



Repertoire  
of the  
Practice  
of the  
Security Council  
1946-1951

UNITED NATIONS  
DEPARTMENT OF POLITICAL AND SECURITY COUNCIL AFFAIRS

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## GENERAL INTRODUCTION

The seventh regular session of the General Assembly, at its 400th plenary meeting on 5 December 1952, adopted, on the report of the Sixth Committee (A/2258), a resolution (686 (VII)) under the title "Ways and means for making the evidence of customary international law more readily available", which authorized the Secretary-General to undertake as soon as feasible the publication of a *Repertoire* of the practice of the Security Council. In conformity with proposals contained in the Secretary-General's Report (A/2170), the present volume covers the proceedings of the Security Council from the first meeting on 17 January 1946, to the 569th meeting on 19 December 1951. A second volume covering proceedings of subsequent meetings is in course of preparation. It is proposed to publish, at suitable intervals, further instalments covering the proceedings of future meetings.

### THE GENERAL CHARACTER OF THE *Repertoire*

In order to make it "more readily available" the voluminous material pertaining to the practice of the Security Council contained in the Official Records has been subjected to two processes. By the first process relevant material has been selected and summarized, and by the second arranged in categories under descriptive headings based upon features taken to be common to the various items of evidence. Material selected and summarized by the first process is not intended as a substitute for the records of the Security Council, which constitute the only comprehensive and authoritative account of its deliberations. The arrangement by categories in the second process is not intended to suggest the existence of procedures or practices which have not been clearly and demonstrably established by the Council itself. The Security Council is at all times, within the framework of the Charter, "master of its own procedure".

In view of the importance of this latter point for assessing the utility of the *Repertoire*, attention is invited to the Report of the Secretary-General of 18 September 1952 to the seventh session of the General Assembly (A/2170), paragraphs 102-106:

"The view has repeatedly been expressed in the Security Council that the Council is, and should remain, the master of its own procedure. It has been indicated that the Council should not commit itself to procedures which in practice might prove to be excessively rigid, since each dispute with which the Council has to deal has unique characteristics. Attention has been drawn to the danger that any premature formalization of the procedures of the Council might impede the latter in the discharge of its responsibilities under the Charter. Such an attitude, it has been contended, corresponds to the very nature of the work of the Security Council. . . . The following requirements would seem to be inherent in the nature of the task.

"Firstly, the *Repertoire* should avoid taking any position, even in the manner of classifying and presenting the material, on the question whether the practices of the Council constitute precedents which have any binding character for the future.

"In the second place, the classification must avoid posing theoretical problems which have not so far been met with in the experience of the Council. It would seem to follow from the discussions in the Sixth Committee that the *Repertoire* should confine itself to setting forth the practices to which the Security Council has actually had recourse, rather than analysing the wide range of procedures and decisions possible under the Charter.

"Lastly, the *Repertoire* should present, in a readily accessible form, all the relevant data regarding the practice and procedure of the Council, but should not itself constitute a work of codification or interpretation. It should be left entirely to the reader to draw conclusions as to the interpretation of the Charter and the provisional rules of procedure."

In the preparation of this volume every care has been taken to comply with these requirements, particularly in the arrangement of case histories by categories. In the process of classification the objective has been to avoid any denial of the essential authority of the Council such as would be implied by the formulation of practices and precedents in such manner as to intrude upon the freedom of the Council to determine its own procedures in each case as it arises. Where therefore in the following pages one case history has been associated with another under a descriptive title common to both, the object of the *Repertoire* will have been achieved if the reader, by using the descriptive title, is able to arrive at relevant proceedings in order to draw conclusions for himself as to the interpretation of the Charter and the provisional rules of procedure.

The present volume, though analytical, is therefore not evaluatory, of the proceedings of the Security Council. It is expository, and, by presenting the results of an empirical survey of the procedures of the Council in a way calculated to make reference easy, constitutes essentially a guide to the proceedings of the Council. It confines itself to setting forth in a readily accessible form the practices and procedures to which the Council has, in fact, had recourse and avoids of set purpose any examination of the wide range of procedures and decisions theoretically possible under the text of the Charter. No theoretical problems are posed, or any problems not already encountered in the experience of the Security Council. The manner of presentation and classification of the material has no bearing on the question whether the practices and procedures of the Council constitute precedents having an influence, much less a binding

character, on future occasions when the Council may be faced with problems more or less cognate.

In short, the methodology in the compilation of the *Repertoire* has been to assemble the relevant data in its entirety, and, on the basis thereof, to devise a framework within which the wide variety of practice to which the Council has had recourse, or which has been the subject of discussion, can be presented, without distortion through the adaptation of material to the exigencies of any logic extraneous to the wholly objective examination of the relevant field of experience.

#### METHOD OF ENTRY OF MATERIAL

In selecting and presenting in compact form evidence from the records, several experiments were made with various forms of presentation. At first the attempt was made to preserve the statements of representatives by means of verbatim quotations, followed by the decision of the Council in each case. The selection of quotations, however, was found to be not only a cumbersome, but also an invidious task, since it was found impossible to adopt any criterion of selection which would do full justice to the strength and variety of opinions expressed in the course of the oftentimes lengthy proceedings of the Council. It was accordingly decided to indicate in a summarized fashion the chain of proceedings, and to include in each case a footnote containing references to the places in the records where the statements of representatives speaking on the matter could be found. In order, however, not to lose in a summary the actual key words used in the course of the proceedings to define an issue or explain a point of view, quotations have been retained in some cases, especially in those instances in which paraphrase would not have done justice to the points expressed.

Where the chain of proceedings thus summarized led up to a decision of the Council, details of the decision have been included where appropriate. The term "decision" has necessarily been used throughout the *Repertoire* as a technical term in the construction of the *Repertoire* and should be understood solely in this sense, and not in the sense of its usage in the Charter. These decisions include not only "decisions" to which specific reference is made in the text of Articles of the Charter, but all significant steps decided upon by the Council, whether by vote or otherwise, in the course of consideration of a question. The units of information compiled from the Official Records in this way have been given consecutive numbers within each chapter to facilitate reference; the designation "case" has been used to describe them, not as constituting examples or instances of any general practice, but rather as factual accounts or histories of the proceedings of the Council on each particular occasion.

The bias of this volume, so far as it attempts to make the evidence available by the use of categories,

is in the direction of procedural exposition and away from a factual or historical presentation of agenda items. Nevertheless, every care has been taken to avoid distorting the actual proceedings by a generalized or analytical arrangement. Where, however, the historical presentation of material was not required for an understanding of the procedural points involved, no effort has been made to reproduce in complete detail the particular proceedings in the Council on a particular issue.<sup>1</sup>

So far as the general classification of the material is concerned, the exposition of the procedures of the Council has in the main necessitated an arrangement derived from the broad problems of practice involved rather than an arrangement of material under Articles of the Charter. Material relating to the exercise by the Council of its functions and powers, is however, arranged under Articles of the Charter in chapters X—XII; an explanation of the method adopted will be found in the introductory note to chapter VIII. The point of departure is the decision or other action of the Council, the relation between that point of departure and the text of the Charter being indicated not so much by the grouping or heading adopted, as by information given in the case history of such interpretation as the Council or its members have vouchsafed in the course of proceedings in that particular case. Throughout this volume care has been taken to avoid the ascription to Articles of the Charter of decisions or other proceedings of the Council which do not bear in themselves any decision of the Council ascribing them to particular Articles.

At the beginning of each chapter and at appropriate places inside each chapter notes have been inserted explanatory of the relation between the material and the arrangement adopted in the chapter. These introductory notes are intended first to explain and amplify the headings given in the table of contents, particularly in chapters where certain practices and procedures that might be regarded as variations from "normal" procedures appear to have received prominent treatment, and second, to draw together whatever information is available on points of procedure which are not adequately explained in the case histories in the chapter itself.

The concern of the Secretary-General in determining the structure and content of the present *Repertoire*, which differs significantly in form from repertoires hitherto compiled, has been fully to meet the request of the General Assembly while respecting the essential character of the Security Council as an organ charged with responsibility for the maintenance of international peace and security.

<sup>1</sup> For example, where the *Repertoire* deals with the question of the vote of a permanent member the identity of the permanent member casting a vote is not given unless that identity is important for a purpose other than that of producing an historical account of the event.

### Editorial Note

1. References to the Official Records of the meetings of the Security Council are given in the following form:

177th meeting: p. 1667.

The page number refers to the page number in the relevant volume of the Official Records.

2. S/ documents are identified by their serial number in the S/ series. Where the S/ document has been printed in the supplements to the Official Records, an additional reference has been given accordingly. For S/ documents printed only in the Official Records of meetings, reference is given to the meeting and page. S/ references without addition indicate that the text is available only in the S/ series.

3. References from one chapter of the *Repertoire* to other chapters are in the following form:

See chapter X, Case 11.

References to other cases in the same chapter are in the following form:

See Case 11.

4. In citing statements in case histories it has been considered necessary at certain points to distinguish between statements made by representatives on the Council and statements by representatives or other persons invited to participate. In such instances, an asterisk has been inserted to distinguish the latter.

5. Information of a routine character will be found in the "Check List of United Nations Documents, Part 2; No. 1—Security Council, 1946-1949". The Check List gives the following data: membership of the Security Council, 1946-1949; Presidents of the Security Council, 1946-1949; chronological list of meetings of the Council, with the official reference to the verbatim record of each meeting; and a list of S/ documents in serial order, with an indication of their subject and where republished.