

Chapter VI

~~RELATIONS WITH OTHER UNITED NATIONS ORGANS~~

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INTRODUCTORY NOTE

The present chapter, as in previous volumes, deals with relations of the Security Council with all the other organs of the United Nations. Consequently, its scope is broader than that of chapter XI of the provisional rules of procedure of the Council (rule 61), which covers only certain proceedings related to

the International Court of Justice (ICJ).

tion by the Trusteeship Council to the Security Council of questionnaires and reports (part III). No material has been found for the period under review which would require treatment under parts II, IV and V, relating respectively to relations with the Economic and Social Council, ICJ and the Military

This chapter contains material concerning the relations of the Council with the General Assembly (part I) and also brings up to date the account in the

they are governed by the provisional rules of procedure of the Council, are covered in chapter I, part IV. Proceedings regarding the appointment of the Secretary-General under Article 97 are treated in part I of

Part I

RELATIONS WITH THE GENERAL ASSEMBLY

NOTE

In part I, concerning the relations of the Council with the General Assembly, the arrangement of the

bearing on the conditions of accession to the ICJ Statute.

The third category, dealing with cases where the final decision depends upon action to be taken by members of ICJ, is treated in section E.

where a final decision is or is not to be taken by one organ without a decision to be taken in the same matter by the other. The proceedings in these in-

the previous *Supplement*, entries under this heading are presented in a tabular format.

Section G contains a tabulation of recommenda-

ings in relation to Article 12 of the Charter. Section A limiting the authority of the General Assembly in respect of any dispute or situation while the Council

Section H contains references to the annual and triennial reports of the Secretary-General.

sions of Article 12, paragraph 1, and notifications by the Secretary-General to the Assembly under Article 12, paragraph 2. Section B deals with the practices and proceedings related to the convocation of a

“1. While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation

Article 12, paragraph 1, indicating that the Council may request the Assembly to make recommendations with regard to a dispute or situation in respect of which the Council is exercising its functions.

Security Council so requests.

“2. The Secretary-General, with the consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security

The second category comprises instances where the decision by the Council must be taken before that of

matters.”

There was no material for the period under review

NOTE

CASE I

In a report⁴ dated 21 December 1981 on the

At its 2322nd to 2330th meetings, from 6 to 28 January 1982, the Council met in accordance with

connection with the situation in the occupied Arab territories, the Secretary-General referred to a statement⁵ made by the representative of Israel in the Assembly on 17 December 1981 in which the Israeli representative, recalling Article 12, paragraph 1, of the Charter, had stated that the Assembly was precluded from adopting any resolution on the matter while the Council was seized of it. In a letter⁶ dated 28 January 1982 concerning the Council's decision under resolution 500 (1982) to convene an

situation in the occupied Arab territories. At its 2329th meeting, on 20 January 1982, the Council voted on a revised draft resolution¹⁰ sponsored by Jordan, which was not adopted owing to the negative vote of a permanent member of the Council. At the 2330th meeting, on 28 January 1982, the President drew attention to the following draft resolution¹¹ sponsored by Jordan:

The Security Council,

below) the representative of Israel again character-

as contained in document S/Agenda/2329/Rev.1,

matter as a violation of Article 12, paragraph 1.

its primary responsibility for the maintenance of international peace and security,

Notifications to the General Assembly under Article 12, paragraph 2, by the Secretary-General, with the consent of the Council, of "matters relative to the maintenance of international peace and security which are being dealt with by the Security Council" and of matters with which the Council has ceased to deal have been drafted on the basis of the "Summary statement by the Secretary-General on matters of which the Security Council is seized and on the state

Decide to call an emergency special session of the General Assembly to examine the question contained in document S/Agenda/2329/Rev.1.

each week by the Secretary-General in accordance with rule 11 of the provisional rules of procedure.

The representative of Israel, participating in the discussion under rule 37 of the Council's provisional rules of procedure, denied the existence of an emergency situation and asserted that, in any case, there was no basis for convening an emergency special

The notification issued before each regular session of the General Assembly contains the same agenda

session since the General Assembly has not yet concluded its thirty-sixth regular session. The Assembly had already considered the item in question and had adopted a resolution, and there was nothing to prevent its further discussion of the matter if the

event that certain items in the statement that are not international peace and security" for the purpose of Article 12, paragraph 2, are excluded from the notification, e.g., rules of procedure of the Council, applications for membership and the application of

concluded that convening an emergency special emergency mechanism provided for under rule 8 of the Assembly's rules of procedure.¹²

Article 12, paragraph 2, are excluded from the notification, e.g., rules of procedure of the Council, applications for membership and the application of

The representative of the United States stated that no productive purpose would be served by a further

session contains a list of any items with which the Council has ceased to deal since the previous session of the General Assembly.⁷

rather, exacerbate the conflict and diminish the prospects for peace.¹³

ries: (a) matters that are being dealt with by the Council and were discussed during the period since the last notification; and (b) matters of which the

desired objective of getting Israel to rescind its decision and to refrain from any similar action in future. His delegation would prefer to see the Council

Since 1947, the consent of the Council required by Article 12, paragraph 2, has been obtained through the circulation by the Secretary-General to the members of the Council of copies of the draft notifica-

The Council adopted the draft resolution by 13 votes in favour, none against, with 2 abstentions, as resolution 500 (1982).

B. PRACTICES AND PROCEEDINGS IN RELATION TO THE CONVOCAION OF A SPECIAL SESSION OF THE GENERAL ASSEMBLY

THE GENERAL ASSEMBLY OF AN ITEM BEING CONSIDERED BY THE SECURITY COUNCIL

convened at the call of the Council during the period under review. On one occasion, the Council called an emergency special session of the Assembly.⁸ The relevant proceedings of the Council are set forth in the case history entered below.

1. Appointment of the Secretary-General

Article 97 of the Charter

"The Secretariat shall comprise a Secretary-General and such staff as the Organization may

require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organization."

NOTE

In accordance with rule 48 of the provisional rules

Assembly regarding the appointment of the Secretary-General have been held in private, and the Council has voted by secret ballot. A communiqué circulated at the end of each meeting, in accordance with rule 55, has indicated the stage reached in the consideration of the recommendation. During the period under review the Council considered and unanimously adopted a recommendation of this kind (case 2).

CASE 2

At its 2303rd-2305th, 2310th and 2312th meetings, held in private on 27 and 28 October, 4 and 17 November and 11 December 1981, respectively, the Council considered the question of the recommendation for the appointment of the Secretary-General of the United Nations. At its 2312th meeting, the Council unanimously adopted resolution 494 (1981) recommending that Mr. Javier Pérez de Cuéllar be appointed as Secretary-General of the United Nations for a term of office from 1 January 1982 to 31 December 1986. By letter¹⁶ dated 11 December 1981, the President transmitted the recommendation to the President of the General Assembly.

****2. Conditions of accession to the Statute of the International Court of Justice**

****3. Conditions of participation of States not Members of the United Nations but parties to the Statute of the International Court of Justice in the amendment of the Statute**

****4. Conditions under which a non-member State may become a member of the International Court of Justice**

E. PRACTICES AND PROCEEDINGS IN RELATION TO

Article 4

"1. The members of the Court shall be elected by the General Assembly and by the Security Council from a list of persons nominated by the national groups in the Permanent Court of Arbitration . . ."

Article 8

elect the members of the Court.

Article 10

the Security Council shall be considered as elected.
"2. Any vote of the Security Council, whether for the election of judges or for the appointment of

members of the conference envisaged in Article 12, shall be taken without any distinction between permanent and non-permanent members of the Security Council.

"3. In the event of more than one national of the same State obtaining an absolute majority of the votes both of the General Assembly and of the Security Council, the election shall be held

Article 11

"If, after this first meeting held for the purpose of the election, one or more seats remain to be filled, a second and, if necessary, a third meeting shall take place."

Article 12

"1. If, after the third meeting, one or more seats still remain unfilled, a joint conference consisting of six members, three appointed by the General Assembly and three by the Security Council, may be formed at any time at the request of either the General Assembly or the Security Council, for the purpose of choosing by the vote of an absolute majority one name for each seat still vacant, to submit to the General Assembly and the Security Council for their respective acceptance.

"2. If the joint conference is unanimously agreed upon any person who fulfils the required conditions, he may be included in its lists, even though he was not included in the list of nominations referred to in Article 7.

"3. If the joint conference is satisfied that it will not be successful in procuring an election, those members of the Court who have already been elected shall, within a period to be fixed by the Security Council, proceed to fill the vacant seats by selection from among those candidates who have obtained votes either in the General Assembly or in the Security Council.

"4. In the event of an equality of votes among the judges, the eldest judge shall have a casting

vote which shall be fixed by the same method as that laid down for the first election, subject to the

by the Security Council."

PROVISIONAL RULES OF PROCEDURE OF THE SECURITY COUNCIL

Rule 61

Relations with other United Nations organs

"Any member of the Security Council shall

members of the Court shall continue until as many candidates as are required for all the seats to be filled have obtained in one or more ballots an

CASE 3

At its 2262nd meeting, on 15 January 1981, in accordance with the decision contained in resolution

480 (1980), the Council proceeded to the election of two members of ICJ to fill two seats that had become vacant. Before the voting, the President referred to

that in accordance with Article 10, paragraph 1, of the Statute, the members of the Council would be elected by an absolute majority of votes in both the General Assembly and the Council and that the required majority in the Council was eight votes.¹⁸

The President informed the members of the Council that they would receive a separate ballot for each candidate and would vote for one candidate only on each ballot. The Council would continue balloting to

announce the result to the President of the General

proceed to vote on the second vacancy. The President of the Court, a member of the Court elected to replace a member whose term of office had not expired would hold office for the remainder of his predecessor's term.¹⁹

A vote was taken by secret ballot and the President stated that he would communicate the result to the President of the General Assembly and requested the Council to remain in session until he had received the results of the voting in the Assembly. After the first round of balloting, the President announced that he had received a letter from the President of the Assembly informing the Council that the same candidate had been elected by the Assembly at its 100th plenary meeting. The candidate had therefore been elected a member of ICJ for a term of office ending on 5 February 1988.²⁰

The President noted that if on the first ballot no candidate obtained the required majority it would be necessary to proceed to other ballots until the vacancy had been filled. A vote was taken by secret ballot and the candidate received the required majority. The President announced that he had received a communication from the President of the General Assembly indicating that the same candidate had been elected

for a term of office ending on 5 February 1985.²¹

CASE 4

At its 2306th meeting, on 5 November 1981, the Council proceeded to the election of five members of ICJ to fill the seats that were to become vacant on 5

to the procedure that had been followed in the past. After the first vote by secret ballot, two candidates

had received the required majority. The same

majority, and after the fourth ballot the third candidate had received the required majority. The same

CASE 5

by. The five candidates were thus elected members of ICJ for a term of nine years, beginning on 6 February 1982.²¹

Council was required to fix the date of the elections

and was adopted unanimously as resolution 499

(1981) 25, which the Council adopted at a meeting of the Council and at a meeting of the General Assembly at its resumed thirty-sixth session.

CASE 6

accordance with the decision contained in resolution 499 (1981), the Council proceeded to the election of one member of ICJ to fill a seat that had become vacant.²⁶ After the first vote by secret ballot one candidate had received the required majority and the same candidate was elected by the General Assembly; accordingly, he was elected a member of ICJ for a term of office expiring on 5 February 1988.

CASE 7

At its 2501st meeting, on 7 November 1984, the Council proceeded to the election of five members of

February 1985.²⁷ After the first vote by secret ballot, five candidates had received the required majority. The same five candidates were elected by the General Assembly and were thus elected members of the Court for a term of nine years, beginning on 6 February 1985.

F. RELATIONS WITH SUBSIDIARY ORGANS

No constitutional discussion took place during the period under review bearing on the relations between organs established by the General Assembly and the Council. The tabulation below gives an account of communications from those organs and of their

COMMUNICATIONS FROM THE SPECIAL COMMITTEE ON THE SITUATION UNDER
OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

Document symbol	Date	Subject
S/14635	20.8.81	Transmitting the text of a consensus on the question of 1981 (A/AC.109/673) in which it recommended that the Council consider adopting measures to widen the scope of resolution 418 (1977) (para. 12) and deplored the Council's recent failure to impose mandatory sanctions against South Africa (para. 14); also drawing attention to the records A/AC.109/PV.1189-1195.
S/14651	27.8.81	Transmitting the text of the conclusions and recommenda- adopted by the Special Committee on 20 August 1981 (A/AC.109/L.1408), in which the Special Committee noted that the Security Council was currently seized of the reports on the strategic Trust Territory of the Pacific Islands and called attention to Article 83 of the Charter, under which the Council would, <i>inter alia</i> , avail itself of the assistance of the Trusteeship Council to perform the
S/15351	12.8.82	areas (para. 13). Transmitting the text of the conclusions and recommenda- tions concerning the Trust Territory of the Pacific Islands adopted by the Special Committee on 10 August 1982 (A/AC.109/L.1438), in which the Special Committee noted that the Security Council was currently seized of the reports on the strategic Trust Territory of the Pacific Islands and called attention to Article 83 of the Charter under which the Council would, <i>inter alia</i> , avail itself of the assistance of the Trusteeship Council to perform the
S/15374	26.8.82	cal, economic, social and educational matters in strategic areas (para. 13). Transmitting the text of a consensus concerning the ques- tion of Namibia adopted by the Special Committee on 20 August 1982 (A/AC.109/716 and Corr.1), in which it recommended that the Security Council consider adopt- ing measures to widen the scope of resolution 418 (1977)
S/16050	18.10.83	terms of Chapter VII of the Charter (para. 14). Transmitting the text of a decision concerning the ques- tion of Namibia adopted by the Special Committee on 13 October 1983 (A/AC.109/760), in which it recommended that the Security Council consider adopting measures to widen the scope of resolution 418 (1977) (para. 12) and that it impose comprehensive mandatory sanctions against South Africa under the terms of Chapter VII of the Charter (para. 14). Transmitting the text of a decision concerning the ques- tion of Namibia adopted by the Special Committee on 20 August 1984 (A/AC.109/794), in which it recommended that the Council consider adopting further measures to widen the scope of resolution 418 (1977) (para. 14) and that it impose comprehensive mandatory sanctions

Document symbol

Date

Subject

S/16721

29.8.84

Transmitting the text of the conclusions and recommenda-

adopted by the Special Committee on 27 August 1984 (A/AC.109/L.1532) in which the Special Committee noted that the Council was currently seized of the reports on the strategic Trust Territory of the Pacific Islands and called attention to Article 83 of the Charter, under which the Council would, *inter alia*, avail itself of the assistance of the Trusteeship Council to perform the functions under the Trusteeship System relating to political, economic, social and educational matters in strategic areas (para. 14).

S/14443

15.4.81

Transmitting the text of the Declaration of the International Seminar on Loans to South Africa.

S/14479

14.5.81

Transmitting the text of a statement by the Chairman of the Special Committee denouncing the proposed discussion of a "South Atlantic Alliance" at a conference on military strategy to be held at Buenos Aires and include participation by representatives of South Africa, the United States and several Latin American countries, which emphasized that a military alliance with South Africa would violate the Council's mandatory arms embargo and constitute a hostile act against the people of South Africa and all independent African States.

S/14531

15.6.81

Transmitting the texts of (a) the Paris Declaration on Sanctions against South Africa, which, *inter alia*, stated that the Council must recognize South Africa's breaches of peace and take action under Chapter VII of the Charter, drew the attention of the Western permanent members of the Council to their responsibilities under the Charter and supported the call for an early meeting of the Council in order to impose comprehensive and mandatory sanctions against South Africa in company with a programme of assistance under Article 50 of the Charter to those States that would be seriously affected (annex I) and (b) the Special Declaration on Namibia (annex II), which were adopted by the International Conference on Sanctions against South Africa.

S/14666

31.8.81

Transmitting the text of a statement issued by the Special

International Commission against Apartheid, including the Berlin declaration (annex I), the Declaration on Aggression by the South African Racist Régime against the People's Republic of Angola, which, *inter alia*, stated that the Council must (a) declare South Africa the aggressor; (b) demand the immediate and unconditional withdrawal of South African forces from Angola; (c) declare South Africa liable for full reparations; (d) adopt comprehensive and mandatory sanctions without delay; and (e) call upon all States to assist Angola, at its request, for the defence of its sovereignty and territorial integrity (annex II) and the Appeal to the West African States (annex III).

S/14688

15.9.81

Transmitting the report of the International Conference on Sanctions against South Africa, which included the Paris

Document symbol	Date	Subject
S/14689 and Add.1 and Add.2	19.11.81 17.9.81 6.11.81	Submitting the annual report of the Special Committee, in which, <i>inter alia</i> , it recommended that the Council endorse the declarations of the international Conference and the three international seminars sponsored by the Special Committee (see S/14442, S/14443, S/14531 and S/14686 above), noted with dismay that the Council had been unable to condemn South Africa's aggression against Angola because of the veto of a permanent member of the Council, noted with great regret that the Western perma-
		tuted a threat to international peace and security requiring action under Chapter VII of the Charter and ex- members represented a violation of their responsibilities under the Charter and an abuse of the veto, noted with alarm the Council's continued failure to prevent the acquisition by South Africa of nuclear weapons capability.
		institute a mandatory oil embargo, noted with regret that the Council had failed to take effective steps to end foreign investment in and loans to South Africa, and recommended that the General Assembly request action by the Council under Chapter VII of the Charter; also submitted were the first special report on recent developments concerning relations between Israel and South Africa, on 17 September 1981 (S/14689/Add.1) and the second special report on the International Year of Mobilization for Sanctions against South Africa, on 6 November 1981 (S/14689/Add.2).
S/14724	14.10.81	Transmitting the text of a declaration adopted by the Special Committee on 12 October 1981 in observance of the Day of Solidarity with South African Political Prisoners.
S/15150	2.6.82	Transmitting the text of the declaration adopted by the International Conference on Women and <i>Apartheid</i> .
S/15157	3.6.82	Transmitting the text of the Manila Declaration for Action against <i>Apartheid</i> adopted by the Asian Regional Conference for Action against <i>Apartheid</i> .
S/15247	22.6.82	Transmitting the text of a statement adopted by the Special peace in southern Africa and the implementation of the United Nations resolutions for an end to military, nuclear and other collaboration with South Africa which, <i>inter alia</i> , called for urgent action for effective sanctions against South Africa in the military, nuclear and other fields and stated that the Security Council Committee established by resolution 421 (1977) should be reactivated in order to ensure the effective implementation of resolution 418 (1977).
		on the supply of petroleum and petroleum products to South Africa under Chapter VII of the Charter, stressed the need for total economic sanctions against South Africa under Chapter VII of the Charter, and especially
		aggression, terrorism and subversion and any support for mercenaries, that it demand that South Africa pay damages for its acts of aggression, especially to Angola and Seychelles, and that it call upon all States to assist the independent African States in the defence of their countries against aggression and in reconstruction; also submitted were the first special report on recent developments concerning relations between Israel and South Africa, on 28 September 1982 (S/15383/Add.1) and the
S/15405	20.9.82	Letter to the Secretary-General dated 16 September 1982 requesting that he bring to the attention of the Council

Document symbol	Date	Subject
S/15508	3.12.82	and the General Assembly the death sentences imposed upon three members of the African National Congress of South Africa in order that they might take urgent action, in accordance with their relevant resolutions, to save the young men's lives. Transmitting the text of the declaration adopted by the Conference of West European Parliamentarians on Sanctions against South Africa in which <i>inter alia</i> they called upon the Council to impose mandatory sanctions against South Africa, and in particular, to prohibit military and
S/15634	3.3.83	products, to stop all new investments and loans and to end imports of coal and other commodities. Letter to the Secretary-General dated 1 March 1983 regarding the death sentences imposed upon three South African freedom fighters and enclosing a letter from their attorneys.
S/15832	16.6.83	Transmitting the text of the declaration adopted by the International Conference of Trade Unions on Sanctions and Other Actions against the <i>Apartheid</i> Régime in South Africa, in which, <i>inter alia</i> , it requested that the United Nations make sanctions against South Africa mandatory, endorsed the recommendations of the Security Council Committee established by resolution 421 (1977) and urged that the Council adopt them without delay, and further urged that the arms embargo be extended to cover the purchases of arms and military equipment from South Africa, raw materials and technology used in the production of nuclear energy and oil and petroleum products.
S/15881	25.7.83	Transmitting the text of the declaration adopted by the International Non-Governmental Organizations Conference of Action against <i>Apartheid</i> and Racism, in which
S/15882	25.7.83	sanctions against South Africa under Chapter VII of the Charter. Transmitting the text of the Declaration adopted by the International Conference on Sanctions against <i>Apartheid</i> in Sport.
S/15882	25.7.83	Transmitting the text of the declaration adopted by the International Conference on the Alliance between South
S/16101 and Add.1	31.10.83	South Africa to give urgent consideration to Israeli collaboration with South Africa in the military and nuclear fields, and called upon the Western permanent members of the Council to co-operate in effective action by the Council under Chapter VII of the Charter in respect of South Africa. <i>Apartheid</i> , in which, <i>inter alia</i> , it declared that the international community must exert effective pressure on South Africa through sanctions under Chapter VII of the Charter and emphasized the special responsibility of the permanent members of the Council, urging them to take effective action in the implementation of all relevant resolutions. Submitting the annual report of the Special Committee against <i>Apartheid</i> , in which, <i>inter alia</i> , it recommended: (a) that the Council review the implementation of its resolutions on South Africa, identify the causes of non-compliance and urge those States which have refused to co-operate in international action respect the South Africa of the serious consequences of its policy and urge it to seek a peaceful solution in accordance with United Nations resolutions through genuine negotiations with the leaders of the national liberation movement; (c) that the Council endorse the declarations of the conferences organized, co-sponsored or promoted by the Special Committee in 1983; and (d) that the General Assembly and the Council reconsider the question of South Africa's membership in the United Nations. The report also urged that the Council (a) take action on the proposals of the Security Council Committee on the strengthening of the

Document symbol	Date	Subject
S/16102	8.11.83	embargo on the supply of petroleum and petroleum products to South Africa under Chapter VII of the Charter; and (d) consider urgent measures to prevent further executions of patriots in South Africa and to ensure that captured freedom fighters would be accorded prisoner of war status under the Geneva Convention of 1949 and Additional Protocol I of 1977. Also submitted was a special report on recent developments concerning relations between Israel and South Africa (S/16101/Add.1). Transmitting the programme of action against <i>apartheid</i> adopted by the Special Committee on 25 October 1983.
S/16669	11.7.84	southern Africa as a whole, in which it called for the imposition of comprehensive and mandatory sanctions against South Africa and other action by the international community. Transmitting the text of a special message given by His Holiness Pope John Paul II to the Chairman of the Special Committee when he received the Chairman in audience at the Vatican on 7 July 1984.
S/16686	2.8.84	Transmitting the declaration adopted by the North American Regional Conference for Action against <i>Apartheid</i> .
S/16709 and Corr. I	27.8.84	Transmitting the text of the declaration adopted by the Seminar on the Legal Status of the <i>Apartheid</i> Régime and other Legal Aspects of the Struggle against <i>Apartheid</i> which, <i>inter alia</i> , concluded that South Africa had placed itself in a situation of international illegitimacy, as a consequence of which States should not maintain diplo-
S/16726	31.8.84	further concluded that the continued exercise of the veto by the three Western permanent members of the Security Council exemplified their refusal to remove a situation of serious criminality, demanded that the Council take immediate steps under Chapter VII of the Charter to implement resolution 435 (1978), stressed that the Council should impose binding economic, military, nuclear and other forms of sanctions and stated that in the meantime the Council should strengthen the content and machinery of monitoring the arms embargo imposed in 1977. Transmitting the text of the declaration and resolutions adopted by the Council on 31 August 1984.
S/16752	20.9.84	<i>alia</i> , it asserted that the Council must impose comprehensive and mandatory sanctions against South Africa under Letter from the Chairman of the Special Committee appealing to the President of the Council for his good offices in securing the safety and freedom of six South African leaders who had opposed the new South African Constitution—which the Council had declared “null and void” in resolution 554 (1984)—and who had sought refuge in the Consulate-General of the United Kingdom in Durban.
S/16814 and Corr. I	5.11.84	Submitting the annual report of the Special Committee
		sanctions against South Africa under Chapter VII of the Charter and referred, in particular, to the cessation of all military and nuclear collaboration with South Africa, an oil embargo against South Africa, the termination of trade
		a special report on recent developments concerning relations between Israel and South Africa (S/16814/Add.1)

Document symbol	Date	Subject
		recommendations of the Security Council Committee established under resolution 421 (1977).

(d) COMMUNICATIONS FROM THE COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE

Document symbol	Date	Subject
S/14389	2.3.81	Letter dated 27 February 1981 expressing concern over Israel's confiscation of Arab land in occupied Palestinian territory and calling for urgent action by the Council to call Israel's attention to the danger of such policies and the necessity of its withdrawal from the occupied territories.
S/14430	9.4.81	Letter dated 7 April 1981 calling attention to recent press reports indicating Israel's intention of pursuing policies in violation of international law and United Nations resolutions.
S/14477	11.5.81	Letter dated 8 May 1981 expressing concern at the situation created by acts committed by Israel in Lebanon.
S/14566	23.6.81	Letter dated 19 June 1981 concerning the establishment of new settlements by Israel in the occupied Arab territories and calling for urgent and vigorous action by the Security Council.
S/14593	16.7.81	Letter dated 15 July 1981 expressing concern at Israel's complete disregard for the rights of the Palestinian people and calling for urgent steps to be taken by the Council to alert Israel to the dangers inherent in such policies.
S/14641	25.8.81	Letter dated 24 August 1981 conveying concern and strong protest at the latest situation created by Israel in the occupied West Bank and Gaza Strip.
S/14695	18.9.81	Letter dated 17 September 1981 expressing concern at Israel's actions in Jerusalem, including excavations endangering Islamic buildings.
S/14698	18.9.81	Transmitting the report of the delegation of the Committee on the Exercise of the Inalienable Rights of the Palestinian People on its visit to Lebanon from 24 to 26 August 1981.
S/14719	7.10.81	Letter dated 6 October 1981 expressing concern over a recent series of bomb attacks carried out against Palestinians based in Lebanon.
S/14739	28.10.81	Letter dated 23 October 1981 drawing attention to General Assembly resolution 35/169 A and requesting the Council to consider and take action on the Assembly's request before the Assembly's consideration of the question of Palestine on 7 December 1981.
S/14844	25.1.82	Letter dated 22 January 1982 concerning Israeli plans to clear all Palestinian Bedouins out of a great swath of the occupied West Bank and Gaza Strip.
S/14870	22.2.82	Letter dated 18 February 1982 expressing concern at the continuing violation of international law and United Nations resolutions and calling for urgent measures by the Security Council to put an end to Israeli acts and policies endangering international peace and security.
S/14897	9.3.82	Letter dated 8 March 1982 concerning the violation of human rights committed by Israeli authorities in the occupied West Bank and Gaza Strip.
S/15120	26.5.82	Letter dated 24 May 1982 expressing concern at the dangerous situation created by Israeli policies in the occupied West Bank and Gaza Strip and calling for reactivation of the Commission established under Security Council resolution 446 (1979).
S/15188	9.6.82	Letter dated 8 June 1982 expressing grave concern at Israel's invasion of southern Lebanon and appealing for decisive steps by the Council to bring the situation to an immediate end.

Document symbol	Date	Subject
S/15222 ²¹⁰	16.6.82	Letter dated 15 June 1982 expressing concern at Israel's continued occupation of the greater part of Lebanon and asserting that steps by the Council to put an end to the bloodshed were essential.
S/15244	21.6.82	Letter dated 18 June 1982 expressing concern at Israel's dissolution of the elected town councils of two West Bank towns.
S/15270	17.7.82	Letter dated 7 July 1982 expressing concern at the latest reports on the occupied West Bank.
S/15393	16.9.82	Letter dated 14 September 1982 expressing concern at the latest report on the occupied West Bank.
S/15410	21.9.82	Letter dated 20 September 1982 conveying horror and consternation at the massacres in the Shatila and Sabra Palestinian refugee camps in West Beirut, expressing the
		dations of the Committee, and urging that the Council take action to implement the Committee's recommendations without delay.
S/15476	2.11.82	Letter dated 29 October 1982 expressing distress at the
S/15482	9.11.82	Letter dated 8 November 1982 expressing concern at the persisting Israeli policy of establishing settlements in the occupied West Bank and Gaza Strip.
S/15572	24.1.83	Letter dated 21 January 1983 drawing attention to new measures taken by Israel as part of its policy of establishing settlements in the occupied West Bank and expressing concern at the continuing violation of the human rights of the Palestinians residing in the occupied territories.
S/15595	2.2.83	Letter dated 22 January 1983 expressing concern at the violations of the legal and human rights of the Palestinians residing in the occupied territories.
S/15667	31.3.83	Letter dated 30 March 1983 regarding recent illness among Arab schoolgirls of the occupied West Bank which local physicians believed to have been induced by some kind of poisoning.
S/15880	22.7.83	Letter dated 18 July 1983 regarding new measures taken by
		which aggravated tensions and might constitute a threat to international peace.
S/16038	12.10.83	Transmitting the text of the Geneva Declaration on Palestine and the Programme of Action for the Achievement of Palestinian Rights, adopted at the International Conference on the Question of Palestine held from 29 August to 7 September 1983, in which, <i>inter alia</i> , the Conference invited the Council: (a) to take immediate action to stop those Israeli policies in the occupied territories which the Council had determined to have no legal validity, especially the establishment of settlements; (b) to consider urgently the reports of the Security Council Commission
		exploitative economic policies in the occupied territories; (d) to monitor Israeli actions against the Palestinian people, which violated the stipulations of General Assembly resolutions, including especially resolution 181 (II) of 29 November 1947, which guaranteed all persons equal and non-discriminatory rights and freedom; (e) to consider appropriate measures under the Charter to ensure Israel's compliance with relevant United Nations resolutions in the event of its persistent non-compliance; (f) to suppress acts of aggression and other breaches of the peace in the Middle East; and (g) to facilitate the organization of an international peace conference, which would establish an independent Palestinian State in Palestine through the implementation of the relevant
		institutional arrangements to carry out the accords of the conference.
S/16136	7.11.83	Letter dated 4 November 1983 expressing concern at the decision of the Israeli authorities to close down Bethlehem University in the occupied West Bank.

Part I. Relations with the General Assembly

DOCUMENT SYMBOL	DATE	SUBJECT
S/16261	10.1.84	ities of two persons who had attended the International Conference on the Question of Palestine at the request of the United Nations, because they had met during the Conference with representatives of the Palestine Liberation Organization.
S/16327	7.2.84	Letter dated 9 January 1984 expressing deep distress at recent developments in the Israeli Knesset regarding the occupied West Bank and Gaza Strip.
S/16373	27.2.84	Letter dated 6 February 1984 drawing attention to a recent attempt to desecrate or destroy the holiest Muslim shrine.
S/16442	28.3.84	Letter dated 24 February 1984 regarding further discriminatory action against the individuals referred to in the letter dated 18 November 1983 (see S/16171 above).
S/16493	19.4.84	Letter dated 26 March 1984 regarding further Israeli settlements and the annexation of land in the occupied territories.
S/16521	4.5.84	Letter dated 19 April 1984 regarding the removal of the Embassy of El Salvador in Israel from Tel Aviv to Jerusalem.
S/16560	17.5.84	Letter dated 4 May 1984 regarding an international peace conference in London on 16 May 1984, during which the rights of the Palestinians were again violated.
S/16841	26.11.84	Letter dated 26 November 1984 expressing concern at a recent report on renewed acts of repression against Palestinians, including the shooting of unarmed demonstrators by the Israeli police forces in the occupied territories.

2. Participation of representatives of subsidiary organs of the General Assembly

Participating organ	Invitation extended by the Council	Agenda item	Participation: date and number of Council meetings
United Nations Council for Namibia	2267th meeting	Situation in Namibia	21-30 April 1981, 2267th-2277th meetings
Implementation of the			
Countries and Peoples			
Special Committee against Apartheid	2398th meeting	Question of South Africa	23 September 1982, 2398th meeting
Committee on the Exercise of	2401st meeting	Situation in the occupied Arab territories	12 November 1982, 2401st
Palestinian People			
Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples	2440th meeting	Situation in Namibia	2440th-2451st meetings 24 May-1 June 1983, 2440th-2444th and 2446th-2451st meetings

<i>Participating organ</i>	<i>Invitation extended by the Council</i>	<i>Agenda item</i>	<i>Participation: date and number of Council meetings</i>
United Nations Council for	2481st meeting	Situation in Namibia	20-28 October 1983
IV. THE IMPLEMENTATION OF THE			
RESOLUTIONS			
Countries and Peoples			
Special Committee against <i>Apartheid</i>	2483rd meeting	Situation in Namibia	24-28 October 1983, 2483rd-2486th, 2488th, 2490th and 2492nd meetings
Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples	2506th meeting	Complaint by Angola against South Africa	19-20 December 1983, 2506th-2508th meetings
Committee on the Exercise of the Inalienable Rights of the Palestinian People	2540th meeting	Situation in the Middle East	21 May 1984, 2540th meeting
Special Committee against <i>Apartheid</i>	2548th meeting	Question of South Africa	16 and 17 August 1984, 2549th-2551st meetings
Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples	2549th meeting	Question of South Africa	16 and 17 August 1984, 2549th-2551st meetings
Committee on the Exercise of the Inalienable Rights of the Palestinian People	2552nd meeting	Situation in the Middle East	29-31 August, 4 and 6 September 1984, 2552nd-2556th meetings
Special Committee against <i>Apartheid</i>	2560th meeting	Question of South Africa	23 October 1984, 2560th meeting

44.2. Resolutions adopted by the Security Council containing a reference to

G. RECOMMENDATIONS MADE BY THE GENERAL ASSEMBLY IN THE FORM OF RESOLUTIONS

NOTE

During the period under review, the General Assembly made a number of recommendations to the Council regarding items that were already on the agenda of the Council. Instances in which an Assembly resolution was explicitly

are indicated in the last column of the tabulation below.

Tabulation of recommendations

<i>General Assembly resolutions</i>	<i>Subject of recommendations</i>	<i>Action by the Council</i>
35/227 A, I and J 6 March 1981	Question of Namibia	None
ES-8/2 14 September 1981	Question of Namibia	None
36/8	Implementation of the programme for the Decade for	None
	Discrimination	
36/15 28 October 1981	Recent developments in connection with excavations in eastern Jerusalem	None
36/27	Armed Israeli aggression against the Iraqi nuclear	None
	peace and security	
36/67 30 November 1981	International Year of Peace and International Day of Peace	None
36/80 9 December 1981	Co-operation between the United Nations and the Organization of African Unity	None
36/86 A and B 9 December 1981	Implementation of the Declaration on the Denuclearization of Africa	None

General Assembly resolutions	Subject of recommendations	Action by the Council
36/94 9 December 1981	Conclusion of an international convention on the strengthening of the security of non-nuclear-weapon States	None
36/100 9 December 1981	Local nuclear agreement	None
36/102 9 December 1981	Implementation of the Declaration on the Strengthening of International Security	None
36/120 D 10 December 1981	Question of Palestine	None
36/121 A 10 December 1981	Question of Namibia	None
36/147 G 16 December 1981	Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories	None
36/150 16 December 1981	Mediterranean Sea to the Dead Sea	None
36/172 A, C-F and O 17 December 1981	Policies of <i>apartheid</i> of the Government of South Africa	None
36/226 B 17 December 1981	Situation in the Middle East	None
ES-7/4 28 April 1982	Question of Palestine	None
ES-7/9 28 April 1982	Question of Palestine	None
37/1 21 October 1982	Appeal for clemency in favour of South African prisoners	None
37/2 21 October 1982	South Africa's application for credit from the International Monetary Fund	None
37/10 15 November 1982	Manila Declaration on the Peaceful Settlement of International Disputes	None
37/15 16 November 1982	Co-operation between the United Nations and the Organization of African States	None
37/18 16 November 1982	Armed Israeli aggression against the Iraqi nuclear installations and its grave consequences for the established international system concerning the peaceful uses of nuclear energy, the non-proliferation of nuclear weapons and international peace and security	None
37/39 3 December 1982	Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa	None
37/40 3 December 1982	Implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination	None
37/43 3 December 1982	Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights	None
37/63 3 December 1982	Peace, Stability, Growth and the Role of the Organization	None
37/68 7 December 1982	Further appeal for clemency in favour of South African freedom fighters	None
37/69 A-J 9 December 1982	Policies of <i>apartheid</i> of the Government of South Africa	None
37/74 A and B 9 December 1982	Implementation of the Declaration on the Strengthening of International Security	None
37/86 D and E 10 and 20 December 1982	Question of Palestine	None

<i>General Assembly resolutions</i>	<i>Subject of recommendations</i>	<i>Action by the Council</i>
37/88 C 10 December 1982	Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories	None
37/100 E 13 December 1982	Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly	None
37/101 14 December 1982	Invasion of Lesotho by South Africa	None
37/118 14 December 1982	Review of the implementation of the Declaration on the Strengthening of International Security	None
37/233 A and B 20 December 1982	Question of Namibia	None
37/253 13 May 1983	Question of Cyprus	None
38/5 28 October 1983	Co-operation between the United Nations and the Organization of African Unity	None
38/9 28 October 1983	Armed Israeli aggression against the Jewish people and the established international system concerning the peaceful uses of nuclear energy, the non-proliferation of nuclear weapons and international peace and security	None
38/14 22 November 1983	Second Decade to Combat Racism and Racial Discrimination	None
38/36 A and B 1 December 1983	Question of Namibia	None
38/39 A-J 5 December 1983	Policies of <i>apartheid</i> of the Government of South Africa	None
38/58 13 December 1983	Question of Palestine	None
38/69 15 December 1983	Israeli nuclear armament	None
38/73 15 December 1983	Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly	None
38/79 D 15 December 1983	Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories	None
38/181 A and B 20 December 1983	Implementation of the Declaration on the Denuclearization of Africa	None
38/182 20 December 1983	Prohibition of the development and manufacture of nuclear weapons	None
38/190 20 December 1983	Review of the Implementation of the Declaration on the Strengthening of International Security	None
39/7 28 September 1984	Situation in South Africa	Taken up for consideration at the 2560th meeting at the request of Ethiopia dated 17 October 1984 (S/16786). Resolution 556 (1984) of 23 October 1984 was adopted.*
39/8 8 November 1984	Co-operation between the United Nations and the Organization of African Unity	None
39/14 16 November 1984	Armed Israeli aggression against the Iraqi nuclear installations and its grave consequences for the established international system concerning the peaceful uses of nuclear energy, the non-proliferation of nuclear weapons and international peace and security	None
39/15 23 November 1983	Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa	None
39/49 A 11 December 1983	Question of Palestine	None

General Assembly resolutions	Subject of recommendations	Action by the Council
39/50 A and B 12 December 1984	Question of Namibia	None
39/61 B 12 December 1984	Implementation of the Declaration on the Denuclearization of Africa	None
39/62 12 December 1984	Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons	None
39/63 K 12 December 1984	Review and implementation of the Concluding Document of the Twelfth Special Session of the	None
39/72 A and G 13 December 1984	Policies of <i>apartheid</i> of the Government of South Africa	None
39/95 D 14 December 1984	Report of the Special Committee to Investigate	None
39/114 17 December 1984		
39/154 17 December 1984	Review of the implementation of the Declaration on the Strengthening of International Security	None
39/155 17 December 1984	Implementation of the Declaration on the Strengthening of International Security	None
39/156 17 December 1984	Strengthening of international security: common	None

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No inference is intended that the action of the Council in this instance was taken in response to the recommendations of the General Assembly.

Article 24, paragraph 3 of the Charter

"The Security Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration."

NOTE

In accordance with Article 24, paragraph 3, the Council continued during the period under review to submit annual reports to the General Assembly.²⁸ It further transmitted to the Assembly its recommendations on several applications for membership²⁹ pursuant to paragraph 2 of rule 60 of its provisional rules of procedure. During the period covered by this *Supplement*, no special report was submitted to the Assembly concerning the question of admission of a new Member in accordance with paragraph 3 of rule 60 of the provisional rules of procedure.

****Part II**

RELATIONS WITH THE ECONOMIC AND SOCIAL COUNCIL

Part III

RELATIONS WITH THE TRUSTEESHIP COUNCIL

IN APPLICATION OF ARTICLES 87 AND 88 OF THE CHARTER WITH REGARD TO STRATEGIC AREAS UNDER TRUSTEESHIP

B. TRANSMISSION TO THE SECURITY COUNCIL BY AND REPORTS

the Secretary-General transmitted to the Council the following reports of the Trusteeship Council on the Trust Territory of the Pacific Islands, which continued to be the only Territory designated as a strategic area:

(a) Thirty-third report, covering the period from

(b) Thirty-fourth report, covering the period from 12 June 1981 to 11 June 1982;³²

(c) Thirty-fifth report, covering the period from 12

(d) Thirty-sixth report, covering the period from 20

trusteeship, therefore, continued to be based on the revised questionnaire transmitted to the Council on 24 July 1983.³⁰

(e) Thirty-seventh report, covering the period from 19 July 1984 to 11 July 1985.³⁵

Part IV

RELATIONS WITH THE INTERNATIONAL COURT OF JUSTICE

Article 94 of the Charter

"2. The conditions under which the Court shall

party.
"2. If any party to a case fails to perform the obligations incumbent upon it under a judgement rendered by the Court, the other party may have

such conditions place the parties in a position of inequality before the Court.

side upon measures to be taken to give effect to the judgement."

"1. The Court shall have the power to indicate, if it considers that circumstances so require, any provisional measures which ought to be taken to preserve the respective rights of either party.

Article 96 of the Charter

"1. The General Assembly or the Security Council may request the International Court of Justice to give an advisory opinion on any legal question.

"2. Pending the final decision, notice of the measures suggested shall forthwith be given to the parties and to the Security Council."

specialized agencies, which may at any time be so authorized by the General Assembly, may also request advisory opinions of the Court on legal

NOTE

During the consideration by the Council of the

STATUTE OF THE INTERNATIONAL COURT OF JUSTICE

Article 35 of the Statute

"1. The Court shall be open to the States parties to the present Statute.

various international treaties, the representative of Zaire, among others, suggested that the Council should refer the dispute to the International Court of Justice under Article 96 of the Charter.³⁷ The suggestion was not formally proposed to the Council or voted upon.

**Part V

*RELATIONS WITH THE MILITARY STAFF COMMITTEE

NOTES

⁴ S/14805 and Corr.1, OR, 36th yr., Suppl. for Oct.-Dec. 1981.
⁵ GAOR, 36th sess., plen. mtg., 103rd mtg., para. 327.

²⁷ 2561st mtg.

⁷ For retention or deletion of items from the Secretary-General's summary statement, see chap. II, part IV, sect. B.

following meetings held in private: 37th report, 2308th meeting, 10 November 1981; 38th report, 2402nd meeting, 24 November 1982; 39th report, 2494th meeting, 11 November 1983; and 40th report, 2566th meeting, 29 January 1985.

⁸ During the period under review one other emergency special session of the General Assembly was convened, but not at the

²⁹ Vanuatu (A/36/368, 8 July 1981); Belize (A/36/551, 22

¹⁰ S/14820 and *ibid.*, 37th mtg., Special Supplement, March 1982.

1981); Saint Christopher and Nevis (A/38/442, 22 September

¹³ *Ibid.*, paras. 25-31.

tions, see chap. VII.

¹⁴ *Ibid.*, para. 33.

³⁰ The revised questionnaire was further amended at the 1166th

¹⁶ GAOR, 36th sess., Annexes, a.i. 16, A/36/820.

was circulated as 1/1010/Rev.1.

¹⁷ S/14283, OR, 35th yr., Suppl. for Oct.-Dec. 1980.

³¹ S/14709, OR, 36th yr., Special Supplement No. 1.

¹⁸ 2262nd mtg., para. 9.

³² S/15705, *ibid.*, 37th yr., Special Supplement No. 1.

¹⁹ *Ibid.*, para. 11.

³³ S/16347, *ibid.*, 38th yr., Special Supplement No. 1.

²⁰ *Ibid.*, paras. 14-17.

³⁴ S/16738, *ibid.*, 39th yr., Special Supplement No. 1.

²¹ *Ibid.*, paras. 18-21.

³⁵ S/17224, *ibid.*, 40th yr., Special Supplement No. 1.

²² 2206th mtg.

³⁶ Letter dated 16 March 1982 from the Permanent Representatives

the Council had been informed of an error that had inadvertently been made in the tally of votes on the first ballot, and confirmed

the Security Council, convened by the Secretary-General, 2428th to 2430th meetings, on 22 and 23 March and 4 April 1982.