

**Chapter IX**

**DECISIONS IN THE EXERCISE OF OTHER FUNCTIONS AND POWERS**

NOTE

Decisions of the Security Council relative to recommendations to the General Assembly regarding the admission of new Members and other questions of membership have been dealt with in chapter VI, and the decisions on questions considered under the

During the period under review, further action has been taken by the Council regarding the decision taken in 1970 in the exercise of other functions and powers under the Charter.<sup>2</sup> The case history is presented below.

<sup>1</sup> Resolution 286 (1970). See Supplement 1969-1971, chapter IX for the case history.

<sup>2</sup> Decisions concerning the relations of the Security Council with other organs of the United Nations, arising from Articles 12, 93 (2) and 97 of the Charter, are covered in chapter VI.

THE SITUATION CREATED BY INCREASING INCIDENTS INVOLVING HIJACKING OF COMMERCIAL AIRCRAFT

Decisions, paragraph 6, 20 June 1972

Members of the Security Council, paragraph 10

In a telegram dated 8 June 1972 addressed to the Secretary-General, the Governing Body of the International Federation of Air Line Pilots Associations (IFALPA) requested the Security Council to convene a meeting not later than 16

The Security Council calls upon States to take all appropriate measures within their jurisdiction to deter and prevent such acts and to take effective measures to deal with those who commit such acts.

United Nations and International Civil Aviation Organization decisions and, in particular, enforcement measures against States offering sanctuary and failing to prosecute effective action, IFALPA would institute a worldwide 24-hour stoppage of air services on 19 June. In his reply telegram dated 11 June 1972, the Secretary-General ex-

The Security Council invites all States to expand and intensify co-operative international efforts and measures in this field in conformity with Charter obligations, with a view to ensuring the maximum possible safety and reliability of international civil aviation.

informed IFALPA that he had immediately relayed its message to the President of the Security Council and that consultations concerning the matter were being conducted

In a letter<sup>5</sup> dated 22 June 1972 to the President of the

accepted the consensus as showing concern with the evil of hijacking and indicating the course of action all can pursue, it had considerable reservations on the procedure followed

On 20 June 1972, the President of the Council announced<sup>4</sup> that the members of the Security Council on 20 June 1972 had adopted by consensus the following decision:

meeting, particularly when the provisional rules of procedure had not been suspended, could have serious and far-reaching legal and other consequences. Although his Government continued to believe that informal consul-

Members of the Security Council are gravely concerned at the threat to the lives of passengers and crews arising from the hijacking of aircraft and other unlawful interference with international civil aviation. In these circumstances, they wish to reaffirm Security Council resolution 286 (1970) of 9 September 1970 and to recall that the General Assembly has expressed its deep concern about the situation.

procedure followed should not constitute a precedent for future action by the Council on matters concerning international peace and security.

In a letter<sup>6</sup> also dated 22 June 1972 to the President of the Council the representative of Italy stated that, during the consultations, he had reserved the right to state his Government's position after the approval of the consensus of 20 June 1972. His Government would have preferred that the Council take a firmer stand on the question of the unlawful interference with international civil aviation, and

<sup>3</sup> S/10692, OR, 27th yr., Suppl. for April-June 1972, p. 107.

<sup>4</sup> S/10705, *ibid.*, p. 128.

<sup>5</sup> S/10709, *ibid.*, pp. 132-133.

<sup>6</sup> S/10711, *ibid.*, pp. 133-134.

it would have also preferred the adoption of a resolution on the matter in a formal meeting of the Security Council rather than a decision passed upon by the members of the

avoided, *inter alia*, the discrepancy between the opening

words of the first two paragraphs of the consensus and those of the last two paragraphs. Such formal expediences, aiming at circumventing obstacles of a substantial nature

significance of decisions taken by the Council.