

Chapter III

PARTICIPATION IN THE PROCEEDINGS OF THE SECURITY COUNCIL

TABLE OF CONTENTS

	<u>Page</u>
INTRODUCTORY NOTE	67
PART I. BASIS OF INVITATIONS TO PARTICIPATE	
Note	67
**A. In the case of persons invited in an individual capacity	68
B. In the case of representatives of United Nations organs or subsidiary organs	68
C. In the case of Members of the United Nations	
1. Invitation when the Member brought to the attention of the Security Council	
a. A matter in accordance with Article 35 (1) of the Charter	68
**b. A matter not being either a dispute or a situation	71
2. Invitations when the interests of a Member were considered specially affected	
a. To participate without vote in the discussions	71
**b. To submit written statements	75
**3. Invitations denied	75
D. In the case of non-member States and other invitations	
**1. Invitations expressly under Article 32	75
**2. Invitations expressly under rule 39 of the provisional rules of procedure	75
3. Invitations not expressly under Article 32 or rule 39	75
**4. Invitations denied	76
**PART II. CONSIDERATION OF THE TERMS AND PROVISIONS OF ARTICLE 32 OF THE CHARTER	76
PART III. PROCEDURES RELATING TO PARTICIPATION OF INVITED REPRESENTATIVES	
Note	76
A. The stage at which invited States are heard	77
**B. The duration of participation	79
C. Limitations of a procedural nature	
1. Concerning the order in which the representatives are called upon to speak	79
2. Concerning the raising of points of order by invited representatives	80
3. Concerning the submission of proposals or draft resolutions by invited representatives	80
D. Limitations on matters to be discussed by invited representatives	
1. Adoption of the agenda	81
2. Extension of invitations	82
**3. Postponement of consideration of a question	84
**4. Other matters	84
E. Effect of the extension of invitations	84

INTRODUCTORY NOTE

As indicated previously in the Repertoire, Articles 31 and 32 of the Charter and rules 37 and 39 of the provisional rules of procedure provide for invitations to non-members of the Security Council in the following circumstances: (1) where a Member of the United Nations brings a dispute or a situation to the attention of the Security Council in accordance with Article 35 (1) (rule 37); (2) where a Member of the United Nations, or a State which is not a Member of the United Nations, is a party to a dispute (Article 32); (3) where the interests of a Member of the United Nations are specially affected (Article 31 and rule 37); and (4) where members of the Secretariat or other persons are invited to supply information or give other assistance (rule 39). Of these four categories, only category (2) involves an obligation of the Council. In extending these invitations, the Council, as earlier, has made no distinction between a complaint involving a dispute within the meaning of Article 32, or a situation, or a matter not of such nature.

The classification of the material relevant to participation in the proceedings of the Security Council is

designed to facilitate the presentation of the varieties of practice to which the Council has had recourse, adhering where possible to a classification based on Articles 31 and 32 of the Charter and rules 37 and 39 of the provisional rules of procedure. The reasons why the material cannot be satisfactorily arranged within a classification derived directly from the texts of these Articles and rules of procedure have been set forth in the Repertoire, 1946-1951.

Part I includes a summary account of the proceedings of the Council in the consideration of all the proposals to extend an invitation to participate in the discussion, with special emphasis on consideration of the basis on which the invitation might be deemed to rest.

In part II there are no entries as there has been no discussion of the terms and provisions of Article 32 during the period under review.

Part III presents summary accounts of procedures relating to the participation of invited representatives after the Council has decided to extend an invitation.

Part I

BASIS OF INVITATIONS TO PARTICIPATE

NOTE

Part I includes all cases in which proposals to extend an invitation to participate in the discussion have been put forward in the Security Council. The types and varieties of practice to which the Council has had recourse in connexion with the extension of invitations are dealt with in three sections: section B: Invitations to representatives of subsidiary organs or other United Nations organs;^{1/} section C: Invitations to Members of the United Nations; section D: Invitations to non-member States, together with other invitations. During the period under review the Council extended no other invitations. Presented in case histories are the general features of each case, together with the decision of the Council and the main positions taken in the course of the debate.

In most instances in which Member States submitting matters to the Council in accordance with Article 35 (1) have asked to participate in the deliberations of the Council, the invitation has been extended as a matter of course and without discussion. This has been true also of invitations under Article 31 to Members of the United Nations to participate in the discussion of a question when their interests were considered by the Council to be specially affected. Of the 120 instances in which such routine invitations were extended 59 have been recorded in tabular form in section C.1.a.

whereas, the other 61 appear in Section C.2.a. The tabulation is chronologically arranged to provide information on the following points: (1) agenda item; (2) State invited; (3) request for invitation; and (4) decision of the Council. Included also is an instance^{2/} in which thirty-two African States, in submitting a question to the Council, delegated the Foreign Ministers of Liberia, Madagascar, Sierra Leone and Tunisia to lay before the Council the concern of all the peoples of Africa.^{3/} Three case histories following the tabulation present the proceedings in those instances in which the decision concerning the extension of an invitation was accompanied by discussion. On one occasion^{4/} there has been discussion of the question whether the extension of an invitation to one party required simultaneous extension of an invitation to another party, whose interests were considered to be specially affected. In two other instances^{5/} reference was made to the question whether invitations should be extended without closer scrutiny of the interests said to be specially affected. In section D are reported proceedings^{6/} involving the extension of an invitation to a non-member State of the United Nations.

^{1/} See Case 1.

^{2/} See tabulation C.1.a., entry 12.

^{3/} S/5347, O.R., 18th year, Suppl. for July-Sept. 1963, pp. 6-10.

^{4/} See Case 2.

^{5/} See Cases 3 and 4.

^{6/} See Case 5.

****A. IN THE CASE OF PERSONS INVITED IN AN INDIVIDUAL CAPACITY**

B. IN THE CASE OF REPRESENTATIVES OF UNITED NATIONS ORGANS OR SUBSIDIARY ORGANS

CASE 1

The following was the only occasion during the period under review on which the Security Council invited a representative of one of its subsidiary organs to the

Council table to give information required in connexion with consideration of a report from the subsidiary organ:

Chief of Staff, Truce Supervision Organization in Palestine

At the 1000th meeting on 3 April 1962.^{2/}

^{2/} 1000th meeting; paras. 11-13, 18.

C. IN THE CASE OF MEMBERS OF THE UNITED NATIONS

1. Invitation when the Member brought to the attention of the Security Council

a. A MATTER IN ACCORDANCE WITH ARTICLE 35 (1) OF THE CHARTER

<u>Question^{a/}</u>	<u>State invited</u>	<u>Initiation by^{b/}</u>	<u>Request for invitation</u>	<u>Decision of the Council Invitations extended and renewed^{c/}</u>
1. The Palestine question*	Israel		S/4151 and Corr.1, O.R., 14th year, Suppl. for Jan.-June 1959, pp. 3-4	845th mtg.
	Jordan		S/4777, O.R., 16th year, Suppl. for April-June 1961, p. 1	947th mtg. (948th-949th mtgs.)
	Syrian Arab Republic		S/5097, O.R., 17th year, Suppl. for Jan.-Mar. 1962, p. 98	999th mtg. (1000th-1006th mtgs.)
	Israel		S/5098, S/5104, <i>ibid.</i> , pp. 98-99, 110	999th mtg. (1000th-1006th mtgs.)
	Israel		S/5394, S/5400, O.R., 18th year, Suppl. for July-Sept. 1963, pp. 76-77, 83	1057th mtg. (1058th-1063rd mtgs.)
	Syrian Arab Republic		S/5397, <i>ibid.</i> , p. 82	1057th mtg. (1058th-1063rd mtgs.)
2. Complaint concerning South Africa* (letter of 25 March 1960)	India		S/4281, O.R., 15th year, Suppl. for Jan.-Mar. 1960, pp. 59-60	851st mtg. (852nd-856th mtgs.)
	Ethiopia		S/4283, <i>ibid.</i> , p. 60	851st mtg. (852nd-856th mtgs.)
	Ghana		S/4290, <i>ibid.</i> , p. 60	851st mtg. (852nd-856th mtgs.)
	Pakistan		S/4293, <i>ibid.</i> , p. 63	851st mtg. (852nd-856th mtgs.)
	Guinea		S/4294, <i>ibid.</i> , p. 63	851st mtg. (852nd-856th mtgs.)
	Liberia		S/4295, <i>ibid.</i> , p. 64	851st mtg. (852nd-856th mtgs.)
	Jordan		S/4297, <i>ibid.</i> , p. 64	853rd mtg. (854th-856th mtgs.)
3. Complaints by Cuba	Cuba		S/4378, O.R., 15th year, Suppl. for July-Sept. 1960, pp. 9-10	874th mtg. (875th-876th mtgs.)
			S/4605, O.R., 15th year, Suppl. for Oct.-Dec. 1960, pp. 107-109	921st mtg. (922nd-923rd mtgs.)
			S/4992, S/4995, O.R., 16th year, Suppl. for Oct.-Dec. 1961, pp. 139-142	980th mtg. (981st, 983rd mtgs.)
			S/5086, S/5088, O.R., 17th year, Suppl. for Jan.-Mar. 1962, pp. 88-91	992nd mtg. (993rd-998th mtgs.)
4. Situation in the Republic of the Congo*	Yugoslavia		S/4485, O.R., 15th year, Suppl. for July-Sept. 1960, pp. 143-144	896th mtg. (897th, 899th-906th mtgs.)
			S/4654, O.R., 16th year, Suppl. for Jan.-Mar. 1961, p. 75	928th mtg. (929th-932nd, 934th-939th, 941st-942nd mtgs.)

<u>Question #/</u>	<u>State invited</u>	<u>Initiation by/</u>	<u>Request for invitation</u>	<u>Decision of the Council Invitations extended and renewed/</u>
	Congo (Leopoldville)		S/4639, O.R., 16th year, Suppl. for Jan.-Mar. 1961, pp. 59-60	928th mtg. (929th-932nd, 934th-939th, 941st-942nd mtgs.)
	Ghana		S/4660, <i>ibid.</i> , pp. 77-78	928th mtg. (929th-932nd, 934th-939th, 941st-942nd mtgs.)
	Guinea		S/4659, <i>ibid.</i> , p. 77	928th mtg. (929th-932nd, 934th-939th, 941st-942nd mtgs.)
	Libya		S/4666, <i>ibid.</i> , p. 79	928th mtg. (929th-932nd, 934th-939th, 941st-942nd mtgs.)
	Mali		S/4646, <i>ibid.</i> , p. 67	928th mtg. (929th-932nd, 934th-939th, 941st-942nd mtgs.)
	Morocco		S/4664, <i>ibid.</i> , p. 78	928th mtg. (929th-932nd, 934th-939th, 941st-942nd mtgs.)
	Ethiopia		S/4977, O.R., 16th year, Suppl. for Oct.-Dec. 1961, p. 130	973rd mtg. (974th-979th, 982nd mtgs.)
5. Situation in Angola	India		S/4819, O.R., 16th year, Suppl. for April-June 1961, p. 60	950th mtg. (951st-956th mtgs.)
	Ghana		S/4822, <i>ibid.</i> , p. 61	950th mtg. (951st-956th mtgs.)
	Congo (Leopoldville)		S/4825, <i>ibid.</i> , p. 65	950th mtg. (951st-956th mtgs.)
	Congo (Brazzaville)		S/4826, <i>ibid.</i> , p. 65	950th mtg. (951st-956th mtgs.)
	Nigeria		S/4827, <i>ibid.</i> , p. 65	950th mtg. (951st-956th mtgs.)
	Mali		S/4829, <i>ibid.</i> , p. 66	952nd mtg. (953rd-956th mtgs.)
	Ethiopia		S/4831, <i>ibid.</i> , p. 66	953rd mtg. (954th-956th mtgs.)
	Morocco		S/4832, <i>ibid.</i> , p. 66	953rd mtg. (954th-956th mtgs.)
6. Complaint by Iraq	Iraq		S/4846, O.R., 16th year, Suppl. for July-Sept. 1961, p. 2	957th mtg. (958th-960th mtgs.)
7. Complaint by Tunisia*	Tunisia		S/4868, <i>ibid.</i> , p. 15	961st mtg. (962nd-966th mtgs.)
8. Complaint by Portugal* (Goa)	Portugal		S/5030, O.R., 16th year, Suppl. for Oct.-Dec. 1961, pp. 205-206	987th mtg. (988th mtg.)
9. India-Pakistan question*	Pakistan		S/5073, O.R., 17th year, Suppl. for Jan-Mar. 1962, p. 63	990th mtg. (1007th-1016th mtgs.)
	India		S/5074, <i>ibid.</i> , p. 63	990th mtg. (1007th-1016th mtgs.)
10. Complaint by Cuba, USSR and USA (22-23 Oct. 1962)	Cuba		S/5185, O.R., 17th year, Suppl. for Oct.-Dec. 1962, p. 149	1022nd mtg. (1023rd-1025th mtgs.)
11. Complaint by Senegal*	Senegal		S/5279, O.R., 18th year, Suppl. for April-June, 1963, pp. 16-17	1027th mtg. (1028th-1033rd mtgs.)
12. Complaint by Haiti*	Haiti		S/5302, <i>ibid.</i> , pp. 38-39	1035th mtg. (1036th mtg.)

<u>Question^{a/}</u>	<u>State invited</u>	<u>Initiation by^{b/}</u>	<u>Request for invitation</u>	<u>Decision of the Council Invitations extended and renewed^{c/}</u>
13. Situation in territories in Africa under Portuguese administration*	Tunisia		S/5351, <u>O.R., 18th year, Suppl. for July-Sept. 1963</u> , p. 16	1040th mtg. (1041st-1049th mtgs.)
	Liberia		S/5354, <u>ibid.</u> , pp. 16-17	1040th mtg. (1041st-1049th mtgs.)
	Sierra Leone		S/5357, <u>ibid.</u> , p. 17	1040th mtg. (1041st-1049th mtgs.)
	Madagascar (Malagasy Republic)		S/5359, <u>ibid.</u> , p. 18	1040th mtg. (1041st-1049th mtgs.)
	Madagascar (Malagasy Republic)		S/5463, <u>O.R., 18th year, Suppl. for Oct.-Dec. 1963</u> , pp. 99-100	1079th mtg. (1080th-1083rd mtgs.)
	Tunisia		S/5472, <u>ibid.</u> , pp. 105-106	1079th mtg. (1080th-1083rd mtgs.)
	Liberia		S/5474, <u>ibid.</u> , p. 106	1079th mtg. (1080th-1083rd mtgs.)
	Sierra Leone		S/5475, <u>ibid.</u> , p. 107	1079th mtg. (1080th-1083rd mtgs.)
14. The question of race conflict in South Africa	Tunisia		S/5352, <u>O.R., 18th year, Suppl. for July-Sept. 1963</u> , p. 16	1050th mtg. (1051st-1056th mtgs.)
	Liberia		S/5354, <u>ibid.</u> , pp. 16-17	1050th mtg. (1051st-1056th mtgs.)
	Sierra Leone		S/5357, <u>ibid.</u> , p. 17	1050th mtg. (1051st-1056th mtgs.)
	Madagascar (Malagasy Republic)		S/5359, <u>ibid.</u> , p. 18	1050th mtg. (1051st-1056th mtgs.)
	India		S/5459, <u>O.R., 18th year, Suppl. for Oct.-Dec. 1963</u> , p. 93	1073rd mtg. (1074th-1078th mtgs.)
	Liberia		S/5462, <u>ibid.</u> , p. 99	1073rd mtg. (1074th-1078th mtgs.)
	Madagascar		S/5463, <u>ibid.</u> , pp. 99-100	1073rd mtg. (1074th-1078th mtgs.)
	Tunisia		S/5465, <u>ibid.</u> , p. 100	1073rd mtg. (1074th-1078th mtgs.)
	Sierra Leone		S/5466, <u>ibid.</u> , pp. 100-101	1073rd mtg. (1074th-1078th mtgs.)
	15. Situation in Southern Rhodesia	Mali		S/5417, <u>O.R., 18th year, Suppl. for July-Sept. 1963</u> , p. 160
Tanganyika			S/5419, <u>ibid.</u> , p. 160	1064th mtg. (1065th-1069th mtgs.)
United Arab Republic			S/5420, <u>ibid.</u> , pp. 160-161	1064th mtg. (1065th-1069th mtgs.)
Uganda			S/5422, <u>ibid.</u> , p. 161	1066th mtg. (1067th-1069th mtgs.)
16. Complaint by the Government of Cyprus	Cyprus		S/5490, <u>O.R., 18th year, Suppl. for Oct.-Dec. 1963</u> , p. 114	1085th mtg.

^{a/} Questions entered in this tabulation are arranged under agenda items. The items appearing herein are listed chronologically according to the sequence of the first meeting held on each item. Any reconsideration of an item or discussion of a sub-item under the general heading at subsequent meetings does not re-appear as a new agenda item, but has been grouped under the item which first appeared. Questions in respect of which invitations were extended to other Members because their interests were considered to be specially affected are indicated by an asterisk and the invitations are listed separately in a tabulation

entitled: Invitations when the interests of a Member were considered specially affected, as explained in the Introductory Note (see C. 2 below).

^{b/} In this column are listed only those invitations which were extended at the initiative of a member, not those routinely initiated by the President.

^{c/} The meetings at which the invitations were renewed are indicated by parentheses.

**b. A MATTER NOT BEING EITHER A DISPUTE OR A SITUATION

2. Invitations when the interests of a Member were considered specially affected

a. TO PARTICIPATE WITHOUT VOTE IN THE DISCUSSIONS

<u>Question</u> ^{a/}	<u>State invited</u>	<u>Initiation by</u>	<u>Request for invitation</u>	<u>Decision of the Council Invitations extended and renewed</u> ^{b/}	
1. The Palestine question	United Arab Republic			845th mtg.	
	Israel			947th mtg. (948th-949th mtgs.)	
2. Complaint concerning South Africa	Union of South Africa		S/4280, O.R., 15th year, Suppl. for Jan.-Mar. 1960, p. 59	851st mtg. (852nd, 854th-856th mtgs.)	
3. Complaint by Argentina	Israel		S/4338, O.R., 15th year, Suppl. for Apr.-June 1960, pp. 28-29	865th mtg. (866th-868th mtgs.)	
4. Admission of new Members: Republic of the Congo	Belgium		S/4367, S/4370, O.R., 15th year, Suppl. for July-Sept. 1960, pp. 5-6	872nd mtg.	
	Republic of Cyprus	Greece	United Kingdom	892nd mtg., para. 2	892nd mtg.
		Turkey	United Kingdom	<u>Ibid.</u>	892nd mtg.
	Islamic Republic of Mauritania	Morocco		S/4568, O.R., 15th year, Suppl. for Oct.-Dec. 1960, p. 66	911th mtg.
	Reconsideration of Islamic Republic of Mauritania's application	Ivory Coast		S/4944, O.R., 16th year, Suppl. for July-Sept. 1961, p. 123	971st mtg.
		Senegal		S/4946, <u>ibid.</u> , p. 123	971st mtg.
		Morocco		S/4952, <u>ibid.</u> , p. 125	971st mtg.
	Kuwait	Iraq		S/5005, O.R., 16th year, Suppl. for Oct.-Dec. 1961, p. 162	984th mtg. (985th mtg.)
	Republic of Rwanda	Belgium		S/5146, O.R., 17th year, Suppl. for July-Sept. 1962, p. 45	1017th mtg.
	Kingdom of Burundi	Belgium		<u>Ibid.</u>	1017th mtg.
5. Situation in the Republic of the Congo	Belgium ^{c/}		873rd mtg., para. 32	873rd mtg. (877th-879th, 884th-886th, 889th mtgs.)	
			S/4495, O.R., 15th year, Suppl. for July-Sept. 1960, p. 146	902nd mtg. (903rd-906th mtgs.)	
			924th mtg., para. 1	924th mtg. (925th-927th mtgs.)	
			S/4657, O.R., 16th year, Suppl. for Jan.-Mar. 1961, pp. 76-77	928th mtg. (929th-932nd, 934th-939th, 941st-942nd mtgs.)	
			S/4978, O.R., 16th year, Suppl. for Oct.-Dec. 1961, p. 130	973rd mtg. (974th-979th, 982nd mtgs.)	
	Cameroon		S/4582, O.R., 15th year, Suppl. for Oct.-Dec. 1960, p. 84	913th mtg. (914th-920th mtgs.)	
			S/4685, O.R., 16th year, Suppl. for Jan.-Mar. 1961, p. 87	934th mtg. (935th-939th, 941st-942nd mtgs.)	
	Central African Republic		S/4710, <u>ibid.</u> , p. 120	935th mtg. (936th-939th, 941st-942nd mtgs.)	
	Congo	USSR		USSR proposal, Council's decision (873rd mtg., paras. 35, 71, 72)	877th mtg. (878th-879th, 884th-889th mtgs.)

<u>Question^{a/}</u>	<u>State invited</u>	<u>Initiation by</u>	<u>Request for invitation</u>	<u>Decision of the Council Invitations extended and renewed^{b/}</u>
	Congo (Leopoldville)		S/4576, <u>O.R., 15th year, Suppl. for Oct.-Dec. 1960</u> , p. 81	913th mtg. (914th-920th, 928th-932nd, 934th-939th, 941st-942nd mtgs.)
			S/4980, <u>O.R., 16th year, Suppl. for Oct.-Dec. 1961</u> , p. 131	973rd mtg. (974th-979th, 982nd mtgs.)
	Congo (Brazzaville)		S/4689, <u>O.R., 16th year, Suppl. for Jan.-Mar. 1961</u> , p. 101	934th mtg. (935th-939th, 941st-942nd mtgs.)
	Czechoslovakia		S/4712, <u>ibid.</u> , p. 120	936th mtg. (937th-939th, 941st-942nd mtgs.)
	Ethiopia		S/4521, <u>O.R., 15th year, Suppl. for July-Sept. 1960</u> , p. 172	906th mtg.
	Gabon		S/4693, <u>O.R., 16th year, Suppl. for Jan.-Mar. 1961</u> , p. 106	934th mtg. (935th-939th, 941st-942nd mtgs.)
	Ghana		S/4499, <u>O.R., 15th year, Suppl. for July-Sept. 1960</u> , p. 152	897th mtg. (899th-906th mtgs.)
	Guinea ^{d/}		S/4452, <u>ibid.</u> , pp. 115-116	887th mtg. (888th-889th mtgs.)
			S/4509, <u>ibid.</u> , p. 163	899th mtg. (900th-906th mtgs.)
			S/4575, <u>O.R., 15th year, Suppl. for Oct.-Dec. 1960</u> , p. 81	913th mtg. (914th-920th mtgs.)
	India		S/4587, <u>ibid.</u> , p. 93	914th mtg. (915th-920th mtgs.)
			S/4652, <u>O.R., 16th year, Suppl. for Jan.-Mar. 1961</u> , p. 73	928th mtg. (929th-932nd, 934th-939th, 941st-942nd mtgs.)
			S/4979, <u>O.R., 16th year, Suppl. for Oct.-Dec. 1961</u> , p. 130	973rd mtg. (974th-979th, 982nd mtgs.)
	Indonesia		S/4492, <u>O.R., 15th year, Suppl. for July-Sept. 1960</u> , p. 146	896th mtg. (897th, 899th-906th mtgs.)
			S/4577, <u>O.R., 15th year, Suppl. for Oct.-Dec. 1960</u> , p. 82	913th mtg. (914th-920th mtgs.)
			S/4655, 4658, <u>O.R., 16th year, Suppl. for Jan.-Mar. 1961</u> , pp. 75-76, 77	928th mtg. (929th-932nd, 934th-939th, 941st-942nd mtgs.)
	Iraq		S/4711, <u>ibid.</u> , p. 120	935th mtg. (936th-939th, 941st-942nd mtgs.)
	Liberia		S/4522, <u>O.R., 15th year, Suppl. for July-Sept. 1960</u> , p. 172	906th mtg.
	Madagascar (Malagasy Republic)		S/4679, S/4680, <u>O.R., 16th year, Suppl. for Jan.-Mar. 1961</u> , p. 84	934th mtg. (935th-939th, 941st-942nd mtgs.)
	Mali		S/4574, <u>O.R., 15th year, Suppl. for Oct.-Dec. 1960</u> , pp. 80-81	913th mtg. (914th-920th mtgs.)
	Morocco		S/4513, <u>ibid.</u> , p. 164	899th mtg. (900th-906th mtgs.)
			S/4591, <u>O.R., 15th year, Suppl. for Oct.-Dec. 1960</u> , p. 96	916th mtg. (917th-920th mtgs.)
	Nigeria		S/4672, <u>O.R., 16th year, Suppl. for Jan.-Mar. 1961</u> , p. 82	934th mtg. (935th-939th, 941st-942nd mtgs.)
	Pakistan		S/4730, <u>ibid.</u> , p. 140	941st mtg. (942nd mtg.)
	Poland		S/4665, <u>ibid.</u> , pp. 78-79	928th mtg. (929th-932nd, 934th-939th, 941st-942nd mtgs.)
	Senegal		S/4692, S/4694, <u>ibid.</u> , p. 106, 107	934th mtg. (935th-939th, 941st-942nd mtgs.)
	Sudan		S/4675, <u>ibid.</u> , p. 83	934th mtg. (935th-939th, 941st-942nd mtgs.)
	Sweden		S/4986, <u>O.R., 16th year, Suppl. for Oct.-Dec. 1961</u> , p. 134	974th mtg. (975th-979th, 982nd mtgs.)

<u>Question</u> ^{a/}	<u>State invited</u>	<u>Initiation by</u>	<u>Request for invitation</u>	<u>Decision of the Council Invitations extended and renewed</u> ^{b/}
	Upper Volta		S/4709, <u>O.R., 16th year, Suppl.</u> for Jan.-Mar. 1961, p. 119	935th mtg. (936th-939th, 941st-942nd mtgs.)
	United Arab Republic		S/4518, <u>O.R., 15th year, Suppl.</u> for July-Sept. 1960, p. 172	903rd mtg. (904th-906th mtgs.)
			S/4588, <u>O.R., 15th year, Suppl.</u> for Oct.-Dec. 1960, p. 93	914th mtg. (915th-920th mtgs.)
	Yugoslavia		S/4583, <u>ibid.</u> , p. 84	913th mtg. (914th-920th mtgs.)
6. Letter of 5 September 1960 from the USSR (Action of the OAS relating to the Dominican Republic)	Venezuela		893rd mtg., para. 27	893rd mtg. (894th-895th mtgs.)
7. Situation in Angola	Portugal ^{c/}		S/4760, <u>O.R., 16th year, Suppl.</u> for Jan.-Mar. 1961, pp. 227-228	944th mtg. (945th-946th mtgs.)
			S/4821, <u>O.R., 16th year, Suppl.</u> for Apr.-June 1961, pp. 60-61	950th mtg. (951st-956th mtgs.)
	Ghana		S/4764, S/4767, <u>O.R., 16th year, Suppl.</u> for Jan.-Mar. 1961, p. 248	945th mtg. (946th mtg.)
	Congo (Brazzaville)		S/4766, <u>ibid.</u> , p. 248	945th mtg. (946th mtg.)
8. Complaint by Kuwait	Iraq		S/4846, <u>O.R., 16th year, Suppl.</u> for July-Sept. 1961, p. 2	957th mtg. (958th-960th mtgs.)
9. Complaint by Tunisia	Senegal		S/4895, <u>ibid.</u> , p. 38	964th mtg. (965th-966th mtgs.)
	Libya		S/4901, <u>ibid.</u> , p. 46	964th mtg. (965th-966th mtgs.)
10. Complaint by Cuba (letter of 21 November 1961)	Dominican Republic		S/4996, 980th mtg., para. 49	980th mtg. (981st, 983rd mtgs.)
11. Complaint by Portugal (Goa)	India		S/5031, <u>O.R., 16th year, Suppl.</u> for Oct.-Dec. 1961, p. 206	987th mtg. (988th mtg.)
12. Complaint by Senegal	Portugal		S/5284, <u>O.R., 18th year, Suppl.</u> for Apr.-June 1963, pp. 25-26	1027th mtg. (1028th- 1033rd mtgs.)
	Congo (Brazzaville)		S/5286, <u>ibid.</u> , p. 26	1028th mtg. (1030th- 1033rd mtgs.)
	Gabon		S/5288, <u>ibid.</u> , p. 29	1028th mtg. (1030th- 1033rd mtgs.)
13. Complaint by Haiti	Dominican Republic		S/5311, <u>ibid.</u> , pp. 43-44	1035th mtg. (1036th mtg.)
14. Situation in territories in Africa under Portuguese administration	Portugal		S/5355, <u>O.R., 18th year, Suppl.</u> for July-Sept. 1963, p. 17	1040th mtg. (1041st- 1049th mtgs.)
			S/5473, <u>O.R., 18th year, Suppl.</u> for Oct.-Dec. 1963, p. 106	1079th mtg. (1080th- 1083rd mtgs.)
15. The question of race conflict in South Africa	South Africa	Ghana	1040th mtg. para. 11	1041st mtg. ^{d/}
16. Complaint by the Government of Cyprus	Turkey		S/5493, <u>ibid.</u> , p. 116	1085th mtg.
	Greece		S/5494, <u>ibid.</u> , p. 116	1085th mtg.

^{a/} Questions entered in this tabulation are arranged under agenda items. The items appearing herein are listed chronologically according to the sequence of the first meeting held on each item. Any reconsideration of an item or discussion of a sub-item under the general heading at subsequent meetings does not re-appear as a new agenda item, but has been grouped under the item which first appeared.

^{b/} The meetings at which invitations were renewed are indicated by parentheses.

^{c/} See Case 2.

^{d/} See Case 3.

^{e/} See Case 14 in part III D.1.

^{f/} See Case 26.

CASE 2

At the 873rd meeting on 13 July 1960, in connexion with the situation in the Republic of the Congo, the Security Council considered a request^{8/} from the representative of Belgium to be invited to participate in the Council's discussion on this item.

The representative of the USSR, supported by the representative of Poland, said that the USSR had no objection to an invitation to the representative of Belgium, but in the case under consideration there was another party, the Congolese Government. Should the Council consider it necessary to invite the representative of Belgium, it should also invite a representative of the other party, the Congo. There were two parties and the Council was obliged, under the Charter and the rules of procedure, to invite both to participate in the discussion.

The representative of the United States maintained that the Government of the Republic of the Congo, in its telegram to the Secretary-General, clearly stressed its desire to have action taken speedily and without delay, and did not ask to be invited. He could not understand how the representatives of the USSR and Poland suddenly acquired the right to request an invitation to the Government of the Republic of the Congo when that Government did not itself ask for one. He further stated that he would resist having such a procedure used as a device for delaying the Council's action on this very critical question.

The representative of Poland contended that the very first thing the Council should do was to send an invitation to the Government which was most concerned with the results of the Council's proceedings.

The Secretary-General observed:

"I can say with certainty, understanding the situation in the country, on the basis of the very full reports which we have received, that the Government of the Congo would be the first one to regret if, out of a gesture to them, a decision on their demands would be delayed. . . .

". . . I ask myself if a decision now on an invitation to the two parties—if we talk about parties—could not be interpreted in this sense: we recognize that one of the parties has no representative here, but the invitation is cabled to the Government on the understanding that in forthcoming meetings of the Council the first decision would be followed up and they would have their place at the table. What would then happen is only that they would not be able to speak here at the table tonight. But they have spoken through their two cables which are before the Council and I feel that their legitimate interests are best safeguarded if on the one side they get a speedy decision and, on the other hand, they will have the opportunity to be heard and to speak at later occasions when the Council is likely to consider the same question."

The President (Ecuador) then asked the Council whether it had any objection to inviting both Belgium and the Republic of the Congo, on the understanding

that that day's discussion would not be suspended pending the arrival of the representative of the Republic of the Congo.

The representative of Tunisia suggested that the Council should decide to invite the Belgian Government and the Government of the Republic of the Congo to take part in the Council's discussion but at a later date, so that the representative of Belgium would not actually take part in the debate until the Congolese Government had officially received the Council's invitation. He wished to amend the President's proposal and invite the two Governments to take part in the debate, on the understanding that neither of them would participate in the first meeting of the Council dealing with the question.

The representative of the United Kingdom stated that it would be unprecedented for the Council to refuse a request from a Member State to be seated at the Council table when the subject under discussion was of such close interest to the Government of a Member State, in this case Belgium, particularly when no request for an invitation had been received from the Congo. However, he supported the proposal to invite the Congo provided the business of the Council was not delayed meanwhile. The representative of France stated that a distinction must be drawn between the case of Belgium and that of the Congo. As the Secretary-General had pointed out, Belgium had asked to be heard but so far the Council had received no such request from the Republic of the Congo.

The President declared:

"The members of the Council appear to be agreed that an invitation should be extended both to the representative of Belgium and to a representative of the Republic of the Congo. The only point at issue is when they should be seated at the Council table."

The representative of Tunisia wished to make a clarification of his proposal. He explained that he did not mean to bar the representative of Belgium from the Council's discussion until the representative of the Congo reached New York, but that, before hearing the representative of Belgium, the Council should be assured that the invitation had reached the Congolese Government. With this clarification, he urged the Council to put his proposal to the vote.

The President then stated that the following information might be helpful in settling the matter:

"At the opening of the meeting, when the representative of Belgium asked me to convey to the Council his request for a hearing, he stated that he wished to speak after all the members of the Council had spoken. Thus, in any case, even if the representative of Belgium were seated at the Council table today, he would not take part in the discussion until all the members of the Council had spoken. By that time the Government of the Republic of the Congo will presumably have received the Security Council's invitation, so that the question we are discussing may have become purely academic and in practice the two proposals will have the same result."

He then asked the representative of Tunisia whether, in the light of this information, he would still wish to have his proposal put to the vote. After being assured

^{8/} 873rd meeting: para. 32.

that the principle was that the Secretary-General should address a simultaneous invitation to the two parties concerned, the representative of Tunisia agreed to accept the President's proposal.^{9/}

Decision: *It was decided that the Government of the Congo would be informed by cable and telephone of the Council's decision. In the meantime the President invited, without objection, the representative of Belgium to the Council table.*^{10/}

CASE 3

At the 887th meeting on 21 August 1960, in connexion with the situation in the Republic of the Congo, the President (France) informed the Council that the representative of Guinea had requested permission to take a place at the Council table in order to make a statement on the question under discussion.

Decision: *The President (France) invited, without objection, the representative of Guinea to the Council table.*^{11/}

The President then stated that he would like to make a comment as the representative of France:

"I did not wish to raise objections, with regard to the decision which has just been taken, that might have been interpreted by some people as directed against the representative of the Republic of Guinea or his Government, for—and I want to emphasize this point—I have no such criticism in mind. But as a general rule, and independently of this particular case, my Government does not consider it a felicitous practice to enlarge the Council's debates by permitting the participation of States whose interests do not seem to be closely involved in conformity with rule 37 of the Council's provisional rules of procedure."^{12/}

CASE 4

At the 1028th meeting on 18 April 1963, in connexion with the complaint by Senegal, the President (China) informed the Council that the representatives of the Congo (Brazzaville) and Gabon had requested permission to be heard on the question under discussion. The President suggested that the Council might defer its decision on these requests until the appropriate stage of its discussion.

The representative of Ghana expressed the view that normally under rule 37 of the provisional rules of procedure, once a Member State had requested permission to speak before the Security Council without a vote, a decision was taken promptly and the representative of such a Member State was allowed to be seated either at the Council table or somewhere else waiting to be called upon to speak. Since there was no objection from any member of the Council,

^{9/} For texts of relevant statements, see:

873rd meeting: President (Ecuador), paras. 32, 33, 47, 59, 66, 67, 71-72; France, paras. 55-58; Poland, paras. 36, 40-43, 65; Tunisia, paras. 48-50, 61-62, 69; USSR, paras. 34-35, 53; United Kingdom, paras. 51-52; United States, para. 39; Secretary-General, paras. 44-46.

^{10/} 873rd meeting: para. 72.

^{11/} 887th meeting: para. 4.

^{12/} 887th meeting: para. 6.

there was no reason why a decision should not be taken then.

The representatives of the United States and the United Kingdom shared the view that the Council, in making any decision on these applications, should adhere strictly to the principle contained in rule 37 which provided that the Council considered that the interests of that Member were specially affected.

The representative of the Philippines held that rule 37 was but an implementation of Article 31 of the Charter which reads:

"Any Member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that Member are specially affected."

He believed that the Council should proceed first to hear the views of the parties to the dispute, then decide whether the interests of any particular Member State would be affected before granting their requests for participation.

The representatives of France and Morocco held the view that a too restrictive interpretation of rule 37 tended to set aside requests for participation by delegations not represented on the Council, which would not be in conformity with the past practice of the Security Council.

The President stated that the discussion had clarified the implication of rule 37.^{13/}

Decision: *The Council decided without objection to invite the representatives of Congo (Brazzaville) and Gabon to participate in the discussion and to make their statements at the appropriate time.*^{14/}

**b). TO SUBMIT WRITTEN STATEMENTS

**3. Invitations denied

D. IN THE CASE OF NON-MEMBER STATES AND OTHER INVITATIONS

**1. Invitations expressly under Article 32

**2. Invitations expressly under rule 39 of the provisional rules of procedure

3. Invitations not expressly under Article 32 or rule 39

CASE 5

At the 958th meeting on 5 July 1961, in connexion with complaints by Kuwait and Iraq, the Council had before it a telegram^{15/} from the State Secretary of Kuwait addressed to the Secretary-General requesting that Mr. Abdel Aziz Hussein, the representative of Kuwait, be invited to participate in the discussion of the items on the Council's agenda.

^{13/} For texts of relative statements, see:

1028th meeting: President (China), paras. 10, 25; France, paras. 20-21; Ghana, paras. 13-14; Morocco, para. 22; Philippines, paras. 18-19; United Kingdom, para. 16; United States, para. 15.

^{14/} 1028th meeting: para. 26.

^{15/} S/4851, O.R., 16th year, Suppl. for July-Sept. 1961, p. 4.

The representative of the USSR objected to the extension of an invitation to the representative of Kuwait and said:

"The Soviet delegation considers that in the present situation, namely, the fact that Kuwait is completely occupied by United Kingdom troops, the Kuwait delegation could hardly act as the representative of a sovereign State, since the real power in that country is exercised by the occupying forces of the United Kingdom. The Soviet delegation is of the opinion that for the representative of Kuwait to take part in the debate in such circumstances would not contribute to an objective consideration of the Kuwait question by the Security Council. It therefore believes that the proper course would be to refrain from inviting that delegation, and hence it cannot support

the proposal to invite the representative of Kuwait to take a place at the Council table."

The President (Ecuador) declared that all the members of the Council, with the exception of the representative of the USSR, had agreed that the representative of Kuwait should be invited to take a place at the Council table.^{16/}

Decision: *The President (Ecuador) invited the representative of Kuwait to the Council table.*^{17/}

**4. Invitations denied

^{16/} For texts of relevant statements, see:

958th meeting: President (Ecuador), para. 21; USSR, paras. 15-16.

^{17/} 958th meeting: para. 21.

Part II

**CONSIDERATION OF THE TERMS AND PROVISIONS OF ARTICLE 32 OF THE CHARTER

Part III

PROCEDURES RELATING TO PARTICIPATION OF INVITED REPRESENTATIVES

NOTE

Part III is concerned with procedures relating to the participation of invited representatives after an invitation has been extended. It includes material on participation by Members and non-members of the United Nations.

Section A includes proceedings concerned with the related questions of the opportune moment for the Council to extend invitations to participate, and the timing of the initial hearing of the invited representative. The section includes one instance^{18/} in which, as an exception to its usual practice, the Council agreed to hear an invited representative before all Council members had spoken. An instance^{19/} is also included when, as an exceptional case, and after discussion, an invited representative was twice allowed to speak on the question of the conduct of the voting. On another occasion,^{20/} an invited representative was not allowed to speak on the Council's decision to invite other non-members of the Council to participate. The section finally includes an instance^{21/} concerning the question of admission of new Members, when the invited representative of a non-member of the Council was first allowed to speak, and thereupon the Council agreed to a request to participate by the non-member State whose application for admission was being considered. In a departure from its usual practice, the Council, on three occasions,^{22/} allowed invited representatives to speak on the adoption of the agenda, immediately after the item had been in-

scribed. On another occasion, the Council declined to extend an invitation to a non-member to participate in the discussion on the adoption of the agenda.^{23/} These instances have been recorded in section D concerning "Limitations on matters to be discussed by invited representatives", under sub-heading "1. Adoption of the agenda."

No question concerning the duration of participation (section B) has arisen during the period under review. The practice has been maintained according to which the President, when consideration of a question has extended over several meetings, has renewed the invitation at each consecutive meeting immediately after the adoption of the agenda.^{24/}

Section C deals with limitations of a procedural nature affecting invited representatives throughout the process of participation in the proceedings of the Security Council. During the period under review there were five cases illustrative of the limitations concerning the order in which the invited representatives are called upon to speak. On one occasion^{25/} when two members of the Council had asked to speak, the President restated the practice of the Council under which members of the Council spoke before the invited representatives. In two instances^{26/} the President, after referring to this practice, stated that he had consulted with the speakers on his list and they had agreed to yield the floor to the invited representatives. In two other instances,^{27/} when no member of the Council wished to speak, the President

^{18/} Case 6.

^{19/} Case 7.

^{20/} Case 8.

^{21/} Case 9.

^{22/} See Cases 18, 19, 20.

^{23/} See Case 21.

^{24/} In this connexion, see tabulation above, part I, C, 1a, foot-note c/.

^{25/} Case 10.

^{26/} Cases 11 and 12.

^{27/} Cases 13 and 14.

called upon the invited representative who had indicated a desire to speak. One instance^{28/} is recorded when a representative who had been invited to participate in the discussion raised a point of order concerning the conduct of the voting.

On two other occasions questions were raised concerning the limitations affecting the submission of proposals or draft resolutions by the invited representatives. On the first occasion^{29/} discussion arose as to who was the sponsor of a draft resolution submitted by an invited representative and put to the vote at the request of a member in accordance with rule 38 of the provisional rules of procedure. On the second occasion^{30/} the President sought clarification from an invited representative as to whether he was proposing the adjournment of a meeting.

Section D is concerned with those limitations connected with aspects of the business of the Council in which it has been deemed inappropriate that invited representatives should participate.

The discussion in three cases^{31/} included under the sub-heading "Adoption of the agenda" dealt principally with the question of whether the invited representatives may speak on the question of the adoption of the agenda.

Under the sub-heading "Extension of invitations" two instances^{32/} are recorded in which invited representatives asked to be heard on the question of the extension of invitations.

Under section E, which has been added to the present Supplement, with the sub-heading "Effect of extension of invitations," three case histories^{33/} have been included which indicate that an invited representative has been considered to be free to decide whether or not to participate, and also to decide at which stage of the proceedings he would cease to participate, once he had made his initial statement.

A. THE STAGE AT WHICH INVITED STATES ARE HEARD

CASE 6

At the 893rd meeting on 8 September 1960, in connexion with the letter of 5 September 1960 from the USSR (Action of the OAS relating to the Dominican Republic), after the adoption of the agenda and the initial statement by the representative of the USSR, the President (Italy) stated that he had received a letter from the representative of Venezuela requesting to be invited to participate in the Council's discussion on the question before it. In accordance with the Charter and the provisional rules of procedure of the Council, and with its consent, he would invite the representative of Venezuela to take a place at the Council table.

After statements on the substance of the question had been made by the representatives of Argentina,

the United States and Ecuador, the President stated that the representative of Venezuela had asked to speak. The usual practice in the circumstances would be for the other Council members to speak first.^{34/} However, since he had consulted with those representatives inscribed in the list of speakers and they were willing to yield their turn to speak, he would recognize the representative of Venezuela, unless any objection was raised.^{35/}

The representative of Venezuela thereupon made his statement.^{36/}

CASE 7

At the 998th meeting on 23 March 1962, in connexion with the letter of 8 March 1962 from the representative of Cuba concerning the Punta del Este decisions, the representative of the USSR requested, under rule 38 of the provisional rules of procedure, that the Council take a vote on the draft resolution^{37/} which had been submitted by the representative of Cuba, who had been invited to participate in the discussion of the question.^{38/}

The representative of Ghana asked the Council to take a separate vote on paragraph 3 of the draft resolution, in accordance with rule 32 of the provisional rules of procedure.

The representative of the United Arab Republic requested that the President first ask whether the mover of the question was agreeable to having a separate vote.

The President (Venezuela) stated that in view of the provisions of rule 32, and of the fact that it was the USSR representative who had asked that the draft resolution be put to the vote, he wished to ask the USSR representative whether he had any objection to the separate vote that had been requested. He added:

"The representative of Cuba has just asked to speak, but at this point, when the debate on the substance of the matter has been closed and statements may only be made on purely procedural questions relating to the voting, I cannot give the floor to the representative of a State which is not a member of the Security Council."

The representative of the USSR observed that there was nothing in the rules of procedure of the Council to the effect that representatives invited to participate "in the entire examination of the question" should cease this participation just at the time when the Council started to vote. This ruling did not correspond to the Council's precedents. He continued:

"All that the rules of procedure say is that a draft resolution submitted for consideration by a non-member of the Council may be put to the vote if only one member of the Council so requests. . . A member making such a request does not, however, become

^{28/} Case 15.

^{29/} Case 16.

^{30/} Case 17.

^{31/} Cases 18, 19 and 20.

^{32/} Cases 22 and 23.

^{33/} Cases 24, 25 and 26.

^{34/} See also Case 7.

^{35/} For texts of relevant statements, see: 893rd meeting: President (Italy), paras. 27, 71.

^{36/} 893rd meeting: paras. 71, 72 *et seq.*

^{37/} S/5095, O.R., 17th year, Suppl. for Jan.-March 1962, pp. 96-97.

^{38/} For a statement on the procedure regarding the submission of draft resolutions by invited representatives, see Case 16.

the sponsor of the draft resolution, as you have just tried to make out, and is not responsible for answering questions about the text or the procedure for voting on it."

The President suggested that, in order to avoid a procedural discussion, the representative of the USSR, who must know the views of the representative of Cuba, should say whether he agreed to operative paragraph 3 of the draft resolution being put to the vote separately. He added:

"With regard to the question whether the representative of Cuba should be allowed to speak at this stage of the proceedings, I do not think it is the time for an invited State to intervene in the debate."

The representative of the USSR challenged the President's interpretation of the rules of procedure. The rules made "absolutely no provision" for the procedure to be followed in such cases; the rules "merely provide that at the time of voting it is out of order to speak on anything that does not relate to the conduct of the voting." The representative of Ghana had raised a question concerning the conduct of the voting, and thus if the representative of Cuba wished to make observations concerning the conduct of the voting on his draft resolution—of which he remained the sponsor according to the rules of procedure—then he could do so.

The President stated that in order to avoid any impression that he was trying to impose his views, he should like to hear the opinion of other members of the Council. If there was no objection, he would recognize the representative of Cuba to speak, although he had reservations about doing so.

The President's interpretation of the rules of procedure was supported by the representatives of France, the United Kingdom and Chile who also shared the President's views that to avoid the impression that they were taking a stand against the representative of Cuba, he should be allowed to speak with the reservation made by the Chair, and only as an exceptional case.

The representatives of Ireland and the United Arab Republic were also in favour of granting the representative of Cuba permission to speak.

The President then stated that, as an exception and with the reservations he had formulated, he called upon the representative of Cuba to say whether he agreed to the requested separate vote.

Thereupon, the Cuban* representative answered in the affirmative the question put to him.^{39/}

After the vote had been taken, and the paragraph rejected, the President stated:

"I must remind the Cuban representative who has just asked for the floor that I cannot give it to him at this stage because we have started the voting."

The representative of the USSR challenged this ruling, observing that the Council had already once allowed the representative of Cuba to speak on the conduct of the voting. The representative of Cuba

wished to speak again on the procedure to be followed in the voting on his own draft resolution, which he had submitted and of which he remained the sponsor. Speaking officially on behalf of the Cuban representative, the representative of USSR stated that if given the floor, the representative of Cuba would have said that, since the key paragraph of his resolution had been rejected, he would not insist on a vote on the remaining parts of the resolution.

The President stated that when he gave the Cuban representative the floor, it was an exception subject to certain reservations, and that in the case in point the proper person to decide whether or not the draft resolution was to be put to the vote was the representative of the USSR. Since, in accordance with rule 38 of the provisional rules of procedure, the draft resolution had been put to the vote at the request of the representative of the USSR, only he was then authorized to withdraw the draft resolution and to request that it should not be put to the vote. For this reason he had decided "that it would be improper to call upon the Cuban representative" at that point. He added:

"... since we know what the request will be and since the Soviet representative does not wish to press for a vote on the draft resolution, if there is no objection from the other members I shall make an exception as before and ask the Cuban representative to confirm what has just been said by the representative of the Soviet Union."^{40/}

The representative of Cuba^{41/} stated that in view of the result of the vote which had just been taken, he would not press for a vote on the draft resolution.

CASE 8

At the 1028th meeting on 18 April 1963, in connexion with the complaint by Senegal, after the adoption of the agenda, the Council invited the representatives of Senegal and Portugal to take part in the discussion on the question.

After a procedural discussion,^{42/} the Council also decided to invite the representatives of the Republic of the Congo (Brazzaville) and of Gabon to participate in the discussion. The representative of Portugal* then requested permission to make a statement on the decision that had just been taken by the Council.

The representative of Ghana questioned whether since Portugal was not a member of the Council, its representative could participate in the discussion of a procedural question.

In view of this objection, the President (China) considered it preferable that the representative of Portugal should make his statement at another stage of the discussion.^{43/}

^{40/} For texts of relevant statements, see:

998th meeting: President (Venezuela), paras. 85-86, 91-93, 97, 102, 108-109, 114, 121-122; Chile, paras. 104-106; France, paras. 98-99; Ghana, para. 78; Ireland, para. 101; USSR, paras. 3, 88-89, 94-95, 117-119; United Arab Republic, paras. 83, 103; United Kingdom, para. 100.

^{41/} 998th meeting: Cuba*, para. 123.

^{42/} See Case 4.

^{43/} For texts of relevant statements, see:

1028th meeting: President (China), para. 33; Ghana, para. 30; Portugal*, paras. 27, 32.

^{39/} 998th meeting: Cuba*, para. 110.

CASE 9

At the 1034th meeting on 7 May 1963, in connexion with the admission of new Members (Application of Kuwait), after the agenda had been adopted, the President (France) stated that the representative of Iraq had addressed a letter ^{44/} to him requesting an invitation to participate in the Council's discussion of the agenda item. No objection having been expressed, he invited the representative of Iraq to take a seat at the Council table. The President further stated that the representative of Iraq had requested to be heard as the first speaker. There was a list of speakers already inscribed and, in accordance with the rules of procedure, the Council members would be consulted as to whether there was any objection to having the representative of Iraq speak first.

In the absence of any objection, the President then gave the floor to the representative of Iraq.

After the statement of the representative of Iraq,* the President read a letter he had just received from the representative of Kuwait, as follows:

"Mr. President, in view of the statement just made by the representative of Iraq, may I request permission to give the views of my Government on some of the matters raised by the representative of Iraq."

The President stated that if no objection was raised he would invite the representative of Kuwait to take a seat at the Council table. Thereupon, in the absence of any objection, the representative of Kuwait took a place at the Council table.

After a statement had been made by the representative of Morocco, the President declared that if there was no objection he proposed to give the floor to the representative of Kuwait who had asked to be heard. There being no objection, the representative of Kuwait took the floor. ^{45/}

**B. THE DURATION OF PARTICIPATION

C. LIMITATIONS OF A PROCEDURAL NATURE

1. Concerning the order in which the representatives are called upon to speak

CASE 10

At the 851st meeting on 30 March 1960, in connexion with the complaint concerning South Africa, the President (United States) stated:

"We now come to the letter dated 25 March 1960 from the representatives of twenty-nine Member States [S/4279 and Add.1]. Two members of the Council, Tunisia and Ceylon, have already indicated that they wish to speak. Of course, they will speak before the non-members of the Security Council, according to the custom of the Council. I therefore propose that the members I have named, and any other members who wish to speak today, be recog-

^{44/} S/5305, O.R., 18th year, Suppl. for April-June 1963, p. 40.

^{45/} For texts of relevant statements, see:

1034th meeting: President (France), paras. 4, 6, 16-17, 23; Iraq*, paras. 7-15; Kuwait*, paras. 24-27.

nized, and then the non-members who have expressed a wish to participate. That has been the regular practice of the Security Council." ^{46/}

CASE 11

At the 888th meeting on 21 August 1960, in connexion with the situation in the Republic of the Congo, the President (France) stated:

"The representative of Guinea has asked permission to address the Council at this stage of the discussion. The usual practice of the Security Council has been to give the floor to representatives of States which are invited to participate, but which are not directly concerned in the discussion, after the members of the Council have spoken. However, I have consulted my colleagues and they agree to give up their turn to speak in favour of the representative of Guinea. Therefore, unless there are objections, I shall now ask the representative of Guinea to speak." ^{47/}

CASE 12

At the 893rd meeting on 8 September 1960, in connexion with the letter of 5 September 1960 from the USSR (Action of the OAS relating to the Dominican Republic) the President (Italy) stated:

"As I informed the Council previously, the representative of Venezuela has asked to be allowed to speak. I am aware that the usual practice in the circumstances would be for members of the Council to speak first, but since I have consulted those representatives whose names are inscribed on the list of speakers for today and they are willing to yield, I shall, if I hear no objection from the Council, call upon the representative of Venezuela now." ^{48/}

CASE 13

At the 929th meeting on 2 February 1961, in connexion with the situation in the Republic of the Congo, the President (United Kingdom), with the permission of the Council, called upon the representative of Mali and subsequently the representative of India as no member of the Council wished to speak. ^{49/}

CASE 14

At the 973rd meeting on 13 November 1961, in connexion with the situation in the Republic of the Congo, after the adoption of an amended agenda, the President (USSR) asked: "Would any member of the Council like to begin the discussion of this item?" He then stated that "As no member of the Council wishes to speak, I shall call first on the representative of Ethiopia, who has asked to speak on this item." ^{50/}

^{46/} For texts of relevant statements, see: 851st meeting: President (United States), para. 82.

^{47/} For texts of relevant statements, see: 888th meeting: President (France), para. 12.

^{48/} For texts of relevant statements, see: 893rd meeting: President (Italy), para. 71.

^{49/} For texts of relevant statements, see: 929th meeting: President (United Kingdom), paras. 22, 65.

^{50/} For texts of relevant statements, see: 973rd meeting: President (USSR), para. 26.

2. Concerning the raising of points of order by invited representatives

CASE 15

At the 962nd meeting on 22 July 1961, in connexion with the complaint by Tunisia, when the Council was about to proceed to the vote on a cease-fire draft resolution ^{51/} submitted by Liberia, the representative of France declared that owing to the political reasons he had explained his delegation would not participate in the voting.

The President (Ecuador) stated:

"I have taken note of the French representative's statement. If there is no objection from other members of the Council, I shall consider that the draft resolution would be approved on the conditions already explained, that is, taking note of the statement made by the representative of France."

The representative of Tunisia,* who had been invited to participate in the discussion, observed:

"Since I am not entitled to participate in the vote I do not intend to intervene on this point. I should merely like to point out to the President . . . that it might be advisable to hold a formal vote and to count the votes." ^{52/}

Decision: *The Liberian draft resolution was voted upon and adopted by 10 votes in favour and none against. France did not participate in the voting.* ^{53/}

3. Concerning the submission of proposals or draft resolutions by invited representatives

CASE 16

At the 995th meeting on 20 March 1962, in connexion with the letter of 8 March 1962 from the representative of Cuba concerning the Punta del Este decisions, the President (Venezuela) called attention

"to the letter dated 19 March 1962 [S/5095] ^{54/} addressed to the Chair by the representative of Cuba, transmitting a draft resolution submitted in accordance with rule 38 of the Council's provisional rules of procedure."

At the 996th meeting on 21 March 1962, the representative of the United Arab Republic stated that under rule 38 of the provisional rules of procedure the draft resolution "'may be put to a vote only at the request of a representative on the Security Council'" and suggested that if Cuba so desired, his delegation would be willing to make the request.

At the 998th meeting on 23 March 1962, the representative of the USSR said that his delegation supported the draft resolution [S/5095] submitted by Cuba and considered that it should be put to a vote in the Council in accordance with rule 38 of the provisional rules of procedure. Upon completion of the statement by the representative of the USSR, the President said:

"Before I give the floor to the next speaker, and in order to make this procedure quite clear, I should like to ask the representative of the Soviet Union whether I am correct in interpreting his statement to mean that he has exercised his right under rule 38 of the provisional rules of procedure to ask that the draft resolution submitted to the Council by Cuba may be put to the vote."

The representative of the USSR replied that the President's interpretation was correct. ^{55/}

CASE 17

At the 1005th meeting on 6 April 1962, in connexion with the Palestine question, the representative of Israel* observed that the draft resolution ^{56/} submitted that afternoon directly concerned his Government. He asked the Council to take into account, in the organizing of its work and the arranging of its time-table, the fact that he would be unable to make a statement before Monday, 8 April, after consultation with his Government.

The representative of Syria* said that he had intended to make a statement on the substance of the matter under consideration, but "we now have before us a request for the adjournment of the debate so that the representative of Israel can clarify his position." Because he was the representative of a Power invited to attend the Council's debate, he would not discuss that procedural point, although his delegation would be in favour of continuing the debate without interruption, and voting on the texts which had been submitted to the Council.

The representative of the United Arab Republic said that it was difficult for him to object when any member asked for a postponement, especially for the purpose of consulting his Government. However, in the case of a non-member of the Council who did not participate in the voting anyhow, it would be very easy for him to send a declaration, at any time, of what he wanted to say.

After quoting rule 38 of the provisional rules of procedure, the President (Chile) said: "In view of what the representative of Israel has said, would he be so good as to explain whether his remarks constituted a proposal to adjourn the meeting and meet again on Monday?"

The representative of Ghana said that the representative of Israel should be accorded the courtesy of a postponement. The representative of the United States said that his delegation would not object. The representative of the United Arab Republic said if the Council and Ghana so desired he would make no further objection to postponement.

The President then stated that it was his understanding, "from the discussion that has just taken place that the consensus is that the meeting should be

^{51/} S/4880, 962nd meeting: para. 43.

^{52/} For texts of relevant statements, see: 962nd meeting: President (Ecuador), paras. 56; France, para. 55; Tunisia, para. 57.

^{53/} 962nd meeting, para. 58.

^{54/} O.R., 17th year, Suppl. for Jan.-March 1962, pp. 96-97.

^{55/} For texts of relevant statements, see:

995th meeting: President (Venezuela), para. 3;

996th meeting: United Arab Republic, paras. 51-52;

998th meeting: President (Venezuela), para. 58; USSR, paras. 3, 59.

^{56/} S/5110 and Corr.1, see S/5111, O.R., 17th year, Suppl. for April-June 1962, pp. 95-96.

adjourned now and that we should meet again on Monday. If I am wrong, I should like to be so informed." There was no objection.^{57/}

D. LIMITATIONS ON MATTERS TO BE DISCUSSED BY INVITED REPRESENTATIVES

1. Adoption of the agenda

CASE 18

At the 851st meeting on 30 March 1960, the President (United States) stated that he had received a request from the representative of the Union of South Africa^{58/} to participate in the discussion of the request for the inclusion in the Council's agenda of the item concerning the Union of South Africa. The President further stated that the representative of South Africa had indicated that in view of the standard practice of the Council on invitations to non-members, he would like to speak after the vote on the adoption of the agenda.

After the adoption of the agenda, the President asked if there was any objection to hearing, at that stage, a statement by the representative of South Africa on the adoption of the agenda. The representatives of Tunisia, Ceylon and the USSR pointed out that the normal procedure would have been to call first on those delegations which had brought the question before the Council and thus give them an opportunity to explain the situation. The representative of Tunisia stated that while he would not formally oppose the request, its acceptance should not be construed as a precedent. The representative of the USSR reserved his position on the matter, and the representative of Ceylon stated that he had no objection.^{59/}

Decision: The President recognized the representative of the Union of South Africa to speak on the matter of the adoption of the agenda.^{60/}

CASE 19

At the 943rd meeting on 10 March 1961, in connexion with the situation in Angola, the President (United States) stated that he had received a request^{61/} from the representative of Portugal to be heard in the discussion on the inscription of the item on the provisional agenda. Noting that it had been standard Council practice not to permit invited members to participate in the discussion of the adoption of the agenda, the President suggested that the Council should

"follow the Council's procedure at its 851st meeting, when it received a similar request on an item related to the Union of South Africa. Should the Council vote to adopt the agenda, the representative of Portugal would be recognized after the vote to speak in

connexion with the agenda. After that the Council would begin its discussion of the substance of the question before it."

At the 944th meeting on the same date, after the adoption of the agenda, the President proposed to invite the representative of Portugal to the Council table in accordance with his request. There being no objection, the representative of Portugal took a place at the Council table and was recognized by the President "to make a statement on the adoption of the agenda."^{62/}

CASE 20

At the 950th meeting on 6 June 1961, in connexion with the situation in Angola, the President (China) stated that the representative of Portugal in his letter^{63/} had asked to be heard in the discussion on the adoption of the agenda. While noting that, in accordance with the general practice of the Council, non-members did not participate in the discussion on the adoption of the agenda the President recalled that special provisions had been made for that purpose at the 851st meeting and at the 943rd meeting.^{64/} He proposed, if it was agreeable to the Council, that after the debate had been opened an opportunity be accorded to the representative of Portugal to make a statement on the adoption of the agenda.

After the adoption of the agenda and after statements on the substance of the question had been made by the representatives of Liberia and the United Arab Republic, the President called on the representative of Portugal "for the specific purpose of submitting a statement on the adoption of the agenda."^{65/}

CASE 21

At the 991st meeting on 27 February 1962 in connexion with the letter of 22 February 1962 from the representative of Cuba^{66/} concerning the Punta del Este decisions, the President (United States) said that the representative of Cuba had requested an invitation under rule 37 of the provisional rules of procedure to participate both in the discussion of the question proposed for the agenda and the discussion on the adoption of the agenda itself. He pointed out, however, that it had been the practice of the Council that matters of procedure such as the adoption of the agenda should be decided upon by the Council's members themselves without the participation of non-Council members and cited two instances in which such requests were rejected by the Council. Nevertheless, if any member of the Council wished to propose that the representative of Cuba be seated for that purpose, he would put the question to the Council for its decision.

The representative of the USSR contended that inasmuch as the representative of Cuba had fulfilled all the requirements under rule 37 of the provisional

^{57/} For texts of relevant statements, see:

1005th meeting: President (Chile), paras. 81-82, 86; Ghana, para. 83; Israel, para. 75; Syria, para. 76; United Arab Republic, paras. 78, 85; United States, para. 84.

^{58/} S/4280, O.R., 15th year, Suppl. for Jan.-March 1960, p. 59.

^{59/} For texts of relevant statements, see: 851st meeting: President (United States), paras. 5-6, 33; Ceylon, paras. 40-41; Tunisia, paras. 34-35; USSR, paras. 36-39.

^{60/} 851st meeting: para. 42.

^{61/} S/4760, O.R., 16th year, Suppl. for Jan.-March 1961, pp. 227-228.

^{62/} For texts of relevant statements, see:

943rd meeting: President (United States), para. 5;

944th meeting: President (United States), paras. 31-32.

^{63/} S/4821, O.R., 16th year, Suppl. for Apr.-June 1961, pp. 60-61.

^{64/} See Cases 18 and 19.

^{65/} For texts of relevant statements, see:

950th meeting: President (China), paras. 7, 79.

^{66/} S/5080, O.R., 17th year, Suppl. for Jan.-March 1962, pp. 82-84.

rules of procedure, the Council should invite him to participate in the discussion on the question of the adoption of the agenda. He maintained further that although there had been cases in which the Council declined to invite non-Council members to participate in the discussion of procedural questions, as indicated by the President, nevertheless, there had been a recent exception when during one of the discussions of the question of the Congo an invitation had been extended in which a non-member of the Council had been permitted to take part in a procedural discussion.^{67/} He then made a formal motion on the basis of rule 37 of the provisional rules of procedure and the existing precedent that the representative of Cuba be allowed to participate without vote in the discussion of the adoption of the agenda.

The representative of France stated that:

"It is an established practice that no Member of the United Nations which is not a member of the Security Council can be invited to take a place at the Council table until the agenda has been adopted. There are no exceptions to this rule, which the Council has always interpreted very strictly, even if, in the debate before the adoption or rejection of the agenda, one or more members of the Council have tried to evade the rules of procedure by coming immediately to the substance of the question. Even then the President must strictly adhere to the rule laid down in Article 31 of the Charter and rule 37 of the provisional rules of procedure of the Security Council ..."

With regard to the example cited by the representative of the USSR, he stated that in that case the President had "made a mistake".

The representative of the United Arab Republic, while agreeing that it was not usual for non-members of the Council to be invited during the discussion on the adoption of the agenda, recalled that during the discussion of the Kashmir question, in January 1948, an exception had been made to this practice.^{68/}

Decision: The motion was not adopted having failed to obtain the affirmative vote of seven members.^{69/}

2. Extension of invitations

CASE 22

At the 899th meeting on 14 September 1960, in connection with the situation in the Republic of the Congo, the Council discussed the question of the representation of the Congo in its proceedings.^{70/}

The President (Italy) observed that he had received a request from the representative of Yugoslavia, a non-member of the Council invited to participate in the discussion, "to be allowed to take the floor on this particular point." The President then observed:

^{67/} See Case 22 below.

^{68/} For texts of relevant statements, see:

991st meeting: President (United States), para. 101; France, paras. 108, 109; United Arab Republic, paras. 112-113; USSR, paras. 102-106.

^{69/} 991st meeting: para. 114. For the decision of the Council on the adoption of the agenda, see chapter II, Case 37.

^{70/} S/4504 and Add.1, O.R., 15th year, Suppl. for July-Sept. 1960, pp. 157-158.

"Normally, on matters of procedure, representatives of States other than members of the Council are not called upon to speak, and I would therefore ask the Council whether there is any objection to the representative of Yugoslavia's doing so on this occasion."

There being no objection, the representative of Yugoslavia* was called upon to speak.

The President subsequently drew the Council's attention to a request from the representative of the Republic of Guinea, who had been invited to participate in the Council's discussion, that he be given the floor. The President commented:

"As I stated before, it is the practice of the Security Council that non-members of the Council should not participate in the discussion of procedural matters. I should not wish to depart from this practice unless the Council decides otherwise. I feel that members may not have raised objection to having the representative of Yugoslavia take the floor because of the fact that his delegation was one of the two delegations which asked for the meeting. In the case of the request of the representative of the Republic of Guinea, I would like to be guided by the wish of the Council."

The representative of the United Kingdom stated:

"As I understand the position, it has never been the practice of the Security Council ... to allow non-members to take part in the discussion of procedural matters when they have been invited to the Council table to take part in the discussions of substance.

"Speaking for my delegation, I would associate myself with what you yourself said, Mr. President, and would suggest that it would be wise for the Council not to depart from its practice in the present case and to restrict the discussion by non-members of the Security Council to matters of substance."

The representative of Poland stated that:

"neither in rule 37, under which representatives of non-members of the Security Council are invited, nor under rule 38 which further guides their participation, is there any exclusion or limitation as to the participation of non-members of the Security Council in the discussion in the Council. As I understand it, this also covers the question of participation in the procedural debate.

"There is a further question which results from this point, namely, whether we are involved at the moment in a procedural debate or not. My delegation feels that we have touched on such important issues that they are certainly not of a procedural character."

The President in reply commented:

"I do not think ... it can be maintained that the invitation to speak extended to non-members of the Council is a question other than that of a procedural character ... it is in the light of this particular character of the matter that I have invited the opinion of the Council. It is up to the Council to

decide and to come to a conclusion on this particular point."

The representative of Poland suggested that the President should ask the Security Council whether anyone objected to giving the floor to the representative of Guinea.

The representative of the United States observed that the objection which was voiced by the representative of the United Kingdom was that non-members of the Council would not be expected or, in fact, allowed to speak on matters of procedure. He said:

"It is merely a question of an orderly procedure, of following our normal customs, and I should like, therefore, to register my own objection on this limited basis. It is not an objection to the Guinean representative's speaking, because I fully expect and look forward to his speaking, but I would ask that, if he plans to speak on this procedural matter, that should not be allowed."

The representative of Ceylon stated:

"I am prepared to concede that there may have been a practice which discriminated between substance and procedure, but it is for that reason that I appeal that we should not go into that question at this stage, because one of the representatives invited to the Council to participate has been permitted the right to speak on procedure, and I do not wish to associate myself with any decision of this Council which would deny to another representative the right to speak on procedure, since there is no distinction between the claims on which they are here before us . . .

"It may be that there is a certain practice, but I shall not go into that question. The President would be in a better position to rule and to decide on the question of practice, but in this case particularly I appeal that the objection which has been voiced should not be pressed."

The representative of France agreed with the representatives of the United Kingdom and the United States, and remarked:

"I find it particularly strange to depart from that rule now when an invitation is precisely what we are discussing. It is quite anomalous that States which have themselves been invited should speak on a matter involving an invitation."

The representative of the USSR contended that there were no formal grounds whatsoever for refusing to give the floor to the representative of Guinea. He added:

"Rule 37 of the provisional rules of procedure concerns participation without vote in the discussion of any question—I repeat, any question—brought before the Security Council. Accordingly, there are absolutely no formal grounds on which the representative of the Republic of Guinea could be prevented from participating in the discussion on the question now under consideration.

" . . .

"The Soviet delegation considers this discriminatory attitude towards the representative of an

African State completely inadmissible and formally requests that the representative of the Republic of Guinea should be invited to speak on the question now before us."

At the 900th meeting on the same day, the representative of the United Kingdom, in reply to the suggestion raised by the Ceylonese representative at the previous Council meeting, stated that the admission of non-members to a procedural debate would create a precedent which might lead to a great deal of confusion in the future.

The representative of Ceylon agreed with the observations made by the representative of the United Kingdom with regard to the question of permitting invited representatives to participate in the discussion on purely procedural questions. However, on this occasion he felt the Council should depart from that policy in order not to create the impression that a distinction was being drawn between one invited Member and another invited Member. He suggested that:

"in the circumstances that have developed . . . the others who desire to do so on this occasion may be permitted to participate, without creating a precedent, and registering the emphatic opinion that, under our provisional rules of procedure or according to our practice, such participation is not generally allowed and should not be allowed in the future; in other words, that this should not be taken as a precedent for future occasions."

The President stated:

"the problem which now confronts the Chair is intricate and complex. . . . However, the views which have been put forward are, in the opinion of the Chair, so strikingly different that I think that the Chair has no choice but to put the question to a vote. In this connexion I should like to emphasize very strongly the thoroughly procedural character of this vote."

Before the question was put to the vote, the representative of the USSR asked for a clarification on whether there was a formal motion before the Council not to permit the representative of Guinea to speak.

The President replied:

"the point under discussion is whether or not at the present juncture the representative of Guinea should be given the floor during this procedural debate. Therefore, I should like to put the question to the vote in the following way: Those in favour of having the representative of Guinea take the floor at this juncture, please raise their hands."^{71/}

After some discussion concerning the formulation of the question to be put to the vote, the President made the ruling and the vote took place.^{72/}

^{71/} For texts of relevant statements, see:

899th meeting: President (Italy), paras. 15-16, 39, 44-45; Ceylon, paras. 50-54; France, paras. 55-56; Poland, paras. 42-46; USSR, paras. 65-67; United Kingdom, paras. 40-41; United States, paras. 48-49; 900th meeting: President (Italy), paras. 9, 12; Ceylon, paras. 6-7; USSR, paras. 10-11; United Kingdom, paras. 2-4.

^{72/} For consideration of the question in terms of the application of rule 40, see chapter I, Case 74.

Decision: The result of the vote was 4 in favour, 5 against, and 2 abstentions. The motion was rejected.^{73/}

CASE 23

At the 958th meeting on 5 July 1961, in connexion with the complaint by Kuwait, after the agenda had been adopted and the representative of Iraq had been invited to the Council table, the President (Ecuador) drew attention to the request^{74/} of the representative of Kuwait to take part in the Council's discussion on the question.^{75/} Before submitting this matter to the Council he remarked that the representative of Iraq had asked to be allowed to speak on the same matter.

The representative of the United Kingdom contended that in accordance with the Council's past practice the representative of Iraq, as a non-member of the Council, could not take part in the discussion on the request by the representative of Kuwait. He would be entitled under the provisional rules of procedure and the Council's practice to comment, but not before any decision had been taken.

In the opinion of the representative of the USSR, the representative of Iraq was justified in asking for permission to speak on a question which affected Iraq's interests. Since the Council was the master of its own procedure, there would be no complications should it agree to this request.^{76/}

Decision: The proposal to invite the representative of Iraq to speak on the request of Kuwait to participate in the Council's discussions was not adopted. There was 1 vote in favour, none against, and 10 abstentions.^{77/}

**3. Postponement of consideration of a question

**4. Other matters

(*)E. EFFECT OF THE EXTENSION OF INVITATIONS

CASE 24

At the 851st meeting on 30 March 1960, in connexion with the complaint concerning South Africa, after the Council had adopted the agenda and agreed to the request of the representative of South Africa to speak on the matter of the adoption of the agenda,^{78/} the latter made a statement at the end of which he declared that since the question had been placed on the Council's agenda, he was obliged to report to his Government for instructions. He then withdrew from the Council table.

The representative of Tunisia expressed his regret that the representative of South Africa had left the Security Council meeting when he had concluded his

statement, thus refusing to co-operate with the Council in the maintenance of international peace and security.

At a later stage of the discussion, during the 852nd meeting on the same date, the representative of Tunisia stated that a further statement by the representative of South Africa on the substance of the question before the Council would assist it considerably in discharging its responsibilities under the Charter. He proposed formally that the President should ask the representative of South Africa, who was then absent from the Council table, whether he was prepared to reply and to state his views on the situation, and thereby continue to co-operate with the Council in the discussion which was taking place.

The President (United States), commenting on this proposal, stated:

"The Council has voted to invite the representative of the Union of South Africa to take a place at the Council table, and he, of course, has the right to conduct himself with regard to this Council in any way that he wishes. I would not think that there was any way of avoiding his taking his own decisions on matters involving his own conduct."

The representative of the United Kingdom assumed that the representative of South Africa would be receiving instructions from his Government and would eventually be in a position to answer whether he would return to the Council table.^{79/}

Decision: The proposal of the representative of Tunisia was not adopted. There were 6 votes in favour, none against, and 5 abstentions.^{80/}

CASE 25

At the 887th meeting on 21 August 1960, in connexion with the situation in the Republic of the Congo, after the adoption of the agenda the President (France) stated^{81/} that at the 873rd meeting the Council had decided to invite the representatives of Belgium and of the Republic of the Congo to participate in the discussion.^{82/} However, he added that the representative of Belgium had indicated that he did not intend to take his place at the Council table during the current debate because of the reasons given in his letter of 19 August 1960. The President then read out the letter:

"Sir,

"The Security Council, at its 873rd meeting, decided, at the request of my Government, to invite Belgium to participate without vote in its deliberations on the Congo.

"As the next Security Council debate will be concerned with aspects of the Congolese problem in which Belgium should not be involved, and as the withdrawal of Belgian troops is well under way

(*) New sub-heading.

^{73/} 900th meeting: para. 38.

^{74/} S/4851, O.R., 16th year, Suppl. for July-Sept. 1961, p. 4.

^{75/} For a discussion of this request, see Case 5.

^{76/} For texts of relevant statements, see:

958th meeting: President (Ecuador), paras. 1-3, 8-9, 12-13; USSR, paras. 10-11; United Kingdom, para. 4.

^{77/} 958th meeting: para. 13.

^{78/} See Case 18.

^{79/} For texts of relevant statements, see:

851st meeting: President (United States), para. 42; South Africa,* para. 80; Tunisia, para. 85;

852nd meeting: President (United States), paras. 168, 170; Tunisia, paras. 165-167, 169; United Kingdom, paras. 172-173.

^{80/} 852nd meeting: para. 174.

^{81/} 887th meeting: paras. 1-2.

^{82/} See Case 2.

and is continuing, my Government does not consider it necessary to participate in the proceedings. However, I reserve my right to be heard in accordance with the decision already taken by the Security Council, should Belgium be implicated during these meetings ..."

The President further stated that, subject to the Council's agreement, he would, for the time being, ^{83/} invite only the representative of the Republic of the Congo to take a place at the Council table.

CASE 26

At the 1040th meeting on 22 July 1963, the Security Council adopted an agenda which included (1) a letter dated 11 July 1963 addressed by the representatives of thirty-two African States concerning territories in Africa under Portuguese administration, ^{84/} and (2) a letter dated 11 July 1963 addressed by the representatives of thirty-two African States concerning the policies of apartheid in the Republic of South Africa. ^{85/}

After the President (Morocco) had invited ^{86/} the representatives of Tunisia, Liberia, Portugal, Sierra Leone and Madagascar to take seats at the Council table to participate in the discussion on the first of the aforementioned agenda items, the representative of Ghana, after quoting Article 32 of the Charter, asked the Council to address an invitation to the representative of South Africa "to appear before the Council in connexion with the second item" on the agenda.

The President remarked that the Council had not received any request to participate from the Government of the Republic of South Africa. ^{87/} Consultations would take place in order to evaluate the proposal that an invitation be extended. He informed the Council that the representative of South Africa was awaiting instructions from his Government in this respect.

^{83/} The participation of the representative of Belgium was resumed at the 924th meeting on 12 January 1961. At the beginning of that meeting, the President (United Arab Republic) referred to the telegram dated 9 January 1961 by which the Belgian Minister for Foreign Affairs notified that the Permanent Representative of Belgium to the United Nations had been appointed to represent Belgium at the meetings devoted to the item on the agenda. After this statement, and with the consent of the Council, the President invited the Belgian representative to the Council table (924th meeting; para. 1).

^{84/} S/5347, O.R., 18th year, Suppl. for July-Sept. 1963, pp. 6-10.

^{85/} S/5348, *ibid.*, pp. 11-14.

^{86/} See tabulation C.1.a., entry 12.

^{87/} See tabulation C.2.a., entry 15.

At the 1041st meeting on 23 July 1963, the President (Morocco) referred to the consultations he had made with members of the Council on the proposal of the representative of Ghana. After expressing that it was the consensus of the Council that it was desirable to address an invitation to participate to the representative of South Africa, the President proposed and the Council approved the text of a cablegram addressed to the Minister for Foreign Affairs of the Republic of South Africa extending the invitation.

At the 1050th meeting on 31 July, the President (Morocco), after recalling that the Council had decided to invite the Republic of South Africa to take part in the discussion of the agenda item concerning South Africa, announced that a reply had been received that afternoon from the South African Government. The Secretary of the Council read out the reply ^{88/} in which it was stated that the South African Government had "decided not to participate in the discussion of matters relating to South African policy which fall solely within the domestic jurisdiction of a Member State".

At the 1055th meeting on 7 August 1963, the representative of Tunisia, commenting on this reply, stated:

"I believe this is the first time in the annals of the Council that such an invitation has been refused by a State Member of the United Nations. ...

"The participation of a representative of the South African Government in the present debate could have been useful. The presence and co-operation of such a representative might have facilitated the consideration of a problem which has been of deep concern not only to the African States but to all the States Members of the United Nations since 1948—that is, since well before the great majority of the African nations had recovered their sovereignty. The Council would then have known how far South Africa was ready to co-operate with the United Nations. The rejection by that country's Government of the Council's formal invitation is in itself a serious matter. ... It constitutes a delinquency which the Council cannot overlook." ^{89/}

^{88/} S/5381, 1050th meeting, para. 6.

^{89/} For texts of relevant statements, see:

1040th meeting: President (Morocco), para. 12; Ghana, para. 11.

1041st meeting: President (Morocco), paras. 89-90.

1050th meeting: President (Morocco), para. 5.

1055th meeting: Tunisia, paras. 29-31.