

Chapter IX

DECISIONS IN THE EXERCISE OF OTHER FUNCTIONS AND POWERS

NOTE

Decisions of the Security Council relating to recommendations to the Council

under the Council's responsibility for the maintenance of international peace and security in chapter VIII. During the period under review, no further action was taken by the Council regarding the decisions taken in 1970¹ and 1972,² on the question of hijacking, in the exercise of other functions and powers under the Charter.³

The issue of hijacking did arise on one occasion, however, in connection with the complaint by the Prime Minister of Mauritius, current Chairman of the Organization of African Unity (OAU), of the "act of aggression" by Israel against Uganda and in the course of its consideration of that item the Council voted upon a draft resolution dealing with the question of hijacking which referred to the Security Council consensus on that subject of 20 June 1972. As past practice has been to present

¹ Resolution 286 (1970). See *Repertoire of the Practice of the Security Council, Supplement 1969-1970*, chap. IX, for the case history.

² Consensus of 20 June 1972. See *Repertoire of the Practice of the Security Council, Supplement 1972-1974*, chap. IX, for the case history.

³ Decisions concerning the relations of the Security Council with other organs of the United Nations, arising from Articles 12, 93, paragraph 2, and 97 of the Charter, are covered in chapter VI.

⁴ The case history presented below focuses on the Council's consideration of this item as it relates to the question of hijacking; for a complete history see chapter VIII.

COMPLAINT BY THE PRIME MINISTER OF MAURITIUS, CURRENT CHAIRMAN OF THE ORGANIZATION OF AFRICAN UNITY, OF THE "ACT OF AGGRESSION" BY ISRAEL AGAINST THE REPUBLIC OF UGANDA

Decision of 14 July 1976 (1943rd meeting): rejection of the two-Power draft resolution.

At its 1029th to 1042nd meetings, from 9 to 14 July

Minister of Mauritius, current Chairman of the OAU,

which dealt with the Israeli raid on Entebbe Airport

following the hijacking of an aircraft on 4 July 1976,

every member of the Council condemned hijacking and

combat international terrorism; however, a number of

delegations objected to a discussion of the question in

departure from the agreed agenda.⁴ At the 1040th meet-

speaking on a point of order, stated that he opposed the

attempts to distract the Council from its agreed agenda

by debating the hijacking,⁶ to which the President of the

Council replied that any item had always been interpreted

with some latitude and it was the duty of each participant

to stick to the item, but not with such a restrictive inter-

pretation.⁷ At the 1941st meeting, the representative of

the United Republic of Tanzania voiced objections similar

to those of the Libyan Arab Republic, and stated that

his delegation would have preferred the case of the vio-

lation of Uganda's sovereignty to be treated on its own

merits, and the question of hijacking, with all its impli-

cations, also to be treated on its own merits.⁸

Other delegations stated that the Council could not

the events that had led to it, with a view to preventing

ing, the representative of the United Kingdom, recurring

was: (a) to make the existing international action as

prompt as possible by all members of the international com-

munity; and (b) to consider whether there was any

further action that the international community, and

The representative of the United States, at the 1941st

meeting, stated that his delegation believed strongly that

the Council should address itself to the causes of incidents

such as that which had occurred in Uganda, and once

again take positive action to put an end to such senseless

violence. The Council should reaffirm its opposition to

hijacking, which was expressed in the Council's consensus

decision on hijacking adopted on 20 June 1972, and take

a firm stand against terrorist hijacking, which was one

of the most dangerous threats to peace and security in

the world today.¹⁰

⁸ 1941st mtg., paras. 97-120.

⁹ 1941st mtg., paras. 99-100.

¹⁰ 1941st mtg., paras. 97-120; 1942nd mtg.: Japan, paras. 48-58; and 1943rd mtg.: Italy, paras. 54-67.

⁶ 1940th mtg., paras. 6-12.

⁷ *Ibid.*, paras. 22 and 23.

At the 1940th meeting, the representative of the United Kingdom, on behalf of the United Kingdom and the United States, introduced a draft resolution¹¹ that, in its

decision on hijacking adopted by consensus on 20 June 1972, and other international instruments against hijack-

ing and other acts that threatened the

national civil aviation and call upon all States to take every necessary measure to prevent and punish all such terrorist acts; deplore the tragic loss of human life that had resulted from the hijacking of the French aircraft; reaffirm

consideration of further means of assuring the safety and

Prior to the voting, at the same meeting, the representative of Pakistan stated that, while his Government was opposed to and deplored hijacking and would be ready

at any time and place, the draft resolution before the Council was not really related to the subject matter under discus-

sion. He participated in the vote.¹² Other members gave similar

After the vote, at the same meeting, the representative of the United Kingdom stated that his delegation's interest in sponsoring the draft resolution had been to promote an equitable and balanced resolution covering all aspects

of the subject. Although it had not been possible to agree on a text at the current time, they hoped that the debate would occur

¹¹S/12138, OR, 31st yr., Suppl. for July-Sept. 1976.

¹²1940th mtg., paras. 102-109.

¹³1943rd mtg., paras. 151-155.

¹⁴See 1943rd mtg.: Guyana, paras. 156-158; Benin, para. 159; and USSR, paras 160 and 161.

¹⁵*Ibid.*, paras. 164-177.