

**Chapter X**

**CONSIDERATION OF THE PROVISIONS OF CHAPTER VI OF THE CHARTER**

## CONTENTS

	<i>Page</i>
INTRODUCTORY NOTE . . . . .	181
PART I. CONSIDERATION OF THE PROVISIONS OF ARTICLE 33 OF THE CHARTER	
Note . . . . .	182
<del>PART II. CONSIDERATION OF THE PROVISIONS OF ARTICLE 34 OF THE CHARTER</del>	
<del>    Note . . . . .</del>	
<del>    Tabulation of questions referred to the Special Council (1966-1968)</del>	
PART III. APPLICATION OF THE PROVISIONS OF ARTICLE 35 OF THE CHARTER	
Note . . . . .	187
Tabulation of questions referred to the Special Council (1966-1968)	188
<del>    Note . . . . .</del>	
<del>    Tabulation of questions referred to the Special Council (1966-1968)</del>	
GENERAL	
Note . . . . .	194

## INTRODUCTORY NOTE

As in the previous volumes of the *Repertoire*, the

"Article 35

to the text of Articles 35-36 of Chapter VI of the Charter. Thus, chapter X does not cover all the activities of the Council in the pacific settlement of disputes, for the

any dispute, or any situation of the nature referred to in Article 34, to the attention of the Security Council or of the General Assembly.

issues before the Council and the relative merits of measures proposed without discussion regarding the juridical problem of their relation to the provisions of

Council or of the General Assembly any dispute to which it is a party if it accepts in advance, for the

The material in this chapter constitutes only part of the material relevant to the examination of the operation of the Council under Chapter VI of the Charter, since the procedures of the Council reviewed in chapters I-VI, in so far as they relate to the consideration of disputes and

and 12."

"Article 36

to presenting the instances of deliberate consideration by

a situation of like nature, recommend appropriate

"Article 33

"1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional

accordance with the provisions of the Statute of the Court."

"Article 37

"1. Should the parties to a dispute of the nature referred to in Article 33 fail to settle it by the means referred to in Article 33, they shall refer it to the Security Council.

their own choice.

"2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means."

"2. If the Security Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action under Article 36 or to recommend such terms of settlement as it may consider appropriate."

"Article 34

"The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security."

"Article 38

"Without prejudice to the provisions of Articles 33 to 37, the Security Council may, if all the parties to any dispute so request, make recommendations to the parties with a view to a pacific settlement of the

## Part I

## NOTE

During the period under review, communications submitting disputes or situations to the Security Council

debates continued, on occasion, to refer to prior effort at pacific settlement.<sup>1a</sup>

The significance of Article 33 in the pacific settlement of disputes and situations, apart from the obligations it

first instance, to the various means of pacific settlement

means of their own choice, consists in the possibility of recourse to that Article by the Council itself by calling upon the parties to utilize any or those means of pacific

The three case histories entered in this part of Chapter X, reflect proceedings in the Council deemed to have some

part of the material illustrative of the working of the

this chapter, as well as the various decisions of the

Council during the period under review contained no explicit reference to Article 33 of the Charter. Nor did they contain provisions recommending to the parties

to any of the means of pacific settlement contained in paragraph 1 of that Article. The Council has in one

cerned avail themselves of the offer of good offices which the Secretary-General had proffered, to help them recon-

cerned, invited the Secretary-General to continue the good offices he had tendered earlier in an attempt to settle outstanding questions in agreement with the parties concerned (Case 1). In another instance, the Council, in a framework set by views of Council members that

<sup>1a</sup> See, for example, letter dated 31 January from the United States, in connexion with the situation in Viet-Nam, S/7105, OR, 21st yr., Suppl. for Jan.-March 1966, pp. 105-107; and proposal by the United States representative in connexion

by which the Council would, among other things, call for imme-

objective towards peaceful settlement of the question under

For text of the proposal, see draft resolution submitted by the

in particular, those of Article 33, requested the Secretary General to designate a Special Representative to proceed to an area of conflict, establishing and maintaining

to establish a special representative in order to promote

accepted settlement" (Case 2).

While not cited in any of the Council resolutions and decisions during the period under review, Article 33 has been often invoked during Council debates in the context

of efforts at pacific settlement and express reference to the Article as providing the desired framework for a

instances, the Article was invoked in support of various viewpoints considered by Council members concerned as coming under the scope of that Article. These included

settle their differences by peaceful means, that a situation has not reached the stage envisaged for the application

16 August 1966

debate that the Security Council should request the

suggestion.]

At the 1297th meeting on 8 August 1966, the repre-

attack on the town of Nuqub in the Federation of South

Council should have the matter investigated on the spot. He also proposed that, in the meantime, the Council might consider giving the Secretary-General "a rather

outstanding in this area of the Yemen-South Arabian border." He added that such efforts would clearly require the agreement and co-operation of the parties concerned.

At the 1298th meeting, the representative of New Zealand submitted a draft resolution<sup>8</sup> by which the

incidents, and to report to the Security Council as soon as possible.

<sup>8</sup> In connexion with the situation in the Middle East: 1242nd meeting (PV); United States, pp. 17 and 18-20.

<sup>9</sup> For texts of relevant statements, see: 1297th meeting; New Zealand, paras. 27 and 28.

<sup>7</sup> See further in this chapter, Case 2.

After hearing the presentations which dealt on the merits of the United Kingdom charges as well as the draft resolution, the Council adjourned<sup>9</sup> its meeting in order to allow members to hold informal consultations to arrive at an agreed formula on the question before the Council.

At the 1299th meeting on 15 August 1966, the Council following which it adjourned again for further consultations.

representative of the United Kingdom (S/1142) and are contested by the United Arab Republic and Yemen

a constructive solution, believes that he is authorized to ask the parties concerned each on his part to contribute in lessening the tension and to invite the Secretary General to continue his efforts in an

CASE 2: THE SITUATION IN THE MIDDLE EAST (II). In connexion with draft resolutions S/8227, not voted

[Note: During the debate on the various draft resolutions, views were expressed that the measures envisaged in them were to be taken within the framework of Article 39.]

In the course of the consideration of the situation in a just and lasting peace in the Middle East should be achieved "within the framework" of the Charter, and particularly within the framework of certain

parties concerned to agree on the proper mode of settlement.

At the 1373rd meeting on 9 November 1967, the representative of India, in introducing the draft resolution, observed that it was designed to initiate the

Nigeria, p. 82;

1375th meeting (DV); India, p. 68;

pp. 33-35;

1379th meeting (PV): United Kingdom, pp. 7 and 11;

1381st meeting: USSR, p. 13;

1382nd meeting (PV): India, pp. 23 and 26.

<sup>11</sup> S/8227, 1373rd meeting (PV), pp. 68-70.

peaceful settlement of the Middle East crisis. The mission of the Secretary General and his contacts with the parties might open up various possibilities for such settlement. He noted later at the 1375th meeting on 13 November 1967 that the draft resolution would not ask the Council to suggest or recommend any particular mode of peaceful settlement, but would rather, in accordance with Article 39 of the Charter, "invite the parties to agree on the particular means they will employ in seeking solutions to their disputes".

Middle East situation should be sought. It would also be desirable for the representative to proceed to the Middle East to establish and maintain contacts with the States concerned in order to facilitate the achievement of the draft resolution in accordance with the purpose of the draft resolution.

In introducing the draft resolution at the 1377th meeting on 15 November 1967, the representative of the United States noted that in discussing its views with other Council members the United States had been guided by certain

mentioned the principle that "only the parties themselves,

provision of the United States draft was the designation of the representative of the Secretary-General and the rôle to be assigned to him.

Argentina, Canada, Nigeria and the United Kingdom,

At the 1379th meeting on 16 November 1967, the representative of the United Kingdom submitted a draft

Charter principles required the establishment of a just and lasting peace in the Middle East. The principles of such peace, under this draft resolution, would include the application of the principles of (i) withdrawal of Israel armed forces from territories occupied in the recent Middle East conflict; and (ii) termination of all claims or states of belligerency and respect for and acknowl-

<sup>12</sup> S/8229, OR, 22nd yr., Suppl. for Oct.-Dec. 1967, p. 208.

<sup>13</sup> S/8247, text same as resolution 242 (1967) of 22 November 1967.

with the States concerned in order to promote agreed settlement"

Case 218. COMPLAINT BY THE GOVERNMENT OF CYPRUS  
President as a result of informal consultations, voted

in that resolution.

[Note in the course of the discussion the representative

of the United Kingdom observed that while the two draft resolutions already before the Council had their merits, they were a serious danger in the light of the position

to extending the period for the stationing of UNFICYP in Cyprus, endorse the offer of good offices of the Secretary-General and call upon the parties to avail

support of the Council. The United Kingdom draft resolution insisted that the Council should not lose sight of the possibility of the Council.

In his report of 6 December 1967 to the Security Council, the Secretary-General stated that the Council had been well acquainted<sup>21</sup> neither the parties

Representative of the Secretary-General, that in the view of his delegation,

tion effort required by the Security Council in its original

the Special Representative should be free to decide for himself the exact means and methods by which he pursued his endeavours in contact with the States concerned, but that the Council should not lose sight of the possibility of a settlement."

for some time because of the impasse with which the Council had been well acquainted<sup>21</sup> neither the parties

the Special Representative should be free to decide for himself the exact means and methods by which he pursued his endeavours in contact with the States concerned, but that the Council should not lose sight of the possibility of a settlement."

nor the Council could allow the situation to deteriorate into grave danger. He therefore urged all concerned to crisis and to display the statesmanship and goodwill

settlement."

the Council that his "good offices continue to be available

on would, *inter alia*, declare that peace and the final solution of the problems of the Middle East could be achieved only on the basis of the Charter and the principles of international law.

the representative of the United Kingdom stated that it would be inadequate for the Council to merely extend the stationing of UNFICYP without taking further steps in the direction of a permanent settlement of the

security. Under the draft resolution, the Security Council would be called upon to recommend a just solution on the basis of certain principles, and call upon all States in the area to accept and implement such a solution.

of the force to a certain period and acceptance of the offer of the good offices of the Secretary-General to

In introducing the draft resolution, the representative

At the 1386th meeting on 22 December 1967, the result of intensive consultations in which members of

contained all the key elements of political settlement on the need of which the views of the overwhelming majority of Member States concurred.

on the text of a draft resolution on the question under consideration.

representative of India announced that the co-sponsors of the three Powers draft resolution would not press their

By this draft resolution, the Council would be called upon to extend the stationing of UNFICYP for a certain period and acceptance of the offer of the good offices of the Secretary-General to

resolution was adopted, his delegation would not press on its draft resolution being voted upon.<sup>16</sup> The President of the Council also announced that the USSR would not

of invited the parties promptly to avail themselves of the good offices proffered by the Secretary-General and requests the Secretary-General to report on the

The Council then proceeded to vote on the United Kingdom draft resolution, which was adopted unanimously.

1385th meeting (DVA), United Kingdom, pp. 71-90.

<sup>16</sup> S/8286, O.R., 22nd yr., Suppl. for Oct.-Dec. 1967, pp. 266-315.

to the adoption of this resolution, see *Repertoire of the Practice of the Security Council, Supplement 1964-1966*, chapter VIII, pp. 108-112, and chapter X, Case 8.

<sup>17</sup> *Ibid.*, p. 32.

<sup>18</sup> *Ibid.*, pp. 33-35.

<sup>19</sup> *Ibid.*, p. 36. Text of resolution 242 (1967), S/6277, 23 Nov. 1967.

<sup>21</sup> S/8286, O.R., 22nd yr., Suppl. for Oct.-Dec. 1967, para. 157.

In his statement following the adoption of the resolution, the Secretary General assured the parties that he would be immediately available to them to help them

the parties, he would have welcomed a clear guidance by the Council on the basic points which had been the subject of much negotiation with the parties during the

he added, he deemed it his duty to forewarn the Council of the difficulties that lay ahead.

<sup>24</sup> 1386th meeting (PV), pp. 18-20.

Part II

CONSIDERATION OF THE PROVISIONS OF ARTICLE 34 OF THE CHARTER

NOTE

In statements during debates, Article 34 has been invoked in one instance, along with Article 36, in support of a resolution of the Council.

Council.<sup>25</sup> Neither has any discussion taken place as to the juridical significance of a proposal under consideration in the context of the meaning of Article 34.

been lodged. In another instance, it was cited, with Article 35, to describe a situation brought to the attention of the Council which was said to be international.

the proceedings of the Council in which views were expressed as to the appropriate way for the Council to deal with a situation in which conflicting statements had been made with regard to an alleged fact.

the Council should have those charges investigated through fact-finding. A draft resolution was submitted to that effect and views were expressed on the scope of the proposed investigations. As consultations among

did the Council decide to conduct a formal investigation

representative of the United Kingdom charged that on the to be MIG's operated by UAR forces in Yemen and

ments by the representatives of the United States and the United Kingdom in relation to alleged involvement of United States and

(Pueblo incident), statement by the representative of Ethiopia

For texts of relevant statements, see: 1348th meeting (PV): United States, p. 11; 1350th meeting (PV): United Kingdom, pp. 29-30.

the incident under consideration, it should take some agreed action to initiate an immediate investigation of that incident. For text of the relevant statement, see 1389th meeting (PV), pp. 8-10.

ness on the part of their Governments to facilitate any investigation to be carried out by the United Nations; and, subsequently, statement by the representative of India that, in view of the conflicting statements on whether the destroyer Elath was sunk

<sup>30</sup> For texts of relevant statements, see: 1296th meeting: UAR,\* paras. 35, 36 and 43; United Kingdom, paras. 5-8 and 15; 1297th meeting: Argentina, para. 65; Jordan, paras. 51-54;

For texts of relevant statements, see: 1353rd meeting (PV): Israel, p. 82; Syria, *ibid.*; 1360th meeting (PV): India, p. 62.

USSR, para. 100; United Kingdom, para. 27; United States, paras. 79 and 80; Yemen,\* paras. 4 and 5; 1300th meeting: President (Uganda), para. 2; New Zealand

At the same meeting, the representative of the United Arab Republic\* denied the charges, observing that

mainly to emphasize United Nations concern over the region, and that in itself would certainly be a moderating

under the Arab Yemeni command was airborne on the

At the 1297th meeting on 8 August, the representative of the United Kingdom and raised the question, in turn, whether the aggression against the Yemen Arab Republic.

"It proposes to do what it is sensible to do where a denied by others; and it remits to fact-finding, not to and to what extent and from what sources the incident occurred. . . ."

At the same meeting, the representative of New Zealand suggested that in the light of the denials of the charges made by the United Kingdom, the obvious step for the Council to take would be to arrange for an

The representative of the Netherlands stated that his delegation would find it difficult to express any opinion on the alleged raid on Nuqub before a complete and impartial report of the facts had been obtained. He

"Let us ask the Secretary-General to set in hand an

representative of New Zealand, adding:

A week has gone by since the attack is said to have taken place. Further delay might be avoided by asking the

make available to the members the specific information which they now lack. A decision by the Council along these lines would be in keeping with the ideas which

peace-keeping forces someone whose impartiality and experience of this kind of investigation are accepted

disputes and ensuring the observance of international obligations. . . ."

Provided with a report of such investigation, he added, the Council could then resume its debate on the question on a firmer ground.

should have a strictly auxiliary and subsidiary function, its task being that of establishing facts.

The representative of Jordan, opposing the New Zealand proposal, stated:

The representative of the Soviet Union opposed the New Zealand proposal and observed that, in the light of the facts, it was obvious that

allowed unless the Council is satisfied that there is sufficient

into the groundless British complaint. There is nothing for the United Kingdom complaint is without

lishing if it accepted the idea of sending an investigation team to the area. If, on the face of it, the charges have not been corroborated by evidence admissible under the primary action on such a charge. If it is debatable whether an item of this kind should even have been inscribed on the agenda, it is all the more debatable whether an investigation team should be sent to the area on the basis of the kind of evidence that has been

experienced United Nations personnel, in order to establish the facts relating to the incident referred to in the letter dated 2 August 1966 from the Deputy Secretary-General of Great Britain and Northern Ireland to the United Nations [S/7442], and to report to the Security Council as soon as possible."

meetings, including the representative of the United Kingdom, supported the investigation proposed by New

In introducing his draft resolution, the representative of New Zealand stated that the investigation, in addition to or a frontier force, or any such operation. Two or three of the existing observation missions, would try to the

the incident reported by the United Kingdom seems to us an adequate measure to dispel doubt and even if the conclusions reached were not concrete and did not elucidate all the facts of the case, it would serve

matter of days they would report to the Council. . . ."

\* S/7456, 1298th meeting, para. 103



In a comment on the view that more time was needed to allow an investigation to be carried out on a basis which members, the representative of New Zealand noted that such view confused the very limited task of investigation complex. He stated:

effectively, if at all, unless it is set up with consent of actions ranging from peace-observation missions to peace-keeping forces. But fact-finding is quite another

investigation by impartial observers."

At the suggestion of the representative of Nigeria the Council decided<sup>39</sup> to adjourn the meeting to allow

members sufficient time for consultations with a view to reaching an agreed formula on the question before the

At the 1299th meeting on 15 August 1966, the Council having met briefly to hear a statement by one representa- hold further consultations. When it met at the 1300th

as a result of the consultations, a consensus had been to contribute to the lessening of tension in the area and requested the Secretary-General to continue his good

announced that he would "waive his right to call for a vote" on his proposal and acquiesce in the consensus statement

### PART III

#### APPLICATION OF THE PROVISIONS OF ARTICLE 35 OF THE CHARTER

##### NOTE

During the period under review, eleven questions relating to international peace and security were brought to the attention of the Security Council, all by Members of the United Nations. The relevant data regarding the submission of these questions

Nations, questions that had previously been included in the agenda: complaint by the Government of Cyprus, the situation in Southern Rhodesia and the Palestine question.

##### SUBMISSION BY MEMBERS OF THE UNITED NATIONS

questions generally by means of a communication addressed to the President of the Security Council; in all instances covered during the period under review,

period under review were designated by the submitting States as a situation.<sup>35</sup> Seven questions were designated

<sup>34</sup> Neither was any other Article invoked as a basis of submission to characterize the situation at hand as an armed aggression. See Tabulation, section C, entry 11. See, further, chapter VIII, pp. 168, 169.

<sup>35</sup> Tabulation, section B, entries 1-4.

<sup>36</sup> Tabulation, section C, entries 5-11.

##### STATES NOT MEMBERS OF THE UNITED NATIONS

During the period under review, there was no instance of a question being submitted by a non-member of the United Nations.

##### PROCEDURAL CONSEQUENCES OF SUBMISSION UNDER ARTICLE 17

tion by the Security Council have been dealt with in accordance with rules 6-9 of the provisional rules of procedure; material relating to the application of these rules is contained in chapter II, parts II and III, of this Supplement.

During the period under review, there was one instance submission.<sup>40</sup>

The Council has not, in respect of any new question submitted for its consideration during the period under

for a question included in the agenda at an earlier period.<sup>41</sup>

<sup>40</sup> In connexion with the situation in Southern Rhodesia, letter of 10 May 1966 from the United Kingdom to the Secretary-General, S/22851A-11-1.

<sup>41</sup> In one instance, in connexion with the situation in the Middle East, a non-Council member raised objections to the phrasing of the agenda adopted at a meeting, calling attention to an earlier phrasing used by the Council, although the Council did not rule on the objections. See further, chapter II, note 17.

Tabulation of questions submitted to the Security Council (1966-1968)

\*\*SECTION A. QUESTIONS SUBMITTED BY MEMBERS AS DISPUTES

SECTION B. QUESTIONS SUBMITTED BY MEMBERS AS SITUATIONS

Questions	Submitted by	Other parties	Articles invoked in letter of submission	Description of question in letter of submission	Action required of the Security Council	Reference
1. Situation in Viet Nam  1966)	United States		None	A situation in regard to which all nations to restore peace had failed, and to which the Council should, in the light of its obligations under the Charter to maintain international peace and security, "address itself urgently"	" to consider the situation in most vigorous endeavours and its . . . prestige to finding a prompt solution to it."	S/7105, O.R., 21st yr., 1966, pp. 105-107
2. Situation in Southern Rhodesia	United Kingdom		None	" the arrival in Beira of an oil tanker in conformity with the decision of the Security Council in its resolution 217 (1965)". The approach of a second tanker to Beira "makes the situation of extreme urgency."	To convene an emergency meeting	S/7226, Text, paras. 1-3
(ii) letter of 5 December 1966	United Kingdom		None	Situation resulting from the fact that Rhodesia has not been brought to an end".	[The United Kingdom proposed] that the Council should consider the possibility of action to be taken against the illegal régime in Rhodesia."	S/7610, O.R., 21st yr., 1966, p. 109
3. Complaint by the Government of the United Kingdom of 2 August 1966	United Kingdom		None	" two aircraft believed to have been Mic's appeared over Mozambique in the neighbourhood of Beira on 2 August 1966. The aircraft of the Mic's . . . [and] carried out two low-level strafing attacks on Beira."	To consider "the situation arising from this unprovoked and in defiance of the Charter of the United Nations attack . . ."	S/7442, O.R., 21st yr., 1966, p. 64

Consideration of provisions of the Charter

<sup>a</sup> For submission of the question of Southern Rhodesia as a threat to international peace, see tabulation entry 7.

Tabulation of questions submitted to the Security Council (1966-1968) (continued)

SECTION B. QUESTIONS SUBMITTED BY MEMBERS AS SITUATIONS (continued)

Serial number	Submitted by	Other parties	Articles invoked in letter of submission	Description of question in letter of submission	Action required of the Security Council	Reference
4.	Situation in Czechoslovakia (letter of 21 August 1968)	Canada, Denmark, France, Paraguay, United Kingdom and United States	None	"... the present serious situation in the Czechoslovak Socialist Republic."	"... to consider this important matter."	S/8758, OR, 23rd yr. Suppl. for July-Sept. 1968, p. 136

SECTION C. QUESTIONS SUBMITTED BY MEMBERS AS THREATS TO THE PEACE, BREACHES OF THE PEACE OR ACTS OF AGGRESSION

5.	Situation in Southern Rhodesia (i) letter of 10 May 1966	Thirteen States	None	A new situation which "constitutes a threat to the peace and security..."	"... should examine under necessary measures to establish majority rule in Southern Rhodesia in accordance with the Declaration set forth in General Assembly resolution 1514 (XV)."	S/7285, OR, 21st yr., 1966, pp. 80-81	
	(ii) letter of 12 March 1968	Thirteenth Member States	None	"... continuing grave situation [in Southern Rhodesia (Zimbabwe)] which still constitutes a threat to international peace and security."	"... to envisage the necessary measures and action under Chapter VII of the United Nations Charter with a view to enabling the people of Southern Rhodesia (Zimbabwe) to exercise their right to self-determination in accordance with General Assembly resolution 1514 (XV)."	S/8454, OR, 23rd yr., Suppl. for Jan.-March 1968, pp. 258-259	
6.	The Palestine question (i) letter of 21 July 1966	Syria	Israel	None	"... act of aggression committed by Israel against Syrian Territory on the afternoon of 14 July 1966."	To consider the act, which "seriously threatens peace and security in the area"	S/7419, OR, 21st yr., Suppl. for July-Sept. 1966, pp. 28-30

<sup>b</sup> For submission of the question as a situation, see tabulation section B, entry 2.

Tabulation of questions submitted to the Security Council (1966-1968) (continued)

SECTION C. QUESTIONS SUBMITTED BY MEMBERS AS THREATS TO THE PEACE, BREACHES OF THE PEACE OR ACTS OF AGGRESSION (continued)

Questions	Submitted by	Other parties	Articles invoked in letter of submission	Description of question in letter of submission	Action required of the Security Council	Reference
			None	"Repeated acts of aggression committed by the Syrian Government against the people, territorial integrity and political independence of Israel."		S/5485, OR, 21st yr., Suppl. for Oct.-Dec. 1966, pp. 122-123
((iii) letter of 12 October 1966 (Complaint by Israel))	Israel	Syria	None	"Acts of aggression committed by armed groups operating from Syrian territory against the people, territorial integrity and political independence of Israel [and] ... threats by Syria against the territorial integrity and political independence of Israel, and open Syrian incitement to war against Israel ..."	"... an urgent meeting ... on the complaints by Israel against Syria"	S/7540, OR, 21st yr., Suppl. for Oct.-Dec. 1966, pp. 26, 27
			None	"... threats by Syria against the territorial integrity and political independence of Israel, and open Syrian incitement to war against Israel ..."		S/7540, OR, 21st yr., Suppl. for Oct.-Dec. 1966, pp. 26, 27
			None	"... of Jordan on 13 November 1966."		S/7540, OR, 21st yr., Suppl. for Oct.-Dec. 1966, pp. 26, 27
7. Complaint by the Government of the Democratic Republic of the Congo	Democratic Republic of the Congo	Portugal	None	The use by Portugal of African Territories "as a base of operations for mercenaries recruited for the purpose of carrying out a mission was "to shed Congolese blood in order to overthrow the legitimate and lawful authorities in the Congo"	"... to call upon Portugal to end what may rightly be called aggression" against the Democratic Republic of the Congo	S/7503, OR, 21st yr., Suppl. for July-Sept. 1966, pp. 122-123
((i) letter of 21 September 1966)				"constitutes a serious threat to world peace ..."		

Tabulation of questions submitted to the Security Council (1966-1968) (continued)

SECTION C. QUESTIONS SUBMITTED BY MEMBERS AS THREATS TO THE PEACE, BREACHES OF THE PEACE OR ACTS OF AGGRESSION (continued)

Part III. Application of the provisions

Article 35 of

Charter

Questions	Submitted by	Other parties	Articles invoked in letter of submission	Description of question in letter of submission	Action required of the Security Council	Reference
1967)	Republic of the Congo			the Democratic Republic of the Congo on 5 July 1967."	meeting . . . to consider the question."	Suppl. for July-Sept. 1967, p. 63
			None	"An armed band of mercenaries . . ."	To "take the necessary measures . . ."	S/7010, O.R., 22nd yr., 1967, pp. 201-203
	of the Congo			Democratic Republic of the Congo at Kisenge" and who were now approaching Kolwezi, "probably with the intention of seizing the Kolwezi plain which could subsequently serve as a base."	ensure the safety of persons and property, both foreign and Congolese, in the threatened area."	
	Middle East (b)	Canada and Denmark	None	" . . . extremely grave situation . . . threatening international peace and security."	" . . . to discharge its responsibility . . . international peace and security."	S/7002, O.R., 22nd yr., 1967, pp. 118-119
(i) letter of 23 May 1967)						Suppl. for April-June 1967, pp. 118-119
(ii) letter of 27 May 1967 (Complaint by the UAR)	United Arab Republic	Israel	None	". . . Israel aggressive policy, its repeated aggression threatening peace and security in the Middle East and endangering international peace and security."	To consider the situation urgently.	S/7907, O.R., 22nd yr., Suppl. for April-June 1967, pp. 124-125
(iii) letter of 9 June 1967)	USSR		None	"Cessation of military action by Israel and withdrawal of the . . . of the territory of the United Arab Republic, Jordan and Syria which they have seized as the result of an aggression."	Requesting the President to "take immediate steps to have . . . item on its agenda."	S/7967, O.R., 22nd yr., Suppl. for April-June 1967, pp. 124-125

SECTION C. QUESTIONS SUBMITTED BY MEMBERS AS THREATS TO THE PEACE, BREACHES OF THE PEACE OR ACTS OF AGGRESSION (continued)

Serial number	Origin	Subject	Articles invoked in letter	Description of question	Action required of the Council	Reference		
9.		Situation in the Middle East (II) <sup>c</sup> (i) letter of 24 October 1967 (Complaint by U.A.R.)	United Arab Republic	Israel	None	"... a new and premeditated flagrant aggression" in which the Israel forces "started concentrated shelling" at the city of [redacted] violation of the cease-fire order."	"... to consider the grave situation resulting from the Israel acts of aggression" with a view to "taking prompt action with the relevant articles of the United Nations Charter."	S/8207, OR, 22nd yr., Suppl. for Oct.-Dec. 1967, pp. 191-192
		(ii) letter of 24 October 1967 (Complaint by Israel)	Israel	United Arab Republic	None	"... a new act of aggression perpetrated by the armed forces of the United Arab Republic today."	"... to deal with the open aggression and the violations of the cease-fire resolutions by the United Arab Republic."	S/8208, OR, 22nd yr., Suppl. for Oct.-Dec. 1967, pp. 192-193

1968 from the Permanent Representative of Jordan, addressed to the President of the Security Council (S/8484, OR, 23rd yr., Suppl. for Jan.-March 1968, pp. 278-279); Letter dated 19 March 1968 from the Permanent Representative of Jordan addressed to the President of the Security Council (S/8516, *ibid.*, p. 307); Letter dated 29 March 1968 from the Permanent Representative of Israel addressed to the President of the Security Council (S/8560, *ibid.*, pp. 139, 140); Letter dated 5 June 1968 from the Permanent Representative of Jordan addressed to the President of the Security Council (S/9616, OR, 23rd yr., Suppl. for July-Sept. 1968, p. 113); Letter dated 5 August 1968 from the Permanent Representative of Jordan addressed to the President of the Security Council (S/8721, OR, 23rd yr., Suppl. for July-Sept. 1968, p. 113); Letter dated 5 August 1968 from the Permanent Representative of Israel addressed to the President of the Security Council (S/8724, *ibid.*, pp. 115, 116); Letter dated 2 September 1968 from the Acting Permanent Representative of Israel addressed to the President of the Security Council (*ibid.*, p. 236); Letter dated 8 September 1968 from the Permanent Representative of Israel addressed to the President of the Security Council (S/8805, *ibid.*, pp. 240, 241); Letter dated 8 September 1968 from the Permanent Representative of the United Arab Republic addressed to the President of the Security Council (S/8806, *ibid.*, pp. 241, 242); Letter dated 17 September 1968 addressed to the President of the Security Council by the representatives of Pakistan and Senegal (S/8819, *ibid.*, p. 251); Letter dated 1 November 1968 from the Permanent Representative of the United Arab Republic addressed to the President of the Security Council (S/8878, OR, 23rd yr., Suppl. for Oct.-Dec. 1968, p. 191); Letter dated 1 November 1968 from the Permanent Representative of Israel addressed to the President of the Security Council (S/8940, *ibid.*, p. 186); Letter dated 27 December 1968 from the Permanent Representative of Jordan addressed to the President of the Security Council (S/8940, *ibid.*, p. 186).

Chapter X. Consideration of the plenary

Tabulation of questions submitted to the Security Council (1966-1968) (continued)

SECTION C. QUESTIONS SUBMITTED BY MEMBERS AS THREATS TO THE PEACE, BREACHES OF THE PEACE OR ACTS OF AGGRESSION (continued)

Part III. Application of the

visions of Art

of the Charter

			Articles invoked in letter	Description of question	Action required of the		
10.	Complaint by the United States (Pueblo incident)	United States	North Korea	None	"North Korean action against a United States naval vessel [USS Pueblo] on the high seas, and the serious North Korean armed aggression against the Republic of Korea" which had created a "situation of ... gravity and danger".	"... to consider the grave threat to peace..."	S/8360, OR, 23rd yr., Suppl. for Jan.-March 1968, p. 140
11.	Complaint by Haiti (letter of 21 May 1968)	Haiti		39,99	"Armed aggression" against the Republic of Haiti.	To take "appropriate measures... in accordance with Article 39 of the Charter" to reduce the prevailing state of tension.	S/8593, OR, 23rd yr., Suppl. for April-June 1968, pp. 168-169

## Part IV

CONSIDERATION OF THE PROVISIONS OF ARTICLES 36-38  
AND OF CHAPTER VI IN GENERAL

## NOTE

(S/7025), voted upon and adopted on 15 March 1966.

the provisions of Chapter VI of the Charter.<sup>42</sup>

problem.]

The period under review has been characterized, even

In a note to the Security Council dated 4 March 1966<sup>45</sup>

relation of decisions taken by the Security Council to

cerned, he had broadened the responsibilities of his

Article of Chapter VI of the Charter, contained recom-  
at facilitating pacific settlement of questions brought

prejudice to the mediation function envisaged in Security  
in his report of 10 March 1966<sup>46</sup> on the situation in

by the Government of Cyprus (Case 5), is illustrative  
of proceedings leading to the adoption of such resolutions

welcomed the broadened mandate of his Special Repre-  
sentative and had assured him of their co-operation to

of pacific settlement, to which it often referred in its

demonstrated.

adopted subsequent to resolution 220 (1966) of 16 March

consideration of the report of the Secretary-General.

visions requesting the parties concerned to act with the  
utmost restraint and to make determined efforts with  
as provided for in that resolution.<sup>43</sup>

Nigeria, Uganda and Uruguay submitted a draft resolu-  
tion 47 of which operative paragraphs 2 and 3 read as  
follows:

"The Security Council,

"...

"2. Urges the parties concerned to act with the  
utmost restraint and to make determined efforts with

the Analytical table of measures of Chapter VIII of this  
*Supplement*.

By reason of the unity of the provisions of Chapter VI  
of the Charter, reference should also be made to material  
gathered in other parts of this chapter of the *Supplement*.

CASE 5<sup>44</sup> COMPLAINT BY THE GOVERNMENT OF CYPRUS:

tina, paras. 59, 60; Cyprus, para. 98; Japan, paras. 61, 62; Nether-  
lands, para. 74; New Zealand, paras. 70, 71; United Kingdom,  
paras. 45, 50, 51; United States, para. 80; Uruguay, paras. 89, 90.

<sup>45</sup> S/7180, *O.R.* 21st yr., *Suppl. for Jan.-March 1966*, pp. 191,

<sup>46</sup> S/7191, *ibid.*, pp. 204-235. For relevant parts of the report,  
see paras. 138, 143 and 148.

<sup>47</sup> S/7205, adopted without change as resolution 220 (1966).

<sup>48</sup> The objectives of the Security Council, including pacific  
settlement through the good offices of the Secretary-General and  
a Mediator had been set out in resolutions 186 (1964) of 4 March,  
187 (1964) of 13 March, 192 (1964) of 20 June, 193 (1964) of  
18 December 1964, 201 (1965) of 19 March, 206 (1965) of 15 June,  
207 (1965) of 10 August and 219 (1965) of 17 December 1965, at

<sup>42</sup> For general criteria for entries under this part, see *Repertoire  
of the Practice of the Security Council 1946-1951*, pp. 296 and 410.

<sup>43</sup> See resolutions 222 (1966) of 16 June 1966, para. 2; 231 (1966)  
of 15 December 1966, para. 2; 238 (1967) of 19 June 1967, para. 2;  
244 (1967) of 22 December 1967, paras. 4 and 5; 247 (1968) of  
18 March 1968, para. 2; and 254 (1968) of 18 June 1968, para. 2.  
For proceedings and resolutions (242 (1967) and 259 (1968)),

<sup>44</sup> For texts of relevant statements, see:

the Government of Cyprus in previous supplement, see *Repertoire  
of the Practice of the Security Council, Supplement 1964-1965*



"3. Extends once more the stationing in Cyprus of the United Nations Peace-keeping Force established by the Security Council in its resolution of 1964, for a period of three months ending 20 June 1966, in the

He also stated that he fully supported the views of the Secretary-General on the essential requirements for a settlement. The key to a settlement lies, of course, with the

power draft resolution stated, among other things, that the draft, which was the result of consultations that had

by so doing, to facilitate and accelerate a settlement . . .". broadened responsibility of the Special Representative of

and to avoid saying anything that could do damage to the cause of the solution of the Cyprus question.

"I should like also to stress our view that the international community has every right to expect all parties concerned to co-operate faithfully and dili-

At the 1275th meeting on 16 March 1966, a number of representatives who spoke following the adoption of the

utmost towards the peaceful settlement of the question

When the internal peace was last met to consider the highly concerned that we not lose sight of the United States significant involvement towards a peaceful settlement and an agreed solution. My Government was therefore

this connexion that

keeping the peace, but to the peaceful settlement of the basic dispute. We welcome every step taken in that direction, and specially we recently welcomed the to his Special Representative . . . The fact that the Governments of Cyprus, Greece and Turkey promptly assured the Secretary-General that they will co-operate

recently given an enlarged mandate to his . . . Special Representative in Cyprus to employ his good offices and to make such approaches as may be productive. The United States regards this step as having a great potential for the restoration of peace and order." The representatives of Argentina, Cyprus, the Nether-

augury for his extended responsibility and purpose."

promote peaceful settlement of the question of Cyprus.