgent meeting of the Council, under Article 35 of the Charter, to consider the "armed aggression" by the United Kingdom against the in-

dependence, sovereignty and territorial integrity of the Imamate of Oman.

The representative of Iraq stated that the eleven Member States had brought the matter to the attention of the Security Council in the belief that a debate on the question and a decision thereon would publicize the extent to which the peace of the world was endangered when some States arrogated to themselves the task of settling unilaterally their differences with others. British intervention in Oman was not only contrary to the principles of the United Nations Charter, but it was also subversive of the whole foundation on which the United Nations was constructed. The facts of the situation had thrown in doubt the sense of security of the small States created within the structure of the United Nations, for an impression had been gained that the Organization would be incapable of protecting the interests of small nations when those interests did not suit the interests of large States. The representative of Iraq further stated that the Council was called upon to investigate the matter under Articles 34 and 35 of the Charter and, in his view, the question deserved urgent consideration by the Council, for the events which had recently taken place in Oman left no doubt that the situation might endanger the maintenance of international peace and security.

The representative of the United Kingdom, in opposing the inclusion of the item in the agenda, observed that in the Security Council the term "aggression" should be used with due regard for its meaning. The signatories of the letter of 13 August 1957 had themselves recognized this, at least to some extent. Although they had referred to armed aggression and full-scale war, they had not invoked Chapter VII of the Charter, but had referred the matter to the Council as a dispute or situation under Article 35. In his view, armed aggression presupposed action between two sovereign States. The letter of complaint, in charging aggression against the independence, sovereignty and territorial integrity of the Imamate of Oman, assumed that there was an independent sovereign State by that name. If the Council were to accept that letter as a basis for discussion and decision, then it, too, would be acting on such an assumption. In fact, however, there was no independent and sovereign State of Oman, the district of Oman being a part of the dominions of the Sultan of Muscat and Oman who had already reminded the Council that the matter was exclusively within his domestic jurisdiction. He further stated that Britain had taken military action in response to the request of the Sultan for assistance against a revolt which was encouraged and supported from outside, therefore the charges against the United Kingdom were not only without foundation but the incoherent and illogical manner in which these charges had been formulated justified the Council in declining to include the item in the agenda.

The representative of the Philippines observed that the mere allegation that aggression had been committed by a Member State was a matter of deep concern to the United Nations. He further stated that the fact that the letter of submission had been signed by eleven

⁴⁵ For texts of relevant statements, see :

755th meeting : Australia, para. 63 ; Belgium, paras. 53-54 ; China, para. 56 ; Cuba, para. 47 ; France, para. 79 ; Peru, paras. 57-60 ; USSR, paras. 37-43 ; 65-75 ; United Kingdom, para. 50 ; United States, para. 29.

⁴⁶ S/3829, *O.R.*, 12th year, *Suppl. for Apr.-June 1957*, pp. 20-21.

⁴⁷ For texts of relevant statements, see :

778th meeting : USSR, paras. 4-11 ; United Kingdom, para. 13.

⁴⁸ 778th meeting : para. 14.

⁴⁹ S/3865 and Add.1, *O.R.*, 12th year, *Suppl. for July-Sept. 1957*, pp. 16-17.

Member States and that the allegation of military intervention had not been disputed, reflected in some measure the seriousness of the charge and the gravity of the situation. He reminded the Council that it was obliged under Article 39 to consider the item if only to determine whether or not an act of aggression had been committed, that it was empowered under Article 34 to investigate any dispute or situation of the nature defined in that Article, and that Article 2(7) expressly permitted the United Nations to intervene and take enforcement measures where there was a threat to peace, a breach of the peace or an act of aggression, even in matters which were essentially within the domestic jurisdiction of a State. The representative of the Philippines emphasized that the inclusion of the item in the agenda would not prejudice the position of any member of the Council on the substance of the question.

The representative of the USSR, in supporting the inclusion of the item in the agenda, declared that his delegation attached great importance to the appeal by eleven Arab Member States since it demonstrated the deep concern of the Arab peoples about the situation which had arisen because of British intervention in the internal affairs of Oman. He further declared that the Security Council should not fail to listen to the justified request of a group of Member States of the United Nations.

At the 784th meeting on 20 August 1957, the representative of Sweden, in supporting the inclusion of the item in the agenda, stated that the Security Council should not shirk its responsibility to maintain international peace and security, nor should a party to any dispute be denied an opportunity to present its case. While there had been no reason, so far, to dispute the British position that no illegal aggression had taken place, it was difficult to share the opinion of the representative of the United Kingdom that the matter was purely within the domestic jurisdiction of the Sultan, since the Council was confronted not merely with the suppression of an internal revolt but also with the intervention of a third Power.

The representatives of Australia, Cuba and France opposed the inclusion of the item in the agenda, expressing views in support of the position taken by the representative of the United Kingdom.

The representative of Iraq stated that the eleven Member States had invoked Article 35 of the Charter merely to define their capacity in requesting the Council to consider the question, since under the Article any Member had the right and duty to bring any dispute or situation of the nature referred to in Article 34 to the attention of the Council. In doing so, the signatories had reserved their position with regard to any measure or action which the Council might take under Chapter VI or Chapter VII of the Charter.

The representative of the United States observed that the information available on the question was not sufficient to justify his Government in committing itself for or against the inscription of the item. The United States, however, would not accept as valid the interpretation of the situation as set forth in the letter from

the eleven Member States, since that letter had been formulated in such terms as to constitute a prejudgment of the case.

The representative of China stated that, in the light of the explanation given by the representative of the United Kingdom, the question of whether the Council was competent to deal with the matter depended upon the legal status of the Sultan of Oman in relation to the dispute. Since this aspect of the problem required further clarification, it would be premature for the Council to take a decision on the question of the adoption of the agenda.

Decision: *At the 784th meeting on 20 August 1957, the Council rejected the provisional agenda by 4 votes in favour to 5 against, and 1 abstention, with one member present and not voting.*⁵⁰

After the Security Council had rejected the provisional agenda, the representative of Iraq declared that the decision did not reflect the liberal attitude which the Council had followed in the past with regard to items proposed by Member States. The rejection of the item showed a denial of the principle contained in Article 1(4) of the Charter which placed upon the Members the duty of utilizing the United Nations as a centre for harmonizing the actions of nations in relation to one another.⁵¹

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

CASE 12

At the 750th meeting on 30 October 1956, the provisional agenda included, as item 3, a letter⁵² dated 30 October 1956 from the representative of Egypt.

The President, speaking as the representative of France, and the representative of the United Kingdom objected to the inclusion of the item in the agenda.

The representative of Iran, in supporting the inclusion of the item in the agenda, observed:

"According to the Council's practice, as the President knows better than I, to place a question on the agenda of a meeting does not mean that all the members of the Council are in agreement with regard to the complaint submitted to them. Furthermore, we cannot know whether or not there are grounds for the complaint unless the item is placed on the agenda and the country which had submitted it has an opportunity to state its case..."⁵³

⁵⁰ 784th meeting: para. 87.

⁵¹ For texts of relevant statements, see:

783rd meeting: Cuba, paras. 72-77; Iraq, paras. 3-26; Philippines, paras. 60-71; USSR, paras. 78-95; United Kingdom, paras. 27-59; 784th meeting, Australia, paras. 17-24; China, paras. 12-16; France, paras. 25-33; Iraq, paras. 34-71; Sweden, paras. 8-11; United Kingdom, paras. 77-81; United States, paras. 1-7.

⁵² S/3712, *O.R.*, 11th year, *Suppl. for Oct.-Dec. 1956*, p. 111.

⁵³ For texts of relevant statements, see:

750th meeting: President (France), para. 5; Iran, para. 6; United Kingdom, paras. 3-4. For decision, see Case 8.

CASE 13

At the 755th meeting on 5 November 1956, in connexion with a cablegram⁵⁴ dated 5 November 1956 from the Minister for Foreign Affairs of the Soviet Union, after the provisional agenda had been rejected, the President, speaking as the representative of Iran, stated:

"... The majority of the Security Council members have always held—and my delegation entirely shares that view—that the inclusion of an item in the agenda in no way prejudices the substance of the question. My delegation voted in favour of the adoption of the agenda, because it believes that, if the meaning and scope of an item whose inclusion is requested by a delegation are to be properly understood, the item must first be placed on the agenda."⁵⁵

C. OTHER DISCUSSION ON THE ADOPTION OF THE AGENDA

1. Order of discussion of items on the agenda

CASE 14

At the 734th meeting on 26 September 1956, the provisional agenda included, as item 2, "Situation created by the unilateral action of the Egyptian Government in bringing to an end the system of international operation of the Suez Canal, which was confirmed and completed by the Suez Canal Convention of 1888"; and, as item 3, "Actions against Egypt by some Powers, particularly France and the United Kingdom, which constitute a danger to international peace and security and are serious violations of the Charter of the United Nations".

The representative of the United Kingdom proposed to deal first with item 2 of the provisional agenda, in accordance with the normal procedure in the Security Council. The representative of the United States observed that the item proposed by France and the United Kingdom should have priority of consideration and that the item submitted by Egypt should be deferred until the former item had been disposed of.

The representative of the USSR proposed to consider first the item submitted in Egypt. The representative of France opposed this proposal.

The representative of Yugoslavia maintained that the logical procedure would be to discuss both items simultaneously, for it would be impossible to do otherwise than consider the various aspects of the problem in their interrelationship.

The President, speaking as the representative of Cuba, and the representative of Peru supported the inclusion of both items in the provisional agenda and their discussion in the order in which they appeared therein. The representative of China believed that the rules of

procedure of the Council required that the items should be dealt with in that order.

Following the inclusion of the two items in the agenda,⁵⁶ the President observed in reply to the representative of the USSR that there were no proposals concerning the order of consideration of the items before the Council and that it was normal procedure to deal with them in the order of inclusion. The representative of Yugoslavia then moved that both items be discussed simultaneously.⁵⁷

Decision: *The proposal of the representative of Yugoslavia was rejected by 2 votes in favour, 6 against, with 3 abstentions.*⁵⁸

The President then declared that, in accordance with the Council's decision, the two items would be discussed separately, item 2 first and item 3 second.⁵⁹

CASE 15

At the 787th meeting on 6 September 1957, in connexion with the Palestine question, the following sub-items appeared under item 2 of the provisional agenda: (a) letter⁶⁰ dated 4 September 1957 from the permanent representative of Jordan, and (b) letter⁶¹ dated 5 September 1957 from the acting permanent representative of Israel.

Following adoption of the agenda, the President (Cuba) indicated that the Council would have to decide whether to proceed in accordance with the proposal made by the representatives of Iraq and the USSR to consider the sub-items separately.

The representative of China proposed that the Council should take a decision on the order of debate only after hearing the statements of the two parties directly concerned; the Council would then know the extent to which the two aspects of the problem were interrelated and whether the substance of the matter and the convenience of debate required simultaneous or consecutive consideration. This proposal was supported by the representatives of Australia and the Philippines.

The representative of Iraq maintained that the item submitted by Jordan was concerned with an immediate and actual violation of the armistice agreements, whereas the item submitted by Israel was a standing question which could have been brought before the Council several years earlier. To have statements on two different matters would, in his opinion, lead to confusion. He

⁵⁶ 734th meeting: para. 122.

⁵⁷ For texts of relevant statements, see:

734th meeting: President (Cuba), paras. 118, 126, 133; China, paras. 78-79; France, para. 110; Peru, para. 65; USSR, paras. 60-63, 124-125, 131-132; United Kingdom, paras. 11, 21, 107, 130; United States, para. 43; Yugoslavia, paras. 74-75, 127-128.

⁵⁸ 734th meeting: para. 133.

⁵⁹ 734th meeting: para. 143.

⁶⁰ S/3878, O.R., 12th year, Suppl. for July-Sept. 1957, pp. 33-34.

⁶¹ S/3883, O.R., 12th year, Suppl. for July-Sept. 1957, pp. 35-36.

⁵⁴ S/3736, O.R., 11th year, Suppl. for Oct.-Dec. 1956, pp. 128-130.

⁵⁵ 755th meeting: para. 64. For decision, see Case 3.

therefore proposed, with the support of the representative of the USSR, that the Council first consider sub-item (a) and then sub-item (b).

Decision: *The Council adopted the proposal of the representative of China by 9 votes in favour to 1 against, with 1 abstention. The proposal of the representative of Iraq was not put to the vote.*⁶²

At the 787th and 788th meetings on 6 September 1957, the representatives of Jordan * and Israel * made their preliminary statements before the Council.

At the 806th meeting on 22 November 1957, after inviting the representatives of Israel and Jordan to participate in the discussion, the President (Iraq) stated:

"Before I proceed to give the floor to the speakers on my list, I should like to point out that it may be desirable that the speakers who are called upon to take the floor should address themselves to subparagraph (a) of paragraph 2 of the agenda."

The representative of Israel * observed:

"...I think it will be recalled that at the last meeting of the Council it was decided that, until such time as the parties had been heard, there would be no determination as to the order in which the two sub-items would be taken up, and this was accordingly done. The parties were heard, but we are still, I am afraid, in exactly the same state. The parties have not completed the presentation of their cases, and I for one am perfectly ready to deal with both sub-items.

"I think it should be recalled that this has been the practice of the Council in the past. Sub-items on the Palestine question have invariably been taken together. As far as my delegation is concerned, we should prefer to pursue the same practice as has been adopted by the Council in the past and deal with both items together."

The President, having drawn the attention of the Council to the suggestion of the representative of Israel, reiterated his original proposal and invited comment thereon. He then stated:

"I see that no member of the Council wishes to speak on this point. Since there is no comment, I take it that the Council approves the proposal of the Chair that all speakers should address themselves to subparagraph (a) of item 2 of the agenda for today."⁶³

Decision: *The Council adopted, without vote, the proposal of the President.*⁶⁴

⁶² 787th meeting: para. 39.

⁶³ For texts of relevant statements, see:

787th meeting: President (Cuba), paras. 29, 39; Australia, para. 32; China, paras. 30-31; Iraq, paras. 35-37; Philippines, paras. 33-34; USSR, para. 38;

788th meeting: China, para. 70;

806th meeting: President (Iraq), paras. 1, 5-6; Israel *, paras. 3-4.

⁶⁴ 806th meeting: para. 6.

CASE 16

At the 789th meeting on 9 September 1957, agenda item 2 on Admission of new Members included three sub-items relating respectively to the applications of the Republic of Korea, Viet-Nam,⁶⁵ and the Mongolian People's Republic.⁶⁶

The representative of the USSR expressed a preference for simultaneous discussion of all the sub-items and the proposals on them, followed by separate votes on the proposals.

The President (Cuba) replied that, in accordance with the practice of the Council and the 1948 advisory opinion of the International Court of Justice on Admission of a State to the United Nations, the sub-items should be discussed separately.

The representative of the United States, in supporting the position taken by the President, maintained that it had been the established practice of the Council to consider each application for membership on its own merits, a procedure which required that each application be considered separately.

The representative of the USSR stated that, though he would not object to the procedure proposed by the President, he believed that each delegation was free to decide whether to set forth its position on the three applications in one or more statements.

The President declared that the Council would take up sub-item (a), but that this would not preclude members from speaking on the other sub-items.⁶⁷

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

CASE 17

At the 831st meeting on 17 July 1958, in connexion with the letter⁶⁸ of 22 May 1958 from the representative of Lebanon, the provisional agenda included as a third item a letter dated 17 July 1958 from the representative of Jordan entitled, "Complaint by the Hashemite Kingdom of Jordan of interference in its domestic affairs by the United Arab Republic".

The President (Colombia) suggested that the Council take up item 3 first to afford the representatives of Jordan and the United Kingdom an opportunity to be heard as a matter of urgency.

The representative of the USSR suggested that the close connexion between the two questions on the provisional agenda warranted discussing them together.

⁶⁵ Resolution 1017 (XI), 28 February 1957; S/3803, *O.R.*, 12th year, *Suppl. for Jan.-Mar. 1957*, p. 11; S/3880, *O.R.*, 12th year, *Suppl. for July-Sept. 1957*, p. 34; S/3881, *ibid.*, pp. 34-35.

⁶⁶ S/3873, *O.R.*, 12th year, *Suppl. for July-Sept. 1957*, p. 23; S/3877, *ibid.*, p. 33.

⁶⁷ For texts of relevant statements, see:

789th meeting: President (Cuba), para. 6; USSR, paras. 1-2, 9; United States, paras. 7-8.

⁶⁸ S/4007, *O.R.*, 13th year, *Suppl. for Apr.-June 1958*, p. 33.

The representative of the United States, concurring with the representative of the Soviet Union, suggested that the order of the agenda be left unchanged, that special statements from Jordan and the United Kingdom on item 3 be heard at the start of the meeting and that members of the Council be free as usual to discuss both items.

The President, after noting that the foregoing obser-

vations were in effect not in conflict with his suggestion, declared the agenda adopted.⁶⁹

****3. Phrasing of items on the agenda**

****4. Postponement of consideration of items**

⁶⁹ For texts of relevant statements, see:

831st meeting (PV): President (Colombia), pp. 2, 6; USSR, pp. 3-5; United States, p. 6.

Part IV

THE AGENDA: MATTERS OF WHICH THE SECURITY COUNCIL IS SEIZED (RULES 10 AND 11)

NOTE

Rule 10 of the provisional rules of procedure was designed to enable the Security Council to continue, at its next meeting, the consideration of an unfinished item without a renewed debate on the adoption of the agenda. However, the provisional agenda has not invariably contained all items of unfinished business. The case history included in section A (Case 18) is related to an instance when the Council continued the consideration of an item, as a matter of urgency, at a meeting which, by a previous decision, had been allocated to the consideration of another item.

In the volume of the *Repertoire* covering the period 1946-1951, it was noted⁷⁰ that items on the agenda of the Council have remained on the Secretary-General's Summary Statement of matters of which the Security Council is seized when the tenor of the Council's discussion has revealed a continuing concern with the matter. During the period under review, additional evidence supporting such retention has been provided when the President of the Council has announced, upon the conclusion of debate, that the Council remained seized of a question (Cases 19 and 20).

The tabulation appearing in section B.1 brings up to date those appearing in previous volumes of the *Repertoire*.

A. RULE 10

CASE 18

At the 748th meeting on 30 October 1956, in connexion with the Palestine question, with special reference

⁷⁰ *Repertoire of the Practice of the Security Council, 1946-1951*, p. 84.

to steps for the immediate cessation of the military action of Israel in Egypt, after the list of speakers had been exhausted, the President (France) inquired whether the Council desired to hear the representatives of the parties or to adjourn the meeting until that afternoon.

The representative of the United States observed that he had a draft resolution to submit to the Council, and he wished to be assured that that would be the pending business at the afternoon meeting.

The representative of Australia recalled that, in connexion with the Palestine question, the Council was seized of the Israel and Jordanian complaints which had been scheduled for discussion at the afternoon meeting.⁷¹ However, it would be desirable to postpone that discussion and continue in the afternoon with the consideration of the item which had been introduced by the representative of the United States.

At the 749th meeting held in the afternoon of 30 October 1956, the Council continued its consideration of the item submitted by the representative of the United States.⁷²

⁷¹ At the 745th meeting on 25 October 1956, the representative of Iran proposed to adjourn the meeting until the following week, the date to be decided by the President (France) after consultation with the members. The representative of the USSR proposed, in view of the urgency of the question before the Council, to fix a date for the next meeting not later than the following Tuesday. The President adjourned the meeting, without objection, until Tuesday afternoon, 30 October 1956. For texts of relevant statements, see: 745th meeting: President (France), para. 111; Iran, para. 103; USSR, paras. 105-106.

⁷² For texts of relevant statements, see: 748th meeting: President (France), paras. 54, 56; Australia, para. 57; United States, para. 55.

B. RULE 11

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

This tabulation, which supplements those appearing in the *Repertoire*, 1946-1951, pp. 85-91, and the *Supplement*, 1952-1955, pp. 33-40, covers matters appearing in the Secretary-General's Summary Statements during the period 1956-1958. The items included are (1) those of which the Security Council was seized at the close of the period covered by the earlier tabulations, and (2) items of which the Council has been seized since that time. Items are listed in the order in which they have appeared in the Summary Statement. Items to the end of 1955 are numbered to conform with the numbering in the earlier tabulation. The titles used are those occurring in the Summary Statement except for occasional abridgments. Two items: (1) Appointment of the Secretary-General, and (2) Election of Members of the International Court of Justice, are not included in the present tabulation, because neither item was included in any of the Summary Statements issued during the period under review.^a

<i>Item</i>	<i>First inclusion in the agenda</i>	<i>First entry in Summary Statement</i>	<i>Last action of the Council as of 31 December 1958</i>	<i>Final entry in Summary Statement as of 31 December 1958</i>
1. The Iranian question	3rd meeting 28 January 1946	S/45 23 April 1946	Adopted Netherlands proposal to adjourn discussion and resume it at the request of any member 43rd meeting, 22 May 1946 ^b	
3. Statute and Rules of Procedure of Military Staff Committee	1st meeting 17 January 1946	S/45 23 April 1946	Referred report of Military Staff Committee to Committee of Experts 23rd meeting, 16 February 1946	
4. Special Agreements under Article 43 of the Charter	1st meeting 17 January 1946	S/45 23 April 1946	Discussed report of Military Staff Committee 157th meeting, 15 July 1957	
5. Rules of Procedure of the Security Council	1st meeting 17 January 1946	S/45 23 April 1946	Amended rules 468th meeting, 28 February 1950	
14. The general regulation and reduction of armaments	88th meeting 31 December 1946	S/238 ^c 3 January 1947	Dissolved Commission for Conventional Armaments in accordance with recommendation in General Assembly resolution 502 (VI) 571st meeting, 30 January 1952	
Information on armed forces of United Nations (General Assembly resolution 41 (I) and 42 (I))	89th meeting 7 January 1947	S/246 ^c 10 January 1947		
19. Appointment of a Governor of the Free Territory of Trieste	143rd meeting 20 June 1947	S/382 20 June 1947	Postponed discussion of the item 647th meeting, 14 December 1953	
20. The Egyptian question	159th meeting 17 July 1947	S/425 18 July 1947	Rejected Chinese draft resolution 201st meeting, 10 September 1947 ^d	

^a The item "Appointment of the Secretary-General" was considered by the Council at its 792nd meeting, held in private on 26 September 1957, and the item "Election of Members of the International Court of Justice" was discussed by the Council at its 793rd and 794th meetings on 1 October 1957.

^b See *Repertoire of the Practice of the Security Council*

1946-1951, Case 56, pp. 92-93.

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

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

Item	First inclusion in the agenda	First entry in Summary Statement	Last action of the Council as of 31 December 1958	Final entry in Summary Statement as of 31 December 1958
21. The Indonesian question (II)	171st meeting 31 July 1947	S/461 1 August 1947	Failed to adopt Canadian draft resolution and rejected Ukrainian SSR draft resolution 456th meeting. ^a	13 December 1949
22. Voting procedure in the Security Council	197th meeting 27 August 1947	S/533 29 August 1947	Presidential statement concerning outcome of meetings of five permanent members in accordance with General Assembly resolution of 14 April 1949, 195th plenary session 452nd meeting.	18 October 1949
24. Procedure in application of Articles 87 and 88 of the Charter with regard to the Pacific Islands under Strategic Trusteeship of the United States	220th meeting 15 November 1947	S/603 15 November 1947	Adopted resolution concerning procedure to be employed in application of Articles 87 and 88 of the Charter to strategic areas under Trusteeship	415th meeting, 7 March 1949
25. Applications for membership. ^f Republic of Korea	409th meeting 15 February 1949	S/1244 7 February 1949	Not recommended	423rd meeting, 8 April 1949
Letter of 11 February 1949 from the representative of the USSR concerning application by the Democratic People's Republic of Korea	409th meeting 15 February 1949	S/1257 14 February 1949	Rejected USSR proposal to refer application to Committee on Admission of New Members	410th meeting, 16 February 1949
26. The Palestine question	222nd meeting 9 December 1947	S/623 12 December 1947	Noted Secretary-General's intention to visit countries concerned in order to ease tension	849th meeting, 15 December 1958
27. The India-Pakistan question ^g	226th meeting 6 January 1948	S/641 9 January 1948	Adopted a joint draft resolution (S/3911), as amended, to call upon the two Governments to co-operate with the United Nations Representative in order to arrive at an agreement on the problem of demilitarization ^h	808th meeting, 2 December 1957
28. The Czechoslovak question	268th meeting 17 March 1948	S/700 22 March 1948	Discussed Argentine draft resolution	305th meeting, 26 May 1948

^a See *Repertoire of the Practice of the Security Council 1946-1951*, Case 61, p. 97.

^f Listed under this heading are only those applications which failed to obtain recommendations as others were admitted by the Council's later actions as of 31 December 1957.

^g The India-Pakistan question: This item was entitled the Kashmir question in S/641. This was changed to the Kashmir

and Jammu question in S/653 of 17 January 1948. The present title, India-Pakistan question, first appears in S/675 of 13 February 1948.

^h The text of the draft resolution as adopted appears in document S/3922, *O.R.*, 12th year, *Suppl. for Oct.-Dec. 1957*, pp. 21-22.

<i>Item</i>	<i>First inclusion in the agenda</i>	<i>First entry in Summary Statement</i>	<i>Last action of the Council as of 31 December 1958</i>	<i>Final entry in Summary Statement as of 31 December 1958</i>
30. Question of the Free Territory of Trieste	344th meeting 4 August 1948	S/959 10 August 1948	Rejected draft resolutions submitted by Yugoslavia and by Ukrainian SSR 354th meeting, 19 August 1948	
31. The Hyderabad question	357th meeting 16 September 1948	S/1010 22 September 1948	Heard statements by the representatives of India and Pakistan 425th and 426th meetings, 19 and 24 May 1959 ⁱ	
33. Identic Notifications dated 29 September 1948	362nd meeting 5 October 1948	S/1029 9 October 1948	Rejected joint draft resolution (S/1048) 372nd meeting, 25 October 1948	
38. International Control of Atomic Energy ^j	444th meeting 15 September 1949	S/1394 ^k 21 September 1949	Adopted Canadian draft resolution, as amended, and rejected USSR draft resolution (S/1391/Rev.1) 447th meeting, 16 September 1949	
43. Complaint of armed invasion of Taiwan (Formosa)	492nd meeting 29 August 1950	S/1774 7 September 1950	Rejected draft resolutions (S/1757 and S/1921) 530th meeting, 30 November 1950	
44. Complaint of bombing by air forces of the territory of China	493rd meeting 31 August 1950	S/1774 7 September 1950	Failed to adopt U.S. draft resolution (S/1752) and rejected USSR draft resolution (S/1745/Rev.1) 501st meeting, 12 September 1950	
48. Complaint of failure by the Iranian Government to comply with provisional measures indicated by the International Court of Justice in the Anglo-Iranian Oil Company case	559th meeting 1 October 1951	S/2364 2 October 1951	Adopted French motion to adjourn the debate until the International Court had ruled on its own competence 565th meeting, 19 October 1951	
50. New applications for membership. Viet-Nam (S/2446)	594th meeting 2 September 1952	S/2770 8 September 1952	Not recommended 603rd meeting, 19 September 1952	
Democratic Republic of Viet-Nam (S/2466)	594th meeting 2 September 1952	S/2770 8 September 1952	Not recommended 603rd meeting, 19 September 1952	
51. Question of appeal to States to accede to and ratify the Geneva Protocol of 1925 for the prohibition of the use of bacterial weapons	577th meeting 18 June 1952	S/2679 23 June 1952	Rejected USSR draft resolution 583rd meeting, 26 June 1952	

ⁱ See *Repertoire of the Practice of the Security Council 1946-1951*, Case 60, pp. 96-97.

^j The agenda item at the 444th through 447th meetings of the Security Council was entitled "Letter dated 29 July 1949 from the Chairman of the Atomic Energy Commission addressed

to the President of the Security Council (S/1377)".

^k An earlier summary statement, S/1388 of 12 September 1949, referred under the same heading to a Canadian draft resolution (S/1386) circulated in anticipation of the discussion of the question at a forthcoming meeting.

<i>Item</i>	<i>First inclusion in the agenda</i>	<i>First entry in Summary Statement</i>	<i>Last action of the Council as of 31 December 1958</i>	<i>Final entry in Summary Statement as of 31 December 1958</i>
52. Question of request for investigation of alleged bacterial warfare	581st meeting 23 June 1952	S/2687 1 July 1952	Rejected USSR draft resolution 585th meeting, 1 July 1952 Failed to adopt U.S. draft resolution 587th meeting, 3 July 1952 Failed to adopt U.S. draft resolution 590th meeting, 9 July 1952	
56. Letter dated 29 May 1954 from the acting permanent representative of Thailand to the United Nations addressed to the President of the Security Council (S/3220)	672nd meeting 3 June 1954	S/3224 8 June 1954	Failed to adopt Thailand draft resolution (S/3229) 674th meeting, 18 June 1954	
57. Cablegram dated 19 June 1954 from the Minister of External Relations of Guatemala addressed to the President of the Security Council (S/3232)	675th meeting 20 June 1954	S/3257 29 June 1954	Failed to adopt Brazilian-Colombian draft resolution (S/3236/Rev.1) Adopted French draft resolution (S/3237) 675th meeting, 20 June 1954 ¹	
59. Letter dated 8 September 1954 from the representative of the U.S. addressed to the President of the Security Council	679th meeting 10 September 1954	S/3289 13 September 1954	Adjourned to meet again upon request of any delegation 680th meeting, 10 September 1954	
61. Letter dated 28 January 1955 from the representative of New Zealand addressed to the President of the Security Council concerning the question of hostilities in the area of certain islands off the coast of the mainland of China Letter dated 30 January 1955 from the representative of the USSR addressed to the President of the Security Council concerning the question of acts of aggression by the U.S. against the People's Republic of China in the area of Taiwan and other islands of China	689th meeting 31 January 1955	S/3359 7 February 1955	Postponed consideration of matters contained in the letter from the representative of New Zealand 691st meeting, 14 February 1955 Rejected USSR motion to consider the next item on the agenda 691st meeting, 14 February 1955	

¹ At the 676th meeting on 25 June 1954, the Council failed to adopt the agenda. For case history, see the *Supplement, 1952-1955*, Cases 22 and 23, pp. 33, 40.

<i>Item</i>	<i>First inclusion in the agenda</i>	<i>First entry in Summary Statement</i>	<i>Last action of the Council as of 31 December 1958</i>	<i>Final entry in Summary Statement as of 31 December 1958</i>
62. Applications for membership ^m				
Reconsideration. Mongolian People's Republic. Japan	701st meeting 10 December 1955	S/3507 13 December 1955	Rejected USSR amendment (S/3517) to United Kingdom draft resolution (S/3513) and postponed further consideration of latter 708th meeting, 21 December 1955	See items 73 and 79 below
Reconsideration. Republic of Korea. Viet-Nam	703th meeting 13 December 1955	S/3515 15 December 1955	Not recommended 704th meeting, 13 December 1955	See item 85 below
64. Admission of new Members. Sudan	716th meeting 6 February 1956	S/3549 13 February 1956	Adopted joint draft resolution (S/3545) 716th meeting, 6 February 1956	S/3549 13 February 1956
65. Admission of new Members. Morocco	731st meeting 20 July 1956	S/3626 23 July 1956	Adopted French draft resolution (S/3620) 731st meeting, 20 July 1956	S/3626 23 July 1956
66. Admission of new Members. Tunisia	732nd meeting 26 July 1956	S/3630 30 July 1956	Adopted French draft resolution (S/3627) 732nd meeting, 26 July 1956	S/3630 30 July 1956
67. The date of election to fill a vacancy in the International Court of Justice	733rd meeting 6 September 1956	S/3644 10 September 1956	Adopted resolution (S/3643) 733rd meeting, 6 September 1956	S/3644 10 September 1956
68. Letter dated 23 September 1956 from the representatives of France and the United Kingdom addressed to the President of the Security Council (S/3654)	734th meeting 26 September 1956	S/3661 1 October 1956	After adopting the first part of the joint draft resolution (S/3671), the Council rejected the second part as amended by Iran 743rd meeting, 13 October 1956	
69. Letter dated 24 September 1956 from the representative of Egypt addressed to the President of the Security Council (S/3656)	734th meeting 26 September 1956	S/3661 1 October 1956	Rejected a motion to discuss this item simultaneously with the preceding one submitted by France and the United Kingdom 734th meeting, 26 September 1956	
70. Letter dated 27 October 1956 from the representatives of France, the United Kingdom and the United States addressed to the President of the Security Council (S/3690)	746th meeting 28 October 1956	S/3738 6 November 1956	Adopted United States draft resolution (S/3733) to call an emergency special session of the General Assembly 754th meeting, 4 November 1956	
71. Letter dated 25 October 1956 from the representative of France addressed to the Secretary-General (S/3689 and Corr.1)	747th meeting 29 October 1956	S/3738 6 November 1956	Adjourned its discussion to a further date 747th meeting, 29 October 1956	

^m Under this agenda heading, the applications remaining on the list are only those which failed to obtain recommendation.

<i>Item</i>	<i>First inclusion in the agenda</i>	<i>First entry in Summary Statement</i>	<i>Last action of the Council as of 31 December 1958</i>	<i>Final entry in Summary Statement as of 31 December 1958</i>
72. Letter dated 30 October 1956 from the representative of Egypt addressed to the President of the Security Council (S/3712)	750th meeting 30 October 1956	S/3738 6 November 1956	Adopted Yugoslav draft resolution (S/3719) 751st meeting, 31 October 1956	
73. Admission of new Members. Japan	756th meeting 12 December 1956	S/3759 17 December 1956	Recommended 756th meeting, 12 December 1956	S/3759 17 December 1956
Mongolian People's Republic	756th meeting 12 December 1956	S/3759 17 December 1956	Rejected USSR draft resolution (S/3755) 756th meeting, 12 December 1956	
74. Election of a member to fill the vacancy in the International Court of Justice	757th meeting 19 December 1956	S/3761	Recommended Mr. Wellington Koo to fill the vacancy left by Mr. Hsu Mo 760th meeting, 11 January 1957	S/3770 14 January 1957
75. Admission of new Members. Ghana	775th meeting 7 March 1957	S/3804 11 March 1957	Recommended 775th meeting, 7 March 1957	S/3804 11 March 1957
76. Admission of new Members. Malaya	786th meeting 5 September 1957	S/3886 9 September 1957	Recommended 786th meeting, 5 September 1957	S/3886 9 September 1957
77. Admission of new Members. Republic of Korea	789th meeting 9 September 1957	S/3888 17 September 1957	Rejected USSR amendment (S/3887) to recommend simultaneous admission of Democratic People's Republic of Korea and of the Republic of Korea Not recommended 790th meeting, 9 September 1957	
Viet-Nam	789th meeting 9 September 1957	S/3888 17 September 1957	Not recommended 790th meeting, 9 September 1957	
Mongolian People's Republic	789th meeting 9 September 1958	S/3888 17 September 1957	Not recommended 790th meeting, 9 September 1957	
78. The Tunisian Question (I): Letter dated 13 February 1958 from the permanent representative of Tunisia to the President of the Security Council concerning: "Complaint by Tunisia in respect of an act of aggression committed against it by France on 8 February 1958 at Sakiat-Sidi-Youssef" Letter dated 14 February 1958 from the permanent representative of France to the President of the Security Council concerning: "Situation	811th meeting 18 February 1958	S/3967 26 February 1958	Adjourned the meeting under rule 33 811th meeting, 18 February 1958	

<i>Item</i>	<i>First inclusion in the agenda</i>	<i>First entry in Summary Statement</i>	<i>Last action of the Council as of 31 December 1958</i>	<i>Final entry in Summary Statement as of 31 December 1958</i>
resulting from the aid furnished by Tunisia to rebels enabling them to conduct operations from Tunisian territory directed against the integrity of French territory and the safety of the persons and property of French nationals "				
79. Letter dated 20 February 1958 from the representative of the Sudan addressed to the Secretary-General	812th meeting 21 February 1958	S/3967 26 February 1958	Decided that the next meeting, if necessary, would be called after consultation among members and the parties concerned 812th meeting, 21 February 1958	
80. Complaint of the representative of the USSR	814th meeting 29 April 1958	S/3996 28 April 1958	Failed to adopt United States draft resolution (S/3995), as amended by Sweden, and rejected USSR draft resolution (S/3997) 817th meeting, 2 May 1958	
81. Letter dated 22 May 1958 from the representative of Lebanon addressed to the President of the Security Council concerning: " Complaint by Lebanon in respect of a situation arising from the intervention of the United Arab Republic in the internal affairs of Lebanon, the continuance of which is likely to endanger the maintenance of international peace and security "	818th meeting 27 May 1958	S/4017 2 June 1958	Decided to delete this item from the list of matters of which the Council is seized 840th meeting, 25 November 1958	S/4120 1 December 1958
82. The Tunisian question (II): Letter dated 29 May 1958 from the representative of Tunisia to the President of the Security Council concerning: " Complaint by Tunisia in respect of acts of armed aggression committed against it since May 1958 by the French military forces stationed in its territory and in Algeria " Letter dated 29 May 1958 from the representative of France to the President of the Security Council concerning:	819th meeting 2 June 1958	S/4021 9 June 1958	Statements made by the representatives of France and Tunisia concerning the agreement reached by their Governments 826th meeting, 18 June 1958	

Item	First inclusion in the agenda	First entry in Summary Statement	Last action of the Council as of 31 December 1958	Final entry in Summary Statement as of 31 December 1958
(a) "The complaint brought by France against Tunisia on 14 February 1958 (document S/3954)"				
(b) "The situation arising out of the disruption, by Tunisia, of the <i>modus vivendi</i> which had been established since February 1958 with regard to the stationing of French troops at certain points in Tunisian territory"				
83. Letter dated 17 July 1958 from the representative of Jordan addressed to the President of the Security Council concerning: "Complaint by the Hashemite Kingdom of Jordan of interference in its domestic affairs by the United Arab Republic"	831st meeting 17 July 1958	S/4061 21 July 1958	Agreed to consider simultaneously the complaints submitted by Lebanon and Jordan 17 July 1958	
84. The date of election to fill a vacancy in the International Court of Justice	840th meeting 25 November 1958	S/4120 1 December 1958	Adopted resolution unanimously 840th meeting, 25 November 1958	S/4120 1 December 1958
85. Admission of new Members. Republic of Guinea	842nd meeting 9 December 1958	S/4135 16 December 1958	Recommended 842nd meeting, 9 December 1958	S/4135 16 December 1958
Republic of Korea	842nd meeting 9 December 1958	S/4135 16 December 1958	Rejected USSR amendments (S/4132) to joint draft resolution (S/4129/Rev.1) Not recommended 843rd meeting, 9 December 1958	
Viet-Nam	842nd meeting 9 December 1958	S/4135 16 December 1958	Not recommended 843rd meeting, 9 December 1958	

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

CASE 19

At the 778th meeting on 20 May 1957, the provisional agenda of the Council included the letter⁷³ dated 15 May 1957 from the representative of France addressed to the President of the Security Council relating to the Suez Canal (item 68 of the list of matters of which the Security Council is seized). In connexion with the adoption of the agenda, the representative of

the USSR declared that his delegation could not support the request to reopen the discussion of the Suez Canal question in the Security Council. His reasons were that the Declaration concerning the Suez Canal and the arrangements for its operation made by the Egyptian Government on 24 April 1957 was in accord with the Convention of 1888 and the Charter of the United Nations and reflected the principles endorsed in the Security Council's resolution of 13 October 1956. The document had been registered with the United Nations by the Egyptian Government and had acquired the status of an international instrument. Discussion at the 776th and 777th meetings of the Council had shown that the Declaration constituted a fair and reasonable

⁷³ S/3829, O.R., 12th year, Suppl. for Apr.-June 1957, pp. 20-21.

basis for the settlement of the question, a conclusion confirmed by subsequent events. In these circumstances, the USSR delegation felt that a new discussion could lead only to complications which would be undesirable from the point of view of peace.

The representative of the United Kingdom observed that at the end of the 777th meeting he had reserved his rights to speak again more fully at a subsequent meeting of the Council. It would be clear from this that it was far from being the view of his delegation that the Egyptian Declaration closed the question of the Suez Canal.

The agenda was adopted⁷⁴ by 10 votes in favour and none against, with 1 abstention.

Discussion continued at the 779th meeting, 21 May 1957, at the conclusion of which the President (United States), in summing up the discussion, made the following statement :

"These comments reflect continuing doubts on the part of a number of members regarding the Suez Canal system now put into effect by the Egyptian Government, and about which clarification by Egypt is desired.

"The Egyptian Government will presumably wish as soon as possible to examine these points carefully and to consider the concrete steps it can take to remove the doubts which have arisen. Member Governments will undoubtedly be guided in their diplomatic actions and users will be guided in their practical actions by the views that have been expressed here today and by the Egyptian response to the questions which have been raised here. In the meantime the Council will remain seized of the question and will be in a position to meet again when the representative of Egypt has something further to communicate or when other developments make it desirable."

The representative of France, taking note of the President's summing up, added that :

"...considering that a great number of questions have been asked, that they are still unanswered and that we are waiting for them to be answered, I should like it to be clearly understood that the Security Council is still seized of the problem and could reconvene if any Member so desires."

The President replied that the representative of France understood the situation correctly. "The Council does remain seized of the question, the agenda item is still pending and the matter can be raised by any member of the Security Council."⁷⁵

⁷⁴ 778th meeting : para. 14.

⁷⁵ For texts of relevant statements, see : 778th meeting : USSR, paras. 4-11 ; United Kingdom, para. 13 ;

779th meeting : President (United States), paras. 126-127, 129 ; France, para. 128.

⁷⁶ S/3963, *O.R.*, 13th year, *Suppl. for Jan.-Apr. 1958*, pp. 21-22.

CASE 20

At the 812th meeting on 21 February 1958, in connexion with the letter⁷⁶ dated 20 February 1958 from the representative of Sudan, after the Security Council had heard the statements of the representatives of Egypt and Sudan indicating their willingness to settle the matter after the elections of 27 February 1958, the representative of the United States observed that, by the very action of adopting the agenda, the Council had been seized of the question and could always meet again on short notice, should the situation deteriorate.

The President (USSR) declared that the question submitted by the representative of Sudan would remain on the agenda of the Council.⁷⁷

CASE 21

At the 840th meeting of the Security Council on 25 November 1958, after the Council had concluded its consideration of the item on its agenda, namely, "The date to fill a vacancy in the International Court of Justice," the President (Panama) referred to the following communications: (1) a letter⁷⁸ addressed to him on 16 November 1958 by the Minister for Foreign Affairs of Lebanon reporting the resumption of cordial and close relationships with the United Arab Republic and requesting the Security Council to delete the Lebanese complaint from the list of matters of which it was seized ; (2) the fifth report⁷⁹ of the United Nations Observation Group in Lebanon setting forth the conclusion that the task of the Group under the resolution of 11 June 1958 might be regarded as completed and recommending that the withdrawal of the Group should be undertaken ; and (3) a letter⁸⁰ from the Secretary-General of 17 November 1958 stating that in view of the two foregoing communications, he had instructed the Group to present, in consultation with the Government of Lebanon, a detailed plan for the withdrawal, and adding that he considered the task of the Group as completed and his remaining duty under the Security Council resolution as covering only the necessary measures for the liquidation of the operation.

The President declared that he had engaged in consultation with members of the Council who appeared to agree to the deletion of the Lebanese complaint from the list of matters of which the Council was seized, and to the liquidation of the operation of the United Nations Observation Group in Lebanon. In the absence of objection, he would place on the record that the Council had agreed to such deletion, with the understanding that the Secretary-General would inform the General Assembly under his mandate contained in resolution 1237 (ES-3) of 21 August 1958.

It was so decided.

⁷⁷ For texts of relevant statements, see : 812th meeting : President (USSR), para. 81 ; Japan, para. 58 ; United Kingdom, para. 61 ; United States, para. 54.

⁷⁸ S/4113.

⁷⁹ S/4114.

⁸⁰ S/4115.