

Chapter III

PARTICIPATION IN THE PROCEEDINGS OF THE SECURITY COUNCIL

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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, paragraph 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 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 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 from the texts of these Articles and rules of procedure, have been set forth in the *Repertoire*, 1946-1951.

The relevant material is assembled under parts I and III of the present chapter. During the period under review there has been no discussion of the terms and provisions of Article 32. Consequently, there are no entries in part II.

Part I includes a summary account of the proceedings of the Council in the consideration of those proposals to extend an invitation to participate in the discussion where objections or other questions were raised with special emphasis on consideration of the basis on which the invitation might be deemed to rest. Included also in this part is a tabulation of invitations extended by the Council.

Part III presents a summary account of procedures relating to the participation of invited representatives after the Council had decided to extend invitations.

Part I

BASIS OF INVITATIONS TO PARTICIPATE

NOTE

Part I includes all instances in which proposals to extend invitations 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;² section D: Invitations to non-member States and other invitations. Presented in case histories are those instances in which special problems arose regarding a request for an invitation to participate in the proceedings of the Council. In each case history, the general features of the proceedings together with the decision of the Council and the main positions taken in the course of the debate are outlined.

In most instances in which Member States submitting matters to the Council in accordance with

Article 35, paragraph 1, have asked to participate in the deliberations of the Council, the invitations have 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 two hundred and one instances in which routine invitations were extended by the Security Council, fifty-four have been recorded in tabular form in section C. 1(a), whereas the other one hundred and forty-seven appear in section C. 2(a). As indicated in the previous volume, 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 in which thirty-seven African States, in submitting a question to the Council, delegated the President of the Islamic Republic of Mauritania and the Ministers for Foreign Affairs of Sudan, Ethiopia, Nigeria, Liberia and Chad to submit to the Council the concern of all peoples of

¹ See Case 1.

² See tabulations C. 1(a), C. 2(a).

Africa about the situation in Namibia.³ One of the three case histories following the tabulation deals with the question of extending invitations to the representatives of these African States in accordance with Article 35 of the Charter.⁴ Two other cases are concerned with the question of extending invitations to States whose interests were claimed to be specially affected by the situation under consideration. They present the proceedings in which the question of the applicability of Article 31 and rule 37 of the provisional rules of procedure was raised in connexion with the request for an invitation from a member State.⁵

In section D those proceedings are reported which involved the extension of an invitation under rule 39 of the provisional rules of procedure. In the first of three cases presented, the invitation was extended expressly under rule 39⁶ while in the second case its basis was not specified.⁷ In the third case there has been extensive discussion on the applicability of rule 39 in connexion with a request for an invitation; however, no decision of the Council was taken.⁸

³ S/10326, *OR*, 26th yr., *Suppl. for July-Sept. 1971*, p. 64.

⁴ See Case 2.

⁵ See Cases 3 and 4.

⁶ See Case 5.

⁷ See Case 6.

⁸ See Case 7.

**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

At the 1464th meeting on 20 March 1969 in connexion with the situation in Namibia the President (Hungary) informed the members of the Security Council that a request to participate in the debate had been made by the representative of the United Arab Republic in his capacity as President of the United Nations Council for Namibia.

The President stated further "If there is no objection, I shall invite the representative of the United Arab Republic to take a place at the Council table in order to participate, without vote in the Security Council's debate in accordance with the usual practice and with rules of procedure."⁹

At the invitation of the President, the representative of the United Arab Republic took a seat at the Council table.¹⁰

⁹ 1464th meeting: President (Hungary), para. 9.

¹⁰ At the 1527th meeting on 28 January 1970 (para. 26) the representative of Turkey, and at the 1584th meeting on 27 September 1971 (para. 49) the representative of Nigeria, each in his capacity as President of the United Nations Council, were invited to participate in the discussion.

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, PARAGRAPH 1, OF THE CHARTER

<i>Question ^a</i>	<i>State Invited</i>	<i>Basis of invitation</i>	<i>Decision of the Council: invitations extended and renewed ^b</i>
1. The situation in the Middle East	Jordan	S/9113, <i>OR</i> , 24th yr., <i>Suppl. for Jan.-March 1969</i> , pp. 142-143	1466th meeting (1467th-1473rd meetings)
	Israel	S/9114, <i>OR</i> , 24th yr., <i>Suppl. for Jan.-March 1969</i> , p. 143 S/9115	1466th meeting (1467th-1473rd meetings)
	Lebanon	S/9385, <i>OR</i> , 24th yr., <i>Suppl. for July-Sept. 1969</i> , p. 153 S/9390	1498th meeting (1499th-1502nd, 1504th meetings)
	Lebanon	S/9794, <i>OR</i> , 25th yr., <i>Suppl. for April-June 1970</i> , p. 181 S/9797	1537th meeting (1538th-1542nd meetings)
	Israel	S/9795, <i>OR</i> , 25th yr., <i>Suppl. for April-June 1970</i> , p. 182 S/9796	1537th meeting (1538th-1542nd meetings)
	Lebanon	S/9925, <i>OR</i> , 25th yr., <i>Suppl. for July-Sept. 1970</i> , p. 141 S/9926	1551st meeting

^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 reappear 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 The meetings at which the invitations were renewed are indicated by parentheses.

Question ^a	State invited	Basis of invitation	Decision of the Council: Invitations extended and renewed ^b
2. Complaint by the Government of Cyprus	Cyprus	S/5488, <i>OR, 18th yr., Suppl. for Oct.-Dec. 1963</i> , pp. 112-114 S/9245 S/9553 S/9828 S/10033 S/10208 S/10448	1474th meeting 1521st meeting 1543rd meeting 1564th meeting 1567th meeting (1568th meeting) 1612th meeting (1613th meeting)
3. Situation in Southern Rhodesia	Mauritania	S/9237 and Add.1 and 2, <i>OR, 24th yr., Suppl. for April-June 1969</i> , p. 187	1477th meeting (1478th-1481st meetings)
	Tanzania	S/9257	1477th meeting (1478th-1481st meetings)
	Guinea	S/9260	1477th meeting (1478th-1481st meetings)
	Somalia	S/9262	1477th meeting (1478th-1481st meetings)
	India	S/9267	1478th meeting (1479th-1481st meetings)
	Sudan	S/9261	1478th meeting (1479th-1481st meetings)
	Saudi Arabia	S/9268	1478th meeting (1479th-1481st meetings)
	Burundi	S/9269	1478th meeting (1479th-1481st meetings)
	Algeria	S/9272 S/9682, <i>OR, 25th yr., Suppl. for Jan.-March 1970</i> , p. 153	1480th meeting (1481st meeting)
		S/9685	1531st meeting (1532nd-1535th meetings)
	Senegal	S/9689	1531st meeting (1532nd-1535th meetings)
	Pakistan	S/9690	1531st meeting (1532nd-1535th meetings)
	Yugoslavia	S/9697	1532nd meeting (1533rd-1535th meetings)
	India	S/9699	1533rd meeting (1534th-1535th meetings)
	Saudi Arabia	S/9710	1534th meeting (1535th meeting)
4. Situation in Namibia	Chile	S/9359, <i>OR, 24th yr., Suppl. for July-Sept. 1969</i> , p. 138	1492nd meeting (1493rd-1497th meetings)
		S/9369	
	India	S/9376 S/9616/Add.1-3, <i>OR, 25th yr., Suppl. for Jan.-March 1970</i> , p. 112	1493rd meeting (1494th-1497th meetings)
		S/9627	1529th meeting
	Pakistan	S/9628	1529th meeting
	Mauritania	S/10326, <i>OR, 26th yr., Suppl. for July-Sept. 1971</i> , p. 64	1583rd meeting
	Ethiopia	S/10333	1584th meeting (1585th, 1587th-1589th, 1593rd-1595th, 1597th-1598th meetings)
	Guyana	S/10340	1584th meeting (1585th, 1587th-1589th, 1593rd-1595th, 1597th-1598th meetings)
	Liberia	S/10339	1584th meeting (1585th, 1587th-1589th, 1593rd-1595th, 1597th-1598th meetings)
	South Africa	S/10334	1584th meeting (1585th, 1587th-1589th, 1593rd-1595th, 1597th-1598th meetings)
	Sudan	S/10336	1584th meeting (1585th, 1587th-1589th, 1593rd-1595th, 1597th-1598th meetings)
	Chad	S/10326	1584th meeting (1585th, 1587th-1589th, 1593rd-1595th, 1597th-1598th meetings)
	Nigeria	S/10326	1584th meeting (1585th, 1587th-1589th, 1593rd-1595th, 1597th-1598th meetings)
	Mauritius	S/10347	1587th meeting (1588th-1589th, 1593rd-1595th, 1597th-1598th meetings)
	Uganda	S/10374	1595th meeting (1597th-1598th meetings)
5. Complaint by Senegal	Guinea	S/9528, <i>OR, 24th yr., Suppl. for Oct.-Dec. 1969</i> , p. 147	1516th meeting (1517th-1520th meetings)
	Senegal	S/10251, <i>OR, 26th yr., Suppl. for July-Sept. 1971</i> , p. 28	1569th meeting (1570th-1572nd meetings)
6. Complaint by Guinea	Guinea	S/9528, <i>OR, 24th yr., Suppl. for Oct.-Dec. 1969</i> , p. 147	1522nd meeting (1523rd-1526th meetings)
		S/9987, <i>OR, 25th yr., Suppl. for Oct.-Dec. 1970</i> , p. 51	1558th meeting (1559th-1563rd meetings)
		S/9991	
		S/10280, <i>OR, 26th yr., Suppl. for July-Sept. 1971</i> , pp. 41-42	1573rd meeting (1574th-1576th, 1586th, 1593rd meetings)
		S/10282	
7. The Question of Race Conflict in South Africa	Mauritius	S/9867, <i>OR, 25th yr., Suppl. for July-Sept. 1970</i> , p. 106	1545th meeting (1546th-1549th meetings)
		S/9872	

<i>Question^a</i>	<i>State invited</i>	<i>Basis of invitation</i>	<i>Decision of the Council: Invitations extended and renewed^b</i>
7. Question of Race Conflict in South Africa (cont'd)	India	S/9873	1545th meeting (1546th-1549th meetings)
	Somalia	S/9874	1545th meeting (1546th-1549th meetings)
	Ghana	S/9876	1546th meeting (1547th-1549th meetings)
	Pakistan	S/9877	1546th meeting (1547th-1549th meetings)
8. Question concerning the Islands of Abu Musa, the Greater Tunb and the Lesser Tunb	Algeria	S/10409, OR, 26th yr., Suppl. for Oct.-Dec. 1971, p. 79	1610th meeting
	Iraq	<i>Ibid.</i>	1610th meeting
	Libyan Arab Republic	<i>Ibid.</i>	1610th meeting
	People's Democratic Republic of Yemen	<i>Ibid.</i>	1610th meeting

(b) IN THE CASE OF MEMBER STATES OF THE UNITED NATIONS IN THEIR CAPACITY AS REPRESENTATIVES OF OTHER INTERNATIONAL ORGANIZATIONS THAN THE UNITED NATIONS

CASE 2

At the 1583rd meeting on 27 September 1971 in connexion with the situation in Namibia, the President (Japan) informed the Council that the representatives of thirty-five African Member States submitted the request that the Council be convened in order to enable the current Chairman of the Organization of African Unity, to participate personally in the debate in the Security Council. On behalf of the Security Council, the President invited without objections the President of the Islamic Republic of Mauritania, to take a seat at the Council table and to address the Council on the subject before it in his capacity as the Chairman of the eighth session of the Assembly of Heads of State and Government of the Organization of African Unity.¹¹

¹¹ For texts of relevant statements, see: 1583rd meeting, President (Japan), paras. 1, 2.

At the 1584th meeting on 27 September 1971 the President informed the Council that he had received a letter from the Chairman of the African Group of State in which he stated that the Ministers for Foreign Affairs of Sudan, Ethiopia, Nigeria, Liberia and Chad were serving as members of the delegation of the Organization of African Unity, headed by the President of Mauritania, Moktar Ould Daddah and he requested that they be invited to participate in the Security Council's discussion on the question of Namibia without the right to vote.

The President stated further that three of the Ministers mentioned in that letter had already been invited to participate in the discussion, having submitted separate requests to that effect. He proposed that the Council invite the other two members of the OAU delegation—namely, the Ministers for Foreign Affairs of Nigeria and Chad to participate in the discussion without the right to vote.

The President invited without objection the representatives of Nigeria and Chad to take the places reserved for them at the side of the Council Chamber.¹²

¹² For texts of relevant statements see: 1584th meeting, President (Japan), paras. 91-94.

** (c) 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

<i>Question^a</i>	<i>State invited</i>	<i>Basis of invitation</i>	<i>Decision of the Council: Invitations extended and renewed^b</i>
1. The situation in the Middle East	Saudi Arabia	S/9116	1467th meeting (1468th-1473rd meetings)
	Jordan	S/9284	1482nd meeting (1483rd-1485th meetings)
	Israel	S/9288	1482nd meeting (1483rd-1485th meetings)
	United Arab Republic	S/9290	1482nd meeting (1483rd-1485th meetings)
	Saudi Arabia	S/9294	1482nd meeting (1483rd-1485th meetings)
	Syrian Arab Republic	S/9295	1482nd meeting (1483rd-1485th meetings)
	Morocco	S/9296	1482nd meeting (1483rd-1485th meetings)

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not reappear as a new agenda item, but has been grouped under the item which first appeared.

^b The meetings at which the invitations were renewed are indicated by parentheses.

<i>Question ^a</i>	<i>State invited</i>	<i>Basis of invitation</i>	<i>Decision of the Council: invitations extended and renewed ^b</i>
1. The situation in the Middle East (cont'd)	Iraq	S/9297	1483rd meeting (1484th-1485th meetings)
	Indonesia	S/9298	1483rd meeting (1484th-1485th meetings)
	Lebanon	S/9300	1483rd meeting (1484th-1485th meetings)
	Malaysia	S/9302	1484th meeting (1485th meeting)
	Sudan	S/9304	1485th meeting
	Afghanistan	S/9305	1485th meeting
	Yemen	S/9306	1485th meeting
	Tunisia	S/9307	1485th meeting
	Kuwait	S/9310	1485th meeting
	Israel	S/9435	1507th meeting (1508th-1512th meetings)
	United Arab Republic	S/9436	1507th meeting (1508th-1512th meetings)
	Indonesia	S/9437	1507th meeting (1508th-1512th meetings)
	India	S/9439	1508th meeting (1509th-1512th meetings)
	Somalia	S/9440	1508th meeting (1509th-1512th meetings)
	Jordan	S/9441	1509th meeting (1510th-1512th meetings)
	Saudi Arabia	S/9443	1509th meeting (1510th-1512th meetings)
	Ceylon	S/9442	1510th meeting (1511th-1512th meetings)
	Malaysia	S/9444	1510th meeting (1511th-1512th meetings)
	Lebanon	S/9446	1511th meeting (1512th meeting)
	Tunisia	S/9448	1511th meeting (1512th meeting)
	Saudi Arabia	S/9798	1537th meeting (1538th-1542nd meetings)
	Morocco	S/9799	1537th meeting (1538th-1542nd meetings)
	Israel	S/9927	1551st meeting
	Jordan	S/10314	1579th meeting (1580th-1582nd meetings)
	United Arab Republic	S/10317	1579th meeting (1580th-1582nd meetings)
Israel	S/10319	1579th meeting (1580th-1582nd meetings)	
Mali	S/10321	1580th meeting (1581st-1582nd meetings)	
Lebanon	S/10322	1580th meeting (1581st-1582nd meetings)	
Morocco	S/10323	1580th meeting (1581st-1582nd meetings)	
Saudi Arabia	S/10324	1580th meeting (1581st-1582nd meetings)	
Tunisia	S/10325	1581st meeting (1582nd meeting)	
2. Complaint by the Government of Cyprus	Turkey	S/9242	1474th meeting
	Greece	S/9239	1477th meeting
	Turkey	S/9551	1521st meeting
	Greece	S/9547	1521st meeting
	Turkey	S/9829	1543rd meeting
	Greece	S/9830	1543rd meeting
	Turkey	S/10034	1564th meeting
	Greece	S/10035	1564th meeting
	Turkey	S/10207	1567th meeting (1568th meeting)
	Greece	S/10204	1567th meeting (1568th meeting)
	Turkey	S/10447	1612th meeting (1513th meeting)
	Greece	S/10449	1612th meeting (1513th meeting)
	3. Complaint by Zambia	Portugal	S/9335
Tanzania		S/9341	1487th meeting (1488th-1491st meetings)
Somalia		S/9348	1487th meeting (1488th-1491st meetings)
Kenya		S/9350	1488th meeting (1489th-1491st meetings)
United Arab Republic		S/9351	1488th meeting (1489th-1491st meetings)
Liberia		S/9355	1489th meeting (1490th-1491st meetings)
Madagascar		S/9355	1489th meeting (1490th-1491st meetings)
Sierra Leone		S/9355	1489th meeting (1490th-1491st meetings)
Tunisia		S/9355	1489th meeting (1490th-1491st meetings)
Gabon		S/9356	1489th meeting (1490th-1491st meetings)
Democratic Republic of the Congo		S/9357	1489th meeting (1490th-1491st meetings)

Question ^a	State invited	Basis of invitation	Decision of the Council: invitations extended and renewed ^b
3. Complaint by Zambia (cont'd)	Zambia	S/10358	1590th meeting (1591st-1592nd meetings)
	Tanzania	S/10357	1590th meeting (1591st-1592nd meetings)
	Nigeria	S/10359	1590th meeting (1591st-1592nd meetings)
	South Africa	S/10360	1590th meeting (1591st-1592nd meetings)
	Kenya	S/10361	1590th meeting (1591st-1592nd meetings)
	Guinea	S/10363	1590th meeting (1591st-1592nd meetings)
	Yugoslavia	S/10367	1591st meeting (1592nd meeting)
	India	S/10370	1591st meeting (1592nd meeting)
Pakistan	S/10371	1591st meeting (1592nd meeting)	
4. Complaint by Senegal	Portugal	S/9519	1516th meeting (1517th-1520th meetings)
	Morocco	S/9529	1516th meeting (1517th-1520th meetings)
	Liberia	S/9531	1517th meeting (1518th-1520th meetings)
	Madagascar	S/9531	1517th meeting (1518th-1520th meetings)
	Sierra Leone	S/9531	1517th meeting (1518th-1520th meetings)
	Tunisia	S/9531	1517th meeting (1518th-1520th meetings)
	Mali	S/9533	1517th meeting (1518th-1520th meetings)
	Saudi Arabia	S/9534	1517th meeting (1518th-1520th meetings)
	Syria	S/9536	1517th meeting (1518th-1520th meetings)
	Yemen	S/9535	1517th meeting (1518th-1520th meetings)
	United Arab Republic	S/9538	1517th meeting (1518th-1520th meetings)
	Mauritania	S/9539	1518th meeting (1519th-1520th meetings)
	Guinea	S/10258	1569th meeting (1570th-1572nd, 1599th-1601st meetings)
	Mali	S/10260	1570th meeting (1571st-1572nd, 1599th-1601st meetings)
	Sudan	S/10262	1570th meeting (1571st-1572nd, 1599th-1601st meetings)
	Mauritania	S/10261	1570th meeting (1571st-1572nd, 1599th-1601st meetings)
	Togo	S/10263	1571st meeting (1572nd, 1599th-1601st meetings)
	Mauritius	S/10264	1571st meeting (1572nd, 1599th-1601st meetings)
	Zambia	S/10265	1571st meeting (1572nd, 1599th-1601st meetings)
	Senegal	S/10342	1586th meeting (1599th-1601st meetings)
5. Complaint by Guinea	Portugal	S/9555	1522nd meeting (1523rd-1526th meetings)
	Mali	S/9549	1523rd meeting (1524th-1526th meetings)
	Syria	S/9561	1523rd meeting (1524th-1526th meetings)
	Congo	S/9562	1523rd meeting (1524th-1526th meetings)
	Liberia	S/9563	1523rd meeting (1524th-1526th meetings)
	Madagascar	S/9563	1523rd meeting (1524th-1526th meetings)
	Sierra Leone	S/9563	1523rd meeting (1524th-1526th meetings)
	Tunisia	S/9563	1523rd meeting (1524th-1526th meetings)
	Lesotho	S/9564	1523rd meeting (1524th-1526th meetings)
	Saudi Arabia	S/9565	1523rd meeting (1524th-1526th meetings)
	Libya	S/9566	1524th meeting (1525th-1526th meetings)
	Yemen	S/9567	1524th meeting (1525th-1526th meetings)
	India	S/9568	1524th meeting (1525th-1526th meetings)
	Bulgaria	S/9573	1525th meeting (1526th meeting)
	Mauritius	S/9572	1525th meeting (1526th meeting)
	Senegal	S/9992	1558th meeting (1559th-1563rd meetings)
	Mali	S/9993	1558th meeting (1559th-1563rd meetings)
	Saudi Arabia	S/9994	1558th meeting (1559th-1563rd meetings)
	Mauritania	S/9995	1558th meeting (1559th-1563rd meetings)
	Algeria	S/10010	1559th meeting (1560th-1563rd meetings)
	Liberia	S/10011	1559th meeting (1560th-1563rd meetings)
	Tanzania	S/10012	1559th meeting (1560th-1563rd meetings)
	Congo	S/10013	1559th meeting (1560th-1563rd meetings)
Yugoslavia	S/10015	1559th meeting (1560th-1563rd meetings)	

<i>Question ^a</i>	<i>State invited</i>	<i>Basis of invitation</i>	<i>Decision of the Council: invitations extended and renewed ^b</i>
5. Complaint by Guinea (cont'd)	Mauritius	S/10016	1559th meeting (1560th-1563rd meetings)
	Sudan	S/10017	1559th meeting (1560th-1563rd meetings)
	United Arab Republic	S/10018	1559th meeting (1560th-1563rd meetings)
	Ethiopia	S/10019	1559th meeting (1560th-1563rd meetings)
	Southern Yemen	S/10021	1560th meeting (1561st-1563rd meetings)
	Cuba	S/10022	1560th meeting (1561st-1563rd meetings)
	Uganda	S/10023	1561st meeting (1562nd-1563rd meetings)
	India	S/10025	1561st meeting (1562nd-1563rd meetings)
	Somalia	S/10026	1561st meeting (1562nd-1563rd meetings)
	Haiti	S/10027	1562nd meeting (1563rd meeting)
	Pakistan	S/10029	1562nd meeting (1563rd meeting)
6. The question of Bahrain	Iran	S/9784	1536th meeting
	Yemen	S/9788	1536th meeting
	Pakistan	S/9793	1536th meeting
7. Situation in Namibia	Saudi Arabia	S/10353	1589th meeting (1593rd, 1595th, 1597th, 1598th meetings)
	India	S/10373	1595th meeting (1597th, 1598th meetings)
8. Situation in Southern Rhodesia	Saudi Arabia	S/10398	1602nd meeting (1603rd-1605th, 1609th, 1622nd-1623rd meetings)
	Tanzania	S/10399	1603rd meeting (1604th-1605th, 1609th, 1622nd-1623rd meetings)
	Kenya	S/10400	1603rd meeting (1604th-1605th, 1609th, 1622nd-1623rd meetings)
	Zambia	S/10404	1604th meeting (1605th, 1609th, 1622nd-1623rd meetings)
	Ghana	S/10407	1604th meeting (1605th, 1609th, 1622nd-1623rd meetings)
	Uganda	S/10478	1623rd meeting
	Nigeria	S/10482	1623rd meeting
	Algeria	S/10483	1623rd meeting
9. The situation in the India/Pakistan Subcontinent	India		1606th meeting (1607th, 1608th, 1611th, 1614th-1617th, 1621st meetings)
	Pakistan		1606th meeting (1607th, 1608th, 1611th, 1614th-1617th, 1621st meetings)
	Tunisia	S/10414	1607th meeting (1608th, 1611th, 1614th-1617th, 1621st meetings)
	Saudi Arabia	S/10424	1608th meeting (1611th, 1614th-1617th, 1621st meetings)
	Ceylon	S/10454	1615th meeting (1616th, 1617th, 1621st meetings)
10. Question concerning the Islands of Abu Musa, the Greater Tunb and the Lesser Tunb	Kuwait	S/10431	1610th meeting
	Iran	S/10436	1610th meeting
	The United Arab Emirates	S/10439	1610th meeting

CASE 3

At the 1606th meeting on 4 December 1971 in connexion with the situation in the India/Pakistan subcontinent, the President (Sierra Leone) drew attention to a letter¹³ from the representative of Tunisia, requesting that his delegation be allowed to participate in the debate, without the right to vote. The President then said that if there were no objections he would invite the representative of Tunisia to participate in the debate in accordance with rule 37 of the provisional rules of procedure of the Council.

The representative of Italy stated that owing to the urgency of the crisis the Security Council was facing, it should restrict the deliberations to the members of

the Council and to the main parties concerned. In that connexion he asked to convey invitations only to the representatives of India and Pakistan.

The representative of the USSR stated that his delegation would be unable to support the Italian proposal. Normally the Security Council did not erect any barriers to the participation of the representatives of any States Members of the United Nations and did not preclude their taking part in the work of the Security Council. That had not happened in the past and it would not be appropriate to establish in the system and practice of the work of the Security Council any precedents of that kind for the future.

The representative of Italy, after reiterating his proposal, said that the Security Council should try to restrict deliberations to members of the Council and

¹³ S/10414.

the main parties concerned, "at this preliminary stage, at this first meeting". It could, however, decide later whether to accept participation from other Members of the United Nations in the discussions.¹⁴

At the 1607th meeting on 5 December 1971, the President recalled the request of the representative of Tunisia and proposed "to extend such an invitation to him in accordance with the practice that has been followed on previous occasions".

The representative of the United States said that the matter was so urgent that the invitations should be limited to the representatives of Pakistan and India. He said: "Our own view reluctantly remains the way it was yesterday in support of the Italian representative's position that until we get a first-step resolution we must insist that participation be confined to the members that are at the table right now."

The representative of Italy believed that the Council should let the representative of Tunisia speak. He added that it would, however, be better not to get involved with or speak about other requests at that time; the Council could consider that "later on in order not to embarrass anybody".

The representative of the USSR stated that to deprive a delegation of a Member State of its right to take part in the discussion would be unprecedented. All this time in the Security Council the practice had been strictly observed whereby every delegation of a Member State had had the right to participate in the discussion of questions that had been considered by the Security Council and to present its view. Keeping in mind that established practice of the Council, there were absolutely no grounds whatsoever for depriving the Tunisian delegation of that right at any time. Moreover, there was no need to link the granting of that right to the representative of Tunisia with the question of whether there were any other delegations wishing to speak at the meetings of the Security Council. If there were any requests from other delegations, those delegations could likewise be invited.

The representative of Somalia having referred to Article 31 of the Charter said that the matter before the Council was one which intimately affected all States Members of the United Nations, and therefore, his delegation would support the request of the representative of Tunisia and the request of any other delegation which might have submitted a similar request.¹⁵

The President (Sierra Leone) invited the representative of Tunisia to participate in the discussion.¹⁶

CASE 4

At the 1584th meeting on 27 September 1971 in connexion with the situation in Namibia, the representative of Somalia raised a point of order regarding the request of South Africa for participation in the Council's discussion and the terminology contained in that request. He stated that the item inscribed on the agenda related to the question of Namibia, not of South West Africa. Therefore, he would like to have some clarification on that point.

¹⁴ For texts of relevant statements, see: 1606th meeting: President (Sierra Leone), para. 2; Italy, paras. 3, 13-15; USSR, paras. 9, 32.

¹⁵ For texts of relevant statements, see: 1607th meeting: President (Sierra Leone), para. 4; United States, paras. 5, 6; Italy, para. 7-9; USSR, paras. 10, 11; Somalia, paras. 13-15.

¹⁶ 1607th meeting, para. 18.

The representative of the Syrian Arab Republic said that there ought to be uniformity in the terminology used. It was established beyond any doubt that the question under discussion was Namibia not South West Africa. That was true also of the report submitted to the Security Council. He then suggested that the wording of the letter from the representative of South Africa should be changed to conform with the wording of the agenda and with the report submitted to the Security Council.

The representative of the USSR said that the official designations of States and Territories in accepted international practice must correspond to the designations determined by the Government of the country itself in the case of a sovereign state or, in the case of a Territory, to the official designation which was accepted in the United Nations.

The representative of the United Kingdom stated that the question of terminology should not prevent the Council from following its normal practice of allowing a Member State to participate in discussions in accordance with Article 31 of the Charter and rule 37 of the Council's provisional rules of procedure. It could not be denied that the interests of South Africa, a Member State, were "specially affected" and it could hardly be imagined that South Africa would not be mentioned in those discussions.

The representative of the United States pointed out that on the cover of the Advisory Opinion of the International Court of Justice, the words: "Namibia (South West Africa)" were used. He found it difficult to understand the technicalities that had been raised when the opinion of the Court itself used those words.

The President (Japan) stated: "Although the terminology used in the letter requesting the participation of the permanent representative of South Africa is neither proper, nor desirable, I believe that since the International Court of Justice uses, in parenthesis, the words 'South West Africa' the representative of South Africa should be invited to participate in the debate. If there are any objections to that ruling, I shall put the matter to the vote".

The representative of Somalia said that he did not believe there was any need to put the matter to the vote. He wanted to place on record his delegation's strong reservations concerning the procedure South Africa had adopted in trying to appear before the Council by attempting to avoid any acknowledgement of the fact that the Territory of Namibia was clearly within the competence and responsibility of the United Nations. Evidently South Africa did not wish to recognize that fact.¹⁷

After further discussion the President stated that the observations that had been made would appear in the verbatim record and invited the representative of South Africa to participate in the Security Council's discussion without the right to vote.¹⁸

**** (b) TO SUBMIT WRITTEN STATEMENTS**

****3. Invitations denied**

¹⁷ For texts of relevant statements see: 1584th meeting: President (Japan), para. 41; Somalia, paras. 3, 5, 7, 42, 43; Syrian Arab Republic, paras. 9, 10; USSR, paras. 12-15; United Kingdom, para. 29; France, para. 31; United States, paras. 32-34; Italy, para. 35.

¹⁸ 1584th meeting, paras. 45-47.

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

CASE 5

At the 1587th meeting on 30 September 1971 in connexion with the situation in Namibia the President (Japan) informed the Council that he had received a letter¹⁹ from the representatives of Burundi, Sierra Leone and Somalia requesting that Mr. Nujoma, President of SWAPO (South West Africa People's Organization) be invited to participate in the Council's discussion on the question before it. He said further that, perhaps, the members of the Council would be willing to agree that at the appropriate time in the debate an invitation would be extended to Mr. Nujoma under rule 39, of the provisional rules of procedure as requested in the letter from the three members of the Council in view of the special relationship between the United Nations and the Territory of Namibia. "As I hear no objection," he stated, "I take it that the Council agrees."²⁰

At the 1588th meeting on 5 October 1971, the President reminded the Council that at its meeting on 30 September, it had agreed to invite Mr. Nujoma and he believed that it was appropriate to hear Mr. Nujoma's statement. Accordingly at the invitation of the President, Mr. Nujoma, representative of the South West Africa People's Organization took a seat at the Council table.²¹

CASE 6

At the 1602nd meeting on 25 November 1971 in connexion with the situation in Southern Rhodesia, the representative of the USSR stated that in view of the attitude on the part of the Africans towards the Home-Smith agreement, the Security Council was well within its rights to ascertain the views of the people of Zimbabwe and its representatives. The USSR delegation then proposed that the leaders of two parties, Mr. Nkomo (ZAPU) and Mr. Sithole (ZAWU) be invited to the meetings of the Security Council so that the Council could hear them and obtain from them information concerning the true position in South Africa and their appraisal of the Home-Smith agreements.

The representative of Somalia supported the USSR proposal and said that a request should be addressed to the United Kingdom Government to invite the leaders of those two political parties.

The President (Poland) stated that he intended to enter into the customary consultations on that subject and he should keep members of the Council informed of the results of those consultations.²²

At the 1604th meeting on 2 December 1971 the President (Sierra Leone) stated: "The President promised to hold consultations with his colleagues. These consultations have continued; they have almost reached

a conclusion. Up to this date I have heard no objection to the proposal. If as I have stated, there is no objection to this suggestion to invite Mr. Nkomo and Mr. Sithole, as indicated, the suggestion may be regarded as adopted."²³

The Council decided to invite Mr. Joshua Nkomo and Mr. N. Sithole to appear before it and to state their views on the proposals on Southern Rhodesia.²⁴

CASE 7

At the 1606th meeting on 4 December 1971 in connexion with the situation in the India/Pakistan sub-continent the representative of the USSR having drawn the attention of the members of the Security Council to a letter²⁵ from the delegation of Bangladesh, transmitted by the representative of India, proposed that a representative of Bangladesh should be invited to the meetings of the Council and should be heard.

The representative of Poland supported the USSR proposal and stated that the invitation would be helpful in getting the best picture of the situation and reaching the best solution.

The representative of China stated that extending invitation to the representatives of rebellious elements within East Pakistan would be tantamount to asking the Security Council to interfere in the internal affairs of a sovereign Member State.

The representative of Argentina stated that if the Council were to accept this proposal, it could constitute a precedent which could be invoked in the future by any group from any country, which was a member of the United Nations, whether the group resided in that country or was in exile. He also expressed doubt that this would be in accord with the provisions of rule 39 of the provisional rules of procedure.

The representative of the USSR, after reading out the text of rule 39 of the rules of procedure, stated that attempts to prevent an invitation being issued would not be conducive to a positive discussion of the question. The representative of Bangladesh spoke for the 75 million inhabitants of East Pakistan and those who were trying to prevent them from participating by invoking the "rebel" concept, were deliberately forgetting that there did exist a concept of national liberation forces and national liberation movements which had been recognized by the United Nations.

The representative of Pakistan said that any move under rule 39 of the Council's rules of procedure which ran counter to the fundamental principle of the Charter—territorial integrity of Member States was outside the competence of the United Nations and of the Security Council because the Security Council had to interpret its rules in consistence with the fundamental provisions of the Charter. By accepting the proposal to invite representatives of a so-called entity to address the Security Council, the Council would have struck at the territorial integrity of a Member State and would be seeking to dismember Pakistan by according that kind of recognition.

The representative of India said that the problem before the Council was essentially an issue between West Pakistan and the people of Bangladesh. There-

¹⁹ S/10346.

²⁰ 1587th meeting: the President (Japan), paras. 2, 3.

²¹ 1588th meeting, paras. 87-88.

²² For texts of relevant statements, see: 1602nd meeting, President (Poland), para. 144; USSR, paras. 78, 79; Somalia, para. 138.

²³ 1604th meeting, President (Sierra Leone), paras. 43-45.

²⁴ *Ibid.*, para. 48.

²⁵ S/10415, *OR*, 26th yr., *Suppl. for Oct.-Dec. 1971*, pp. 89-90.

fore, without the participation of the people of Bangladesh it was impossible to obtain proper perspective. Although the representative of Pakistan had brushed aside those people as groups of either refugees or rebels, they were in reality the elected representatives of 75 million people. It was essential that the representatives of Bangladesh should be present and the Council should hear from them before going any further in the debate.

The President (Sierra Leone) ruled that that question should be deferred until the next meeting because the application about the invitation had reached him only a few minutes before the meeting and the members of the Security Council could not receive copies of it.²⁶

At the 1607th meeting on 5 December 1971, the representative of the USSR raised again the question of an invitation to a representative of Bangladesh.

The representative of China stated that it was a substantive and not a procedural issue and that attempts to subvert and dismember a sovereign state ran counter to the United Nations Charter and was definitely impermissible.

The representative of India maintained that Bangladesh was a major party to the problem and could supply the Security Council with information and extend other assistance in discussing the matter. Therefore, a representative of Bangladesh should be heard under rule 39 of the provisional rules of procedure.

The representative of Pakistan said that such an invitation would contravene not only the fundamental provisions of the Charter but rule 39 itself, because the latter applied to individuals rather than those claiming to represent a non-member Government.

The representative of Argentina asked whether the intent of the USSR motion was to invite a person or the representative of a Government.

The representative of Italy suggested further consultations on the issue.

The representative of the USSR stated that his delegation had proposed to invite the representative of Bangladesh as the person competent to provide information to the Council on the question under its consideration; and, it was in that connexion that reference to rule 39 had been made. He emphasized that no one would be better able than the representatives of Bangladesh to tell the Council what was happening in that country. He pointed out that the suggestion of the representative of Italy that consultations be held, was a reasonable one which deserved attention.

The President adjourned the question to a later date for further consultations.²⁷

At the 1613th meeting on 13 December 1971 the representative of the USSR, speaking on a point of order, recalled his delegation's proposal that the representative of Bangladesh be invited to make a statement

²⁶ For texts of relevant statements, see: 1606th meeting: President (Sierra Leone), para. 48; USSR, paras. 5-8, 33-40; Poland, para. 18; China, paras. 20-21; Argentina, para. 25; Pakistan, paras. 140-145; India, paras. 152-153.

²⁷ 1607th meeting: President (Sierra Leone), para. 72; USSR, paras. 25-27, 71; China, paras. 27-30; India, paras. 37-39; Pakistan, paras. 42-45; Argentina, paras. 64-66.

before the Security Council under rule 39 of the provisional rules of procedure. New changes had taken place in Bangladesh and a third force had arisen there. It would, therefore, be advisable for the Security Council to invite the representative of Bangladesh to hear his views and an assessment of the events which had occurred in East Pakistan.

The representative of Argentina objecting to the USSR proposal stated that it would create a bad precedent if representatives of secessionist or subversive movements were allowed a hearing by the Council. It would be a clear case of interference in the internal affairs of a Member State.

The President (Sierra Leone), invoking rule 30 of the Council's provisional rules of procedure pointed out that there was a difference in international law between recognition of a state and recognition of a government and that his opinion, Bangladesh did not possess the necessary criteria for recognition as a state. He added: "Accordingly, I rule that in accordance with rule 39, I cannot admit to the presence in the Security Council of any representatives from a State, the criteria of existence of which have not fully satisfied my mind. This does not mean that if individuals who are concerned in the matter before the Council wish to be heard, they cannot be heard in accordance with the provisions of rule 39."

The representative of the USSR stated that he had not spoken of inviting representatives of a State but of inviting competent persons under rule 39, who might enlighten the Security Council and give some useful explanations and information. The ruling related to inviting representatives of a State and therefore was based on a not entirely accurate assumption and gave rise to a misunderstanding. Subsequently, the representative of the USSR further raised the question of inviting Justice Abu Sayeed Chowdhury mentioned by the representative of India in his letter to the President of the Security Council, as a person competent to assist the Council in coming to a decision on the matter before it.

The representative of India stated that apart from the armed forces of India and Pakistan engaged in the conflict in Bangladesh, there was also a large number of armed and organized persons who accepted the orders of the government of Bangladesh and participated in partisan activities for maintaining their freedom. In that capacity the persons were competent to give information regarding what happened in the area, which would enable the Security Council to decide on adequate measures.

The representative of Poland said that the persons mentioned constituted a political movement and were competent to bring information to the Security Council which could assist it in its work.

The representative of China opposed extending invitation to persons of Bangladesh and stated that he could not recognize them as the representatives of a national liberation movement.

The representative of Pakistan said that the individual mentioned by the representative of the USSR did not fall under rule 39. He had described himself as a representative of the government of the so-called

Bangladesh. As the President had pointed out already, there was a difference between recognizing a State or a government and that was covered by another Article of the Charter.

The President said that he considered the USSR proposal as a point of order in regard to which he would, in accordance with rule 30, state his ruling. He noted that he was satisfied that the representative of the USSR had named an individual who qualified as a competent person under rule 39 and who should accordingly be invited to address the Council. However, since an objection had been raised to inviting the individual named by the representative of the USSR, thereby constituting a challenge to his ruling,

he would submit his ruling to the Security Council for immediate decision.²⁸

The representative of the USSR then stated that he would not insist on a vote on his proposal, whereupon the President stated that he considered the proposal withdrawn.²⁹

****3. Invitations not expressly under Article 32 or rule 39**

****4. Invitations denied**

²⁸ 1613th meeting: President (Sierra Leone), paras. 80-82, 90-94, 115, 119, 120, 133-136; USSR, paras. 77-79; 108-114, 121, 137; Argentina, paras. 83-89; India, paras. 99-100; Poland, paras. 102-104; China, paras. 116-118; Pakistan, para. 128.
²⁹ *Ibid.*, para. 138. See also chapter I, case 28.

****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 and comprises material on participation by Members and non-members of the United Nations.

No question concerning either the stage at which invited states might be heard (section A), or the duration of participation of invited representatives (section B) arose during the period under review. The practice has been maintained, however, 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.³⁰

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 was one case³¹ concerning the order in which the invited representatives are called upon to speak. On another occasion³² a question was raised concerning the limitations affecting the submission of proposals or draft resolutions by the invited representatives. Discussion arose as to who, in accordance with rule 38, was acting on behalf of the invited representative in co-sponsoring the draft resolution.

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 one case³³ dealt principally with the question of whether

the invited representative may speak on the question of the adoption of the agenda. Under the sub-heading "Extension of invitations" one instance is recorded in which invited representatives asked to be heard on the question of the extension of invitations.³⁴

****A. THE STAGE AT WHICH INVITED STATES ARE HEARD**

****B. THE DURATION OF PARTICIPATION**

C. LIMITATIONS OF A PROCEDURAL NATURE

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

CASE 8

At the 1537th meeting on 12 May 1970 in connexion with the situation in the Middle East, the representative of Israel asked for the floor on a draft resolution put forward by the representative of Spain who requested that it be put to the vote immediately.

The representative of Syria speaking on a point of order asserted that since the draft resolution was submitted "on an immediate and urgent basis" the Security Council was engaged in the procedural process of the debate and a "non-member of the Council has no right to take the floor at that particular time."

The President (France) stated that the Council knew that in the case of a vote the representative of which was not a member of the Security Council could not take part in the vote. But that was a debate which had not been closed and before proceeding to the proposal made on the very substance of the matter, the participants in the debate might speak. He added: "I therefore think that we should hear the representative of Israel and then immediately proceed to the vote."

³⁰ In this connexion, see tabulation above, part I, C. 1(a), foot-note b and part I, C. 2(a), foot-note b.

³¹ Case 8.

³² Case 9.

³³ Case 10.

³⁴ Case 11.

The representative of the USSR pointed out that the representative of Spain had submitted an urgent proposal. The representative of Israel had already spoken and had expounded in some detail the position of the Government of Israel. The problem was either to involve the Security Council in a further discussion or to vote on the Spanish draft resolution and then to continue the discussion. Taking into account the realities of the situation it would be more sensible and expedient not to continue the discussion but to vote on the draft resolution and then to renew the discussion.

The representative of the United States said that the debate had not been terminated and that a member of the Council or a representative participating in the debate had a right to be heard before the vote if he so wished. That was clearly not a procedural but a substantive draft resolution and therefore, to comment upon it by non-members was entirely appropriate. The most expeditious way of dealing with that matter was to permit the representative of Israel to make whatever statement he wished and then to proceed to the vote.

The representative of the United Kingdom stated that it was in the practice of the Security Council that its members should always be prepared to hear the parties immediately concerned before taking a decision. It was the right action to permit the representative of Israel to be heard and then to proceed to the vote on the draft resolution.

The representative of Zambia after reading out the text of rule 30 of the provisional rules of procedure said that as he understood: "The representative of Israel asked to speak. The President was just about to call on him when a point of order was raised by the Ambassador of Syria. The President stated his ruling. The ruling was subsequently challenged. Therefore, I would have thought that under the circumstances the best thing would have been to submit this whole proposal to the Security Council as a whole in order to make a decision."³⁵

After further discussion the President put to the vote the proposal of the representative of Syria that the Council should proceed to the vote immediately. The result of the vote was 7 votes in favour, 2 against with 6 abstentions. The proposal was not adopted.³⁶

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

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

CASE 9

At the 1607th meeting on 5 December 1971 in connexion with the situation in the India/Pakistan sub-continent, the representative of Italy introduced a joint draft resolution sponsored by the representatives of Belgium, Italy, Japan, Nicaragua, Sierra Leone and Tunisia.³⁷

At the 1608th meeting on 6 December 1971 the representative of the USSR speaking on a point of order pointed out that one of the co-sponsors of the draft resolution, Tunisia, was not a member of the

Security Council. He noted that it was not customary in the practice of the Council for a non-member to co-sponsor a draft resolution without its co-sponsorship being endorsed or taken over by a member of the Council.

The President (Sierra Leone) after reading out the text of rule 38 of the provisional rules of procedure stated: "It is quite clear that the representative of Tunisia applied for permission to participate and that that application was granted, and in fact he did participate, so it is for members of the Council now to decide."

The representative of the Syrian Arab Republic said that in accordance with rule 38, draft resolutions might be put to a vote only at the request of a representative on the Security Council. He asked: "So the question is, who is the member of the Security Council who, in accordance with rule 38, is acting on behalf of the representative of Tunisia in co-sponsoring the draft resolution?"

The representative of Italy asserted that if a representative of a Member State took part in the discussion on a particular item and was entitled to introduce a draft resolution on his own, he could be a co-sponsor of a resolution introduced by members of the Council itself. But the draft resolution could not be put to the vote unless that was requested by a representative on the Security Council. It was only at that stage that the question could be raised as to whether a Member State which was not a member of the Council could be a co-sponsor of a draft resolution.

The President (Sierra Leone) referred to the *Repertoire of the Practice of the Security Council, Supplement 1964-1965*³⁸ and said that at the 1188th meeting on 30 December 1964 in connexion with the situation in the Democratic Republic of the Congo, the President (Bolivia) had called attention to an amendment submitted by eighteen African States to the joint draft resolution under consideration before the Council. The President then explained that under rule 38 of the provisional rules of procedure the amendment could be put to the vote only at the request of a representative of the Security Council. The representative of the USSR, after commenting on the draft resolution, then requested that the amendment of the eighteen African States be put to the vote.

The representative of Tunisia stated that in order to facilitate the work of the Council and so that the debate would not be prolonged on a procedural question, Tunisia withdrew as a co-sponsor of the draft resolution.³⁹

D. LIMITATIONS ON MATTERS TO BE DISCUSSED BY INVITED REPRESENTATIVES

I. Adoption of the agenda

CASE 10

At the 1503rd meeting on 20 August 1969 in connexion with the letter⁴⁰ of 17 August 1969 from the representative of Ireland, the representative of Finland proposed that the Security Council, before taking a decision on its agenda, invite the Foreign Minister of

³⁵ For texts of relevant statements, see: 1537th meeting: President (France), paras. 56, 75; Spain, paras. 44-46; Syria, para. 55; USSR, paras. 57-60, 65; United States, paras. 61, 62; United Kingdom, paras. 69-70; Zambia, paras. 73, 74.

³⁶ 1537th meeting, para. 77.

³⁷ 1607th meeting, para. 260.

³⁸ See p. 56.

³⁹ 1608th meeting: President (Sierra Leone), paras. 16, 22; USSR, para. 15; Syria, para. 17; Italy, paras. 18-20; Tunisia, paras. 23-26.

⁴⁰ S/9394, OR, 24th yr., Suppl. for July-Sept. 1969, p. 159.

Ireland to make a statement to the Council in explanation of his Government's request for the meeting of the Security Council. He stated that in the event the agenda was not adopted the Council should have disposed of the matter without hearing the representative of the Member State which had brought this matter before the Council. It would be a matter of courtesy to let the Minister of Foreign Affairs of Ireland address the Security Council and it could be done in a way that it would not constitute a precedent for future procedure.

The representative of the United Kingdom stated that although the hearing of representatives from outside the Council before the adoption of the agenda was unusual and there were few, if any, precedents for doing so, his delegation, as a matter of courtesy to the Foreign Minister of Ireland, would not object to the proposal of the representative of Finland.

The President (Spain) stated that the Security Council, before taking a decision on the provisional agenda, agreed to invite the Minister for External Affairs of Ireland to make a statement to the Council in explanation of his Government's request for an urgent meeting of the Security Council.⁴¹

2. Extension of invitations

CASE 11

At the 1606th meeting on 4 December 1971 in connexion with the situation in the India/Pakistan sub-continent the representative of Italy drew the attention of members of the Security Council to the statement on a procedural matter concerning the invitation of the representative of Bangladesh to participate in the meetings of the Council, made by the representative of India and said that it was not in order for the representative of India to speak on that particular subject.

⁴¹ For text of relevant statements, see: 1503rd meeting (PV), President (Spain), p. 7; Finland, pp. 6-7; United Kingdom, p. 7.

The representative of Pakistan stated that the representative of India was out of order when he intervened on that question because only members of the Security Council could participate in a debate on procedural matter.⁴²

At the 1607th meeting on 5 December 1971 the representative of India noted that practically all those who had spoken about the application of the representative of Bangladesh to be heard by the Council had treated that problem as a substantive one. He added that following the point of order raised by the representative of Italy, he was not sure if under rules 37 and 38 of the provisional rules of procedure of the Council, delegations such as his which had been invited here by courtesy were really out of order in making comments on points of order.

The representative of Pakistan said that under the provisional rules of procedure of the Security Council, parties not members of the Council and who were invited to speak at the Council table could not participate in a discussion of the kind that had been raised by the representative of the USSR. He was, however, compelled to intervene since the representative of India had been allowed to make statements because he had considered the problem to be a substantive one.

The representative of Italy stated that he did not raise a point of order at that time since he assumed that the representatives of India and Pakistan, the main parties concerned, were within their right to speak on that question if they had considered that it was a substantive question.⁴³

**3. Postponement of consideration of a question

**4. Other matters

**E. EFFECT OF THE EXTENSION OF INVITATIONS

⁴² For texts of relevant statements see: 1606th meeting: Italy, para. 53; Pakistan, para. 140.

⁴³ 1607th meeting: India, para. 35; Pakistan, para. 41; Italy, para. 67.