Chapter II

AGENDA
TABLE OF CONTENTS

INTRODUCTORY NOTE .................................................. .................................................. 39

**PART I. CONSIDERATION OF THE ADOPTION OR AMENDMENT OF RULES 6-12. ............... 39

PART II. THE PROVISIONAL AGENDA

Note ............................................................ 39

A. Rule 6: Circulation of communications by the Secretary-General ............................. 40
B. Rule 7: Preparation of the provisional agenda ......................................................... 41
C. Rule 8: Communication of the provisional agenda ..................................................... 42

PART III. ADOPTION OF THE AGENDA (RULE 9)

Note ............................................................ 43

A. Procedure of voting on adoption of the agenda ....................................................... 44
B. Consideration of:
   I. Requirements for the inclusion of an item in the agenda .................................... 45
   II. Effect of the inclusion of an item in the agenda ................................................... 46
C. Other discussion on the adoption of the agenda ...................................................... 46
   I. Order of discussion of items on the agenda ......................................................... 46
   II. Scope of items and sub-items on the agenda in relation to the scope of discussion .... 46
   III. Phrasing of items on the agenda ........................................................................... 47

PART IV. THE AGENDA: MATTERS OF WHICH THE SECURITY COUNCIL IS SEIZED (RULES 10 AND 11)

Note ............................................................ 47

A. Rule 10 ............................................................ 47
B. Rule 11
   I. Retention and deletion of items from the Secretary-General’s summary Statements on
      matters of which the Security Council is seized ...................................................... 49
   II. Proceedings of the Security Council regarding the retention and deletion of items from
      the agenda ....................................................................................................................... 62

38
INTRODUCTORY NOTE

The present chapter contains material concerning rules 6 to 11, inclusive, of the provisional rules of procedure of the Security Council.

As in the previous volumes of the Repertoire, the material in the present chapter is presented directly under the rule of procedure to which it relates. The chapter is divided into four parts: Part I, Consideration of the adoption or amendment of rules 6-12; part II, The Provisional Agenda; part III, Adoption of the Agenda (rule 9); and part IV, The Agenda: Matters of which the Security Council is seized (rules 10 and 11).

No material has been entered under Part I, since the Council has not had occasion to consider any change in rules 6 to 12.

Part II provides information concerning the circulation of communications by the Secretary-General (rule 6), the preparation of the provisional agenda (rule 7) and the communication of the provisional agenda (rule 8).

Part III contains material on the procedure and practice of the Security Council in connexion with the adoption of the agenda. Section A includes a list of votes taken in adopting the agenda arranged by forms of proposals voted upon. This list is followed by case histories summarizing the discussion in the Council concerning a procedural aspect of the adoption of the agenda. Section B presents case histories setting forth discussion in the Council of the requirements for the inclusion of an item in the agenda and of the effects of such inclusion. Section C covers other questions which have been discussed in connexion with the adoption of the agenda, such as the order of discussion of items and the scope of items in relation to the scope of the discussion.

Part IV relates to the list of matters of which the Security Council is seized. The tabulation in Section B (rule 11) brings up to date the tabulations in the previous volumes of the Repertoire and includes items which have appeared in the Secretary-General's Summary Statement on matters of which the Security Council is seized during the period 1959 to 1963, inclusive.

**CONSIDERATION OF THE ADOPTION OR AMENDMENT OF RULES 6-12**

**THE PROVISIONAL AGENDA**

NOTE

The questions raised in this section concern the application of the provisional rules of procedure to the preparation, approval and circulation of the provisional agenda and the circulation by the Secretary-General of communications concerning matters for consideration by the Security Council. The proceedings reported in this part involved questions concerning (1) the circulation of communications by the Secretary-General, (2) the "language" of communications circulated as official Security Council documents, (3) the conditions governing the inscription of items on the provisional agenda, and (4) the requirements for inclusion in the provisional agenda of references to documents.

Under the provisions of rule 6, the Secretary-General is obliged to bring to the attention of members of the Council all communications from States, organs of the United Nations, or the Secretary-General concerning any matter for the consideration of the Security Council.

However, during the period under review, there was one instance in which the Secretary-General informed the Council that he had refrained from circulating certain information when he found that, according to diplomatic rules regarding the interests of Member States, it would not be in order to do so.\(^1\)

On one occasion questions were raised concerning the propriety of the language of communications circulated as official Security Council documents and the obligation, if any, resting on the Organization in this connexion, to require propriety in the use of language in documents intended for circulation (Case 2). Communications from others than accredited representatives of a government or a foreign minister or head of State have been circulated by the Secretary-General only at the request of a member of the Council.\(^2\)

Certain communications originating from sources other than those described in rule 6 have also been circu...
Rule 7 entrusts the drawing up of the provisional agenda for each meeting to the Secretary-General, subject to the approval of the President of the Security Council. The Secretary-General's discretion with respect to the inclusion of new items is restricted to those items which have been brought to the attention of the Council under rule 6. In addition to the express provisions of rule 7, the Secretary-General has also taken into account whether a specific request to include the item has been made. Pursuant to rule 9, the first item on every provisional agenda is the adoption of the agenda. It is during the discussion relating to the adoption of the agenda that views are expressed with respect to the provisional agenda prepared by the Secretary-General. The compatibility with rules 6 and 7 of additions to the provisional agenda at the state of consideration by the Council has been the subject of discussion (Case 5). A related question concerned the propriety of adding to a provisional agenda under consideration a reference to communications from a government without authorization from the latter and in the absence of a request by it for a Security Council meeting (Case 4). In another instance, inclusion in the agenda of a question of which notice had not been given in accordance with rule 8 was rejected by the Council (Case 5), although the matter to which the item in question related concerned an application for admission to membership, which was on the list of matters of which the Security Council is seized. The order of other items appearing on the provisional agenda usually depends on the stage of consideration reached at the previous meeting and the urgency of new communications. In any event, it is for the Council to decide the order of items on its agenda, which need not coincide with the order of the items in the provisional agenda. Items on the provisional agenda other than item 1 are generally described either by the title of the relevant document, by a brief heading covering the subject matter followed by the title of the relevant document as a subheading, by a title which has been specifically requested, or by a title which has been previously approved by the Council. The wording of items on the agenda is also a matter for final approval by the Security Council itself. If several communications relate to one question, the proposed agenda item is usually followed by sub-items corresponding to the individual communications.

A. RULE 6: CIRCULATION OF COMMUNICATIONS BY THE SECRETARY-GENERAL

CASE 1

At the 847th meeting on 7 September 1959, when a request for the inclusion in the agenda of an item entitled:

*Report by the Secretary-General on the letter received from the Minister for Foreign Affairs of the Royal Government of Laos, transmitted by the Secretary-General. Commenting on the statement by the representative of the USSR that rule 6 of the rules of procedure could not apply to the case in question because there was no request by a State to convene the Council, he read out the rule and pointed out that rule 6 clearly speaks of communications from States and not of formal requests from those States in order to have the Council convened." Consequently, he considered that the requirements of rule 6 had been fully
taken into consideration in convening the Council and in establishing the provisional agenda.\(^{2}\)

**CASE 2**

By letter dated 11 March 1963 addressed to the President of the Security Council, the permanent representative of Cuba requested that a letter dated 4 March 1963 from the Minister for Foreign Affairs of Cuba addressed to the Secretary-General be circulated as an official Security Council document. The letter was circulated in accordance with the request of the Government of Cuba, Venezuela, and Paraguay, by letters dated 14 March, 15 March and 20 March 1963, respectively, protested against the circulation of the Cuban letter because of insulting language contained in it. These letters were also circulated as Security Council documents in accordance with the requests of their authors.

The representative of Venezuela in his letter of 14 March 1963 asserted that it was "the right and duty of the United Nations to require that the language used in documents intended for reproduction or circulation be consistent with the importance and dignity of the highest international organization." The President (Brazil) in his reply of 15 March 1963 to the representative of Venezuela declared that: "It has been the established practice of the Security Council to circulate, at the request of a Member State, any document concerning an item inscribed on the agenda of the Council."

In a further communication under date of 18 March 1963, the representative of Venezuela pointed out that his earlier letter had related "... to the language which should be used in documents intended for reproduction or circulation by the United Nations..." He added that the practice referred to by the President was known to the Venezuelan Government and accepted by it. This letter also was circulated as an official Security Council document.

Replying to the second communication from the representative of Venezuela, the President, in a letter of 19 March 1963 declared that he would *only like to add that, as you are aware, the language used in communications is the responsibility of the Government from which the communication emanates.*

A third letter under date of 21 March 1963 from the representative of Venezuela reiterated the grounds of protest quoted above and added that his Government "does not accept the view that the United Nations is under an obligation to reproduce and circulate communications even if they contain insults".

In a letter of 25 March 1963 to the representative of Venezuela, the President declared that he was bound by the practice of the Security Council concerning the publication, as Council documents, of communications from Member States relating to items on the Council's agenda the contents of which were the responsibility of the State which sent them, and, "not being empowered to modify the language of a communication received from a Member State, it was my duty as President of the Security Council to circulate document S/5259 as worded by the Member State from which it emanated."

**B. RULE 7: PREPARATION OF THE PROVISIONAL AGENDA**

**CASE 3**

At the 873rd meeting on 13/14 July 1960, in connection with the situation in the Republic of the Congo, the provisional agenda included a letter dated 13 July 1960 from the Secretary-General addressed to the President of the Security Council (S/4381). The President (Ecuador) asked if there were any objections to the adoption of the proposed agenda.

The representative of the USSR stated that he had asked to speak, not in order to object to the proposed agenda, but to suggest an addition to make it more precise. "We are asked," he said, "to place on our agenda a letter from the Secretary-General in which the Security Council is requested to hear a report of the Secretary-General on a demand for United Nations action in relation to the Republic of the Congo [S/4381]. The Secretary-General's letter does not, however, indicate that this demand for United Nations action emanates from the Congolese Government."

However, the members had before them two telegrams from the Government of the Congo, stating that United Nations assistance was needed because aggression had been committed against the Congo by Belgium (S/4382). He therefore proposed that the item be expanded to include a

"Telegram dated 12 July 1960 from the President of the Republic of the Congo and Supreme Commander of the National Army and the Prime Minister and Minister of National Defence addressed to the Secretary-General of the United Nations [S/4382]."

The agenda, he concluded, would then be complete.
In reply, the Secretary-General explained that the two telegrams to which the representative of the USSR had referred had been circulated as a Security Council document (S/4382), and

"the reason why I, as Secretary-General, did not propose a reference to those two cables in the agenda is simply that there is in the two telegrams no reference to the Security Council; they are addressed to the Secretary-General. However, that formal aspect of course in no way bars the Security Council from deciding to take them up as documents of reference in the agenda."

Replying to the President's question whether, in view of the Secretary-General's explanation, he wished to press his proposal that the agenda be amended, the representative of the USSR said that it seemed to him that the Secretary-General did not object to his proposal. The Secretary-General replied that he had simply made a distinction between what was proper for the Secretary-General to do and what was proper for the Security Council to do. "I should," he said, "follow the indication given by the Governments which addressed me. They have not themselves made it a Security Council issue and their documents Security Council documents. Under such circumstances I felt that I should not do it."

The representative of the USSR then said that if no member of the Council objected it would be desirable for the agenda to include reference to the document S/4382.

The representative of the United States maintained that the Government of the Republic of the Congo had not asked for a meeting of the Security Council, although it was perfectly capable of asking for one if it wanted to. Nor had the Secretary-General asked for a meeting of the Security Council on behalf of the Government of the Republic of the Congo.

The representative of the USSR replied that

"... in accordance with the Council's rules of procedure ... any member of the Security Council may propose for the inclusion in the agenda an item such as the one ... in document S/4382. This is precisely what I am doing. If the members of the Council take exception to my proposal, I shall not press it."

The representative of the United States said that a dangerous precedent would be created if a member of the Security Council were allowed to bring a nation before the Council and become a sort of spokesperson for it without the authorization of that nation, particularly when that nation was capable of asking for consideration itself.

The President (Ecuador) stated that the representative of the USSR had made a suggestion with regard to the agenda which the Chair regarded as entirely within the rights of the representative of the USSR. He stated further, that in view of the reactions to this suggestion, the representative of the USSR had stated that he would not press it. The President asked the Council whether it was prepared to adopt the provisional agenda as submitted.17

Decision: The agenda as submitted was adopted.18

CASE 4

At the 934th meeting on 15 February 1961, in connexion with the situation in the Republic of the Congo, while adoption of the agenda was being considered, the representative of Liberia requested "the addition to the present provisional agenda ... of the question of the recent disturbances in the territory of Angola." He urged that the Council take immediate cognizance of what is happening in Angola so that, for once, we may have our minds made up and our processes of conciliation worked out before the next crisis is upon us." (quoting from a statement issued by his Government, noting the violation of human rights in Angola, the representative continued:

"The Liberian Government has ... directed its representative on the Security Council to request the inscription of the item on the Security Council's agenda under Article 34 of the Charter of the United Nations."

The President (United Kingdom) pointed out that the rules of procedure governing the inscription of items on the agenda were set out in the provisional rules of procedure, particularly rules 6 and 7, and having examined those rules, it seemed to him that the proposal made by the representative of Liberia raised considerable difficulty. "I am unable," he said, "to see that, under the rules as they are at present stand, it is legitimate to add an item to the agenda in the manner now suggested. I therefore feel bound to rule that, under the existing rules of procedure of the Security Council, I cannot agree to add this item as requested by the representative of Liberia."19

C. RULE 8: COMMUNICATION OF THE PROVISIONAL AGENDA

CASE 5

At the 911th meeting on 3/4 December 1960, in connexion with the admission of new Members, the President (USSR) stated that "The provisional agenda for tonight's meeting will be found in document S/Agenda/911/Rev. 1, which has already been circulated to the Council." Then, speaking as the representative of the USSR, he proposed that the application of the Mongolian People's Republic, the second sub-item under item 2, be taken up as the first sub-item, since "The Mongolian People's Republic submitted its first application for admission to the United Nations over fourteen years ago" and had resubmitted it a number of times since.

17/ For the text of the relevant statements, see:
873rd meeting: President (Ecuador), paras. 1, 5, 13-16; USSR, paras. 2-4, 7, 14; United States, paras. 10, 12; Secretary-General, paras. 5, 6.
18/ 933rd meeting; para. 16.
19/ 933rd meeting; para. 16.
20/ For the text of relevant statements, see:
944th meeting: President (United Kingdom), para. 11; Liberia, paras. 1, 4; in a letter dated 30 June 1963 from the representative of Liberia referring to his statement at the 944th meeting requesting "... a meeting of the Council after the present session, to deal with the crisis in Angola,..." 944/38, OR. 16th year, suppl. for Jan.-March 1963, p. 145. The Council considered the question at its 943rd to 946th meetings held between 10 and 15 March 1964.
Part III. Adoption of the agenda (rule 9)

The representative of France pointed out that

"Today, at the beginning of the meeting, a revised agenda was distributed. The original agenda appeared in document S/Agenda/911.

"... I do not quite see how we could discuss at such short notice the admission of the Mongolian People's Republic, still less why we should place it before a question which has been included in the agenda since 29 November. ... I ask that we should respect the agenda distributed to us—it remains the existing agenda—in which the admission of the Islamic Republic of Mauritania appears as the first item."

The representative of the United States said that he had noted in the provisional revised agenda "submitted this evening at 9 o'clock, that reference was made to a letter which was not at that moment before the Security Council and which refers to a draft resolution (S/4570) which was not before the Security Council but which came in later, as the meeting proceeded; all of this... is highly irregular." He said, further, that he came to the meeting with the understanding that it was to be conducted on the basis of the agenda distributed on 1 December and "it is my desire, and I believe the desire of the other members of the Council, to deal with that agenda."

The representative of Italy pointed out that

"We have the Provisional Rules of Procedure which are set forth rather clearly and we have the practice which has been followed constantly. ... Rule 9 of the Provisional Rules of Procedure states:

"The Provisional Agenda for a meeting shall be communicated by the Secretary-General to the representatives on the Security Council at least three days before the meeting, but in urgent circumstances it may be communicated simultaneously with the notice of the meeting."

Continuing, he said;

"We did not get any advice of this new item to be inserted in our agenda. Certainly we did not get it three days before the meeting. I do not question the urgency, because it is for the Council to decide whether it is urgent or not, but I certainly question the fact that it was not communicated simultaneously with the notice of the meeting. So I think that from a de jure point of view we are not in order."

The President, speaking as representative of the USSR, asked why, since item 2 of the provisional agenda was entitled "Admission of new Members to the United Nations", the admission of any new Member could not be considered. He said that

"... even if no paper had been circulated to the members of the Security Council, any member of the Council can, during the discussion of the agenda, propose the inclusion in the agenda of any question whatever. Other members may disagree with the proposal and that is their right, but any member of the Security Council is entitled to propose any item for the agenda and the other members cannot prevent him."

The representative of Argentina, after concurring with the views expressed by the representative of Italy, said:

"I think that we should bear in mind that we must abide by the written rules governing our work, the more so since, as in this case, there are very good reasons for the rules. Why does this rule exist? For a simple reason: because we are not heads of State and we do not conduct the foreign policy of our countries. We are representatives; we obey instructions from our Governments and we can act only on such instructions, which we are bound to follow."\[2]\n
Decision: The proposal of the United States to include in the agenda the first sub-item on the question of the admission of Mauritania was adopted by 9 votes to 2. The second sub-item relating to the inclusion in the agenda of the question of the admission of the Mongolian People's Republic was rejected by 4 votes in favour, 5 against, with 2 abstentions.\[3]\n
\[2\] For the texts of relevant statements, see:
911th meeting: President (US), paras. 3-5. 42. Argentina, paras. 50-53, 54-55; France, paras. 11-13; Italy, paras. 29-30; United States, paras. 15, 19.
911th meeting: paras. 97-98.

Part III
ADOPTION OF THE AGENDA (RULE 9)

NOTE

Under rule 9, the first item of the provisional agenda for each meeting of the Security Council is the adoption of the agenda. Unless an objection has been raised,\[3\] the Council usually adopts the provi-
ional agenda without vote, either with or without amendment.28

As in previous volumes of the Repertoire, part III is therefore devoted to the proceedings of the Council on those occasions when objection was raised to the adoption of the agenda.29 Section A deals with the manner in which the Council has taken decisions on the objections raised. The material is presented in tabular form.

Section B presents case histories (Cases 6 and 7) of the discussion in the Council when objection had been raised to the adoption of the agenda on grounds related to the substance of the item on the provisional agenda. The case histories in this section are related to procedural aspects of such discussion at the stage of the adoption of the agenda; the grounds of substance for objection are stated more fully elsewhere, especially in chapters X and XII.

Section C covers other questions of procedure relating to the adoption of the agenda, such as the order of discussion of items on the agenda (Case 8), and the phrasing of items on the agenda (Case 9).20

Matters relating to the conduct of the business of the Council have also on occasion been raised at this stage of the meeting of the Council,21 Participation in the discussion of the adoption of the agenda has been limited by the Council to its members.22

was requested, the agenda was considered as adopted. For other occasions of objection to the provisional agenda by a permanent member of the Council, without formal opposition, where the agenda was declared by the President as adopted, see: 921st meeting: paras. 31-53: 957th meeting: paras. 10-12: 984th meeting: paras. 3, 5: 985th meeting: paras. 1-9: 990th meeting: paras. 3-5. 22 See for example: (a) 928th meeting, para. 55. The President (United Kingdom), before stating that the agenda was adopted, drew attention to a communication (S/4655) by which Libya had requested to be included as a co-signatory of the letter (S/4641), relating to the situation in the Republic of the Congo, which appeared in the provisional agenda; (b) 956th meeting, para. 1. The President (China) referred to the provisional agenda contained in document S/Agenda/956 and stated that Pakistan wished to be one of the sponsors of the item (sub-item of Agenda). Therefore, unless there were any objections he would declare the agenda adopted, as amended, with the addition of Pakistan as one of the signatories of the letter dated 26 May 1961 (S/4641 and Add.1). The agenda, as amended, was adopted; (c) 973rd meeting, paras. 3-16. Upon the proposal of the representative of Libya, the provisional agenda was amended to include the letter dated 17 July 1961 from the Secretary-General (S/4531) by which he originally brought the situation in the Congo to the attention of the Security Council. The agenda, thus amended, was adopted.

On two occasions, no objection was made to the adoption of the agenda, other questions were raised at this stage of the meeting but the Council decided to proceed first to the adoption of the agenda: (a) at the 974th meeting, paras. 8-29, the question of holding an extraordinary meeting of the Council at Leopoldville, Republic of the Congo, was raised before the adoption of the agenda. Precedence was requested for an agenda item concerning this question. The Council decided to include the item as the first item in its agenda for the meeting. (b) at the 972nd meeting, paras. 3-17, before the adoption of the agenda, a point of order was raised requesting the President to disqualify himself under rule 20. When rule 9 was invoked, asking the Council to proceed first to the adoption of the agenda, it was stated that there was "just enough for questioning the complete fairness and lack of prejudice of a presiding officer during the time when the discussion of the agenda is taking place, as there is during the time when the discussion of a question is taking place." Upon the suggestion of the President (1960), the Council proceeded to deal first with the adoption of the agenda.

25 See also chapter VIII, Cases 6, 7 and 8, concerning the order of discussion of applications for membership at the 911th, 968th and 971st meetings. These cases have not been included here to avoid duplication.

A. PROCEDURE OF VOTING ON ADOPTION OF THE AGENDA

1. Votes taken concerning individual items in the provisional agenda

When objection has been raised to the inclusion in the agenda of an item on the provisional agenda, the vote has been taken in one of two ways:

(i) On the proposal to include the item in the agenda

1911th meeting, 3/4 December 1960: first sub-item and second sub-item of Item 2, voted upon at the same meeting.25

(ii) On the adoption of the agenda as a whole and not on the individual item 30

In other instances, the vote has been taken as follows:

2. Votes taken on proposals to determine or change the order of items

911th meeting, 3/4 December 196031

968th meeting, 26 September 196132

27 See for example: (a) 911th meeting, paras. 7-25. A proposal was made for a single adjournment of the meeting under rule 33 (2). It was observed that under this rule the motion was not debatable. The motion was voted upon and adopted, and the meeting adjourned shortly thereafter without the agenda having been adopted; (b) 933rd meeting, paras. 1-24. The Secretary-General, speaking on a point of order, reported to the Council on the death of Patrice Lumumba and two of his colleagues. After a brief discussion, a proposal was made to adjourn the meeting under rule 33 (3). The motion was voted upon and adopted, and the meeting was adjourned without the agenda having been adopted; (c) 940th meeting, paras. 1-26. The Secretary-General made a statement reporting to the Council the execution of various political personalities in South Kasai, Republic of the Congo. A proposal was then made for an adjournment of the meeting under rule 33 (3). After a brief discussion, the President (United Kingdom) stated that unless there was any objection the meeting would be adjourned, it was so decided without the agenda having been adopted; (d) 971st meeting, paras. 4-19. After objections had been raised by one member of the Council, another member proposed an adjournment of the meeting to allow for further consultations. The President (Turkey) stated that under rule 33 a motion to adjourn had precedence over other motions, and since there were no objections, the meeting was adjourned without the agenda having been adopted; (e) 984th meeting, paras. 20-75. A proposal was made for an adjournment of the meeting under rule 33. The President (United Kingdom) ruled that the motion to adjourn had to be put to the vote without debate. A challenge to this ruling, which was made on the grounds of rule 19, was voted upon and rejected. Thereupon the motion to adjourn was adopted, and the Council adjourned without the agenda having been adopted.

29 See for example: (a) 851st meeting, paras. 5-8; (b) 943rd meeting, paras. 5-7; (c) 956th meeting, para. 7. On all three occasions Member States who were not members of the Council were afforded an opportunity to make statements on the adoption of the agenda after its adoption when debate on the substance of the question had been opened. See chapter III, Cases 18, 19, 20. On one occasion, at the 941st meeting, paras. 101-114, a discussion was held on the request of a Member State, non-member of the Council, to participate in the debate on the adoption of the agenda. A motion to permit such participation was not adopted for failure to obtain the affirmative votes of seven members. See chapter III, Case 21.

29/ 911th meeting: paras. 47-98.

27/ During the period under review there were no instances of objections to the inclusion of an item followed by a vote on the agenda as a whole. There was, however, one instance (984th meeting, para. 78) when after the Council had voted on changing the order of two other sub-items, the President ruled that since no objection had been raised there would be no vote on the third sub-item, and the agenda as a whole was thus adopted. See chapter VIII, Case 7.

30/ 911th meeting: para. 93.

31/ 968th meeting: paras. 70, 73.
3. Votes taken on the adoption of the agenda as a whole
   947th meeting, 7 September 1969;32/
   987th meeting, 18 December 1961;33/
   991st meeting, 27 February 1962;35/

B. CONSIDERATION OF:

1. Requirements for the inclusion of an item in the agenda

   CASE 6

At the 987th meeting on 18 December 1961, the Security Council had before it the following provisional agenda:

"Letter dated 18 December 1961 from the Permanent Representative of Portugal to the President of the Security Council (S/5030)."36/

In opposing the adoption of the provisional agenda, the representative of the USSR stated that he could not regard the letter of the representative of Portugal, qualifying the events in Goa as an aggression by India, as a basis for a discussion of the question by the Security Council. The situation in territories which were part of a sovereign State could not, under the Charter, be a subject for consideration by any United Nations organ, including the Security Council. The current matter fell exclusively within the domestic jurisdiction of India because Goa and the other Portuguese colonies in Indian territory could not be regarded as other than temporarily under the colonial domination of Portugal.37/ The President, speaking as the representative of the United Arab Republic, also expressed his reservations regarding the letter.

Decision: The agenda was put to the vote and adopted by 7 votes in favour to 2 against, with 2 abstentions.38/

CASE 7

At the 991st meeting on 27 February 1962, the Security Council had before it as item 2 of its provisional agenda:

"Letter dated 22 February 1962 from the Permanent Representative of Cuba to the President of the Security Council (S/5680)."39/

The representative of the United Kingdom, objecting to the inclusion of the item in the agenda, stated:

"It is not often done in this Council to question the adoption of the agenda proposed for it. Indeed, I think it is right that there should be a predisposition in favour of inscribing any complaint brought to the Security Council and of giving full hearing to the complainant. But each case must be examined on its merits and there have been instances in the past, and there undoubtedly will be again in the future, when it would not be right to adopt the proposed agenda automatically. In particular this is the case where it seems possible that resort to this Council may be abused. This we should be particularly vigilant to avoid. It can do this Council nothing but harm if it lends itself to efforts to use its authority for purely propaganda exercises.

"In the present case, my delegation has reluctantly concluded that there can be no other purpose in the letter from the representative of Cuba (S/5680) which is listed as item 2 of the agenda whose adoption we are now considering than to reiterate charges and theses which have already been debated fully."

The representative of Chile stated:

"We have weighed the reasons for and against convening this meeting of the Security Council and we are not convinced that a reopening of the debate could make any contribution to the cause of peace...

"These doubts and considerations will determine our vote on the adoption of the agenda,..."

Supporting the adoption of the agenda, the representative of Ghana noted that Articles 34 and 35 had been invoked in the letter of submission, and stated that

"there is a real grievance on the part of a Member State of the United Nations and this grievance has been brought before the Council.

"Without going into the substance of the grievance, I think the Security Council is duty bound to listen to the Member Government which has made this approach. I think we derive our inspiration largely from Article 35 of the Charter."

The representative of the USSR expressed the view that the main reason why the representative of the United Kingdom objected to the adoption of the agenda was essentially political. He added:

"... one might ask, why should the United Kingdom representative try to divine why the item is being proposed? Why not adopt the agenda, listen to the representative who proposed the item, and find out that way why it was proposed?...

"Under the Charter, any State has a full right to bring up any question, no matter how annoying it may be to any country represented around this table, We must ensure the exercise of that right... If we want the United Nations to live up to its full potential, if we want Governments to come to it, instead of acting behind its back, we are in duty bound to give a hearing to any country, any Government, which brings a question before the Security Council. Otherwise there will be no United Nations,..."

The representative of the United Arab Republic observed that:

"As a matter of principle our delegation cannot deny any Member State the right of access to this Council, the right of presenting its case and obtaining the opportunity for the fullest discussion and the fairest review of such a case by this body. This
we feel is an obligation inherent in the spirit and
text of our Charter, and for these reasons we
support the adoption of the agenda..."

In the view of the representative of Romania, objections
to the adoption of the agenda violated the
fundamental rights of Member States, as set forth
in Articles 34 and 35 of the Charter, especially the
right to ask the Council to debate and resolve
questions which endangered the security and inde-
pendence of States. The President, speaking as the
representative of the United States, stated:

"My Government believes deeply in the principle
that all nations, large or small, deserve a hearing
in this Organization; but my Government also
believes that the workings of our Organization should
not be perverted and disrupted by constant repetition
for propaganda purposes of groundless and self-
serving charges that have already been thoroughly
considered and thoroughly rejected."

Decision: The Council rejected the provisional
agenda by 4 votes in favour, none against, with 7
abstentions.

**2. Effect of the inclusion of an item in the agenda**

C. OTHER DISCUSSION ON THE ADOPTION OF
THE AGENDA

1. Order of discussion of items on the agenda

**CASE 8**

At the 696th meeting on 9 September 1960, Item 2
of the provisional agenda read as follows:

"Letter dated 13 July 1960 from the Secretary-
General addressed to the President of the Security
Council (S/4381); fourth report of the Secretary-
General on the implementation of Security Council
resolutions S/4387 of 14 July 1960, S/4405 of
22 July 1960 and S/4426 of 9 August 1960 (S/4482
and Add.1); letter dated 8 September 1960 from the
Permanent Representative of Yugoslavia to the
United Nations addressed to the President of the
Security Council (S/4485)."

Before the adoption of the agenda, the representative
of the USSR drew attention to a telegram from
the Prime Minister of the Republic of the Congo inviting
the Security Council to hold its next meeting on the
question of the situation in the Congo in Leopoldville,
and proposed that the telegram should be considered
before any other question. He submitted a draft
resolution to this effect. Concurring with the
representative of the USSR, the President (Italy)
proposed to inscribe the telegram of the Prime
Minister on the agenda since otherwise it could not
be discussed. He also proposed, in view of the pro-
cedural character of the item, to place it first.

The representative of Ecuador did not think that the
item proposed by the USSR should be considered
first; rather, the provisional agenda should be adopted
without change, and once the Council had heard the
Secretary-General and, possibly, the representative
of Yugoslavia, priority could be given to the proposal
of the USSR under Item 2 of the agenda.

The representative of Poland took the view that
since the proposal of the representative of the USSR
concerned the place for holding the meeting of the
Council it should be disposed of first. The represen-
tative of Ecuador did not press his point. No
objection having been expressed to the inclusion of
the telegram from the Prime Minister of the Congo
as the first item in the agenda, it was adopted, as
amended, without vote.

**2. Scope of items and sub-items on the agenda
in relation to the scope of discussion**

3. Phrasing of items on the agenda

**CASE 9**

At the 912th meeting on 7 December 1960, the
provisional agenda included as Item 2 the following text:

"Urgent measures in connexion with the latest events
in the Congo:

Statement dated 6 December 1960 by the Govern-
ment of the Union of Soviet Socialist Republics
concerning the situation in the Congo (S/4573).

Note by the Secretary-General (S/4571)."

The representative of France remarked that the
provisional agenda was based on a document of the
Government of the USSR the text of which had a tone
that could be described as being not worthy of the
Council.

The representative of Italy concurred, and stated
that the document could not be the basis of discussion
by the Council. The agenda should be modified to read
as follows:

"Letter dated 13 July 1960 from the Secretary-
General addressed to the President of the Security
Council (S/4381):"

"Urgent measures in connexion with the latest
events in the Congo:

Note by the Secretary-General (S/4571)."

In the opinion of the representative of Poland, the
document submitted by the USSR Government was
entirely acceptable and should be included in the
agenda. Should the document be excluded, he added,
"then we would have for the future a very dangerous
situation where, by the mere procedure of a vote,
the representatives of certain Governments here
would be able to take away the rights of the repre-
sentatives of other States and Governments to
present any view or any opinions... for the atten-
tion of the Security Council."
The President, speaking as the representative of the USSR, remarked that the Council had been convened at the request of his Government to consider the situation in the Congo and to endeavour to improve that situation. He went on to say that

"... any document submitted by the Government of any country must be included in the documents appended to the corresponding item of the agenda... In other words, there can be no circumstances in which the Government of any country is unable to raise any question in the Security Council or is unable to submit any document for consideration in the Security Council, however distasteful it may be to one or another delegation."

The representative of Ceylon declared that the Council was not concerned with the substance of the document at that stage. He proposed to meet the objection to its inclusion in the agenda by referring to it at the end of the agenda. It would then be one of the documents appearing on that agenda, and would not form a basis for discussion.

The representative of France stated that his delegation had never objected to the circulation of a document, and held that the circulation of a document was one thing and the establishment of the Council's agenda was another. The two things were not directly related, he continued;

"When a question is submitted to the Council by any Member of the United Nations, the Council is fully entitled to consider the question... in the form which it deems appropriate. The wording of agenda items is a matter for the Council to decide. And while my delegation is prepared to listen to what delegations have to say concerning the question of the Congo, we are not prepared to accept an unsatisfactory wording for the agenda item."

The representative of Italy was ready to accept the suggestion of the representative of Ceylon not to use the Soviet document as a basis for the Council's discussions. On that understanding he proposed the following wording for the agenda:

"Letter dated 13 July 1960 from the Secretary-General addressed to the President of the Security Council (S/4381);

"Urgent measures in connexion with the latest events in the Congo;

"Statement dated 6 December 1960 by the Government of the Union of Soviet Socialist Republics concerning the situation in the Congo (S/4573)."

The President, speaking as the representative of the USSR, found this arrangement of the agenda illogical. However, in the absence of objections by others, he did not press his points.45

Decision: The agenda, as amended, was adopted.45

**4. Postponement of consideration of items

A. RULE 10

CASE 10

At the 973rd meeting on 13 November 1961, the Security Council had on its provisional agenda a letter 45/ dated 5 November 1961 from the representatives of Ethiopia, Nigeria and Sudan to the President of the Security Council requesting him to convene the Council to consider the situation prevailing in the province of Katanga (Republic of the Congo) caused by the lawless acts of mercenaries.

The representative of Liberia, on a point of order, drew the attention of the Council to the letter 45/ of

45/ Repertoire of the Practice of the Security Council, 1946-1951, p. 84.

I have noted that from the 873rd meeting of the Security Council, on 13-14 July 1960, until the 942nd meeting on 20/21 February 1961, during which period there were, I believe, forty-five meetings of the Council devoted to the Congo, the agenda has borne this item: 'Letter dated 13 July 1960 from the Secretary-General addressed to the President of the Security Council (S/4381).'

"I note that today the provisional agenda omits that letter, and I think that it is desirable and imperative that the agenda of our meeting today should include that item in order to enable the Council to refer back to the letter in question and to the situation which has arisen from the consideration by the Council of the situation in the Congo as the result of the Secretary-General's letter.

"... therefore my delegation proposes that the agenda should be modified to include the letter from the Secretary-General contained in document S/4381."

In expressing his support for this proposal, the representative of the United Kingdom stated:

"We think the point is an important one because the United Nations involvement in the affairs of the Congo has been a continuing process and goes right back to that original request from the Secretary-General...."

"... In our discussions here, and possibly in any decisions we may reach, we shall want to take account of all the developments which have happened over the last year, and we can more fittingly and more efficiently do so if the title on the item of our agenda is worded as it has been before. It will then naturally be appropriate to list the document containing the letter from the Permanent Representatives of Ethiopia, Nigeria and Sudan [S/4973] immediately beneath, if this is the wish."

The representative of the United States, concurring with the representatives of Liberia and the United Kingdom, stated:

"Consideration of this situation in the Congo began with the letter of 13 July 1960 [S/4381] from the Secretary-General to the President of the Security Council; and it is under this agenda item that all previous resolutions of the Council have been adopted. We are not beginning, as I understand it, a new programme today. We are attempting to continue one, and if possible, to improve what has been done up to now. We, therefore, see no reason to change the title of the agenda item from the one which we have used heretofore.

"... I would urge, therefore, that we keep a general agenda item which will cover all types of cases and all types of problems, as we have in the past."

The President, speaking as the representative of the USSR, observed that he would not object to this proposal put forward by the representative of Liberia to place the Secretary-General's letter on the agenda.

Then, speaking as President (USSR), he stated that if there were no objections, he would regard the agenda as adopted in the form proposed by the representative of Liberia.

Decision: The Council thereupon adopted the agenda, as amended.

\[Footnote 50\] For texts of relevant statements, see:
973rd meeting: President (USSR), paras. 2, 11-16; Liberia, paras. 3-5;
United Kingdom, paras. 6-7; United States, paras. 4, 16.
50\* 973rd meeting: para. 16.
### B. RULE 11

1. Retention and deletion of items from the Secretary-General’s Summary Statements on matters of which the Security Council is seized

This tabulation, which supplements those appearing in the Repertorium, 1946-1951, pp. 86-91, the Supplement, 1952-1955, pp. 33-40, and the Supplement, 1956-1958, pp. 38-45, covers matters appearing in the Secretary-General’s Summary Statements during the period 1959-1963. The items included are (1) those of which the Security Council was seized at the close of the period covered by the earlier tabulations, and (2) items of which the Council has been seized since that time. Items are listed in the order in which they have appeared in the Summary Statement. Items to the end of 1958 are numbered to conform with the numbering in the earlier tabulation. The titles used are those occurring in the Summary Statement except for some abridgments.

<table>
<thead>
<tr>
<th>Item</th>
<th>First inclusion in the agenda</th>
<th>First entry in Summary Statement</th>
<th>Last action of Council as of 31 December 1958</th>
<th>Final entry in Summary Statement as of 31 December 1958</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. The Iranian question</td>
<td>3rd meeting, 28 January 1946</td>
<td>S/45, 23 April 1946</td>
<td>Adopted Netherlands proposal to adjourn discussion and resume it at the request of any member 40th meeting, 22 May 1946.</td>
<td></td>
</tr>
<tr>
<td>3. Statute and Rules of Procedure of Military Staff Committee</td>
<td>1st meeting, 17 January 1946</td>
<td>S/45, 23 April 1946</td>
<td>Referred report of Military Staff Committee to Committee of Experts 23rd meeting, 16 February 1946</td>
<td></td>
</tr>
<tr>
<td>Information on armed forces of United Nations (General Assembly resolutions 41 (I) and 42 (II))</td>
<td>89th meeting, 7 January 1947</td>
<td>S/246, S/247</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21. The Indonesian question</td>
<td>171st meeting, 31 July 1947</td>
<td>S/461, S/462, S/463</td>
<td>Failed to adopt Canadian draft resolution and rejected Ukrainian SSR draft resolution 456th meeting, 13 December 1949 S/</td>
<td></td>
</tr>
<tr>
<td>22. Voting procedure in the Security Council</td>
<td>197th meeting, 27 August 1947</td>
<td>S/533, S/534, S/535</td>
<td>Presidential statement concerning outcome of meetings of five permanent members in accordance with General Assembly resolution of 14 April 1949, 195th plenary session 452nd meeting, 18 October 1949</td>
<td></td>
</tr>
</tbody>
</table>

S/ Combined in S/247 of 14 February 1947 in accordance with the Security Council’s decision to deal with the two items together.
<table>
<thead>
<tr>
<th>Item</th>
<th>First inclusion in the agenda</th>
<th>First entry in Summary Statement</th>
<th>Last action at Council of 31 December 1947</th>
<th>Final entry in Summary Statement of 31 December 1947</th>
</tr>
</thead>
<tbody>
<tr>
<td>21. Procedure in application of Articles 87 and 88 of the Charter with regard to the Pacific Islands under Strategic Trusteeship of the United States</td>
<td>200th meeting, 15 November 1947</td>
<td>S/604, 15 November 1947</td>
<td>Adopted resolution concerning procedure to be employed in application of Articles 87 and 88 of the Charter to strategic areas under Trusteeship 415th meeting, 7 March 1949</td>
<td>See Items 62, 77 and 85 below</td>
</tr>
<tr>
<td>22. Applications for membership of Republic of Korea</td>
<td>409th meeting, 15 February 1949</td>
<td>S/1244, 7 February 1949</td>
<td>Not recommended 423rd meeting, 8 April 1949</td>
<td></td>
</tr>
<tr>
<td>Letter of 11 February 1949 from the representative of the USSR concerning application by the Democratic People's Republic of Korea</td>
<td>409th meeting, 15 February 1949</td>
<td>S/1257, 14 February 1949</td>
<td>Rejected USSR proposal to refer application to Committee on Admission of New Members 410th meeting, 16 February 1949</td>
<td></td>
</tr>
<tr>
<td>23. The Palestine question</td>
<td>222nd meeting, 9 December 1947</td>
<td>S/623, 12 December 1947</td>
<td>Failed to adopt United Kingdom-United States draft resolution (S/5407) 1063rd meeting, 5 September 1948</td>
<td></td>
</tr>
<tr>
<td>24. The India-Pakistan question, etc.</td>
<td>226th meeting, 6 January 1948</td>
<td>S/641, 9 January 1948</td>
<td>Failed to adopt Irish draft resolution (S/514) 1016th meeting, 22 June 1948</td>
<td></td>
</tr>
<tr>
<td>25. The Czechoslovak question</td>
<td>268th meeting, 17 March 1948</td>
<td>S/700, 22 March 1948</td>
<td>Discussed Argentine draft resolution (S/752) 305th meeting, 26 May 1948</td>
<td></td>
</tr>
<tr>
<td>26. Question of the Free Territory of Trieste</td>
<td>314th meeting, 4 August 1948</td>
<td>S/959, 10 August 1948</td>
<td>Rejected draft resolutions submitted by Yugoslavia and by the USSR 354th meeting, 19 August 1948</td>
<td></td>
</tr>
<tr>
<td>27. The Indian question</td>
<td>357th meeting, 16 September 1948</td>
<td>S/1014, 22 September 1948</td>
<td>Rejected draft resolution, 1021st meeting, 25 October 1948</td>
<td></td>
</tr>
<tr>
<td>28. International Control of Atomic Energy, etc.</td>
<td>362nd meeting, 29 September 1948</td>
<td>S/1029, 3 October 1948</td>
<td>Rejected joint draft resolution (S/1048) 372nd meeting, 25 October 1948</td>
<td></td>
</tr>
<tr>
<td>30. Complaint of armed invasion of Taiwan (Formosa)</td>
<td>492nd meeting, 29 August 1950</td>
<td>S/1774, 7 September 1950</td>
<td>Rejected draft resolutions (S/1757 and S/1921) 538th meeting, 30 November 1950</td>
<td></td>
</tr>
</tbody>
</table>

\*1/ \*1/ The agenda item on the 444th through 448th meetings of the Security Council was entitled "Letter dated 25 July 1948 from the President of the Atomic Energy Commission addressed to the President of the Security Council (S/1040)".

\*2/ \*2/ The agenda item on the 444th through 448th meetings of the Security Council was entitled "Letter dated 25 July 1948 from the President of the Atomic Energy Commission addressed to the President of the Security Council (S/1040)".

\*3/ \*3/ The agenda item on the 444th through 448th meetings of the Security Council was entitled "Letter dated 25 July 1948 from the President of the Atomic Energy Commission addressed to the President of the Security Council (S/1040)".

\*4/ \*4/ The agenda item on the 444th through 448th meetings of the Security Council was entitled "Letter dated 25 July 1948 from the President of the Atomic Energy Commission addressed to the President of the Security Council (S/1040)".

\*5/ \*5/ The agenda item on the 444th through 448th meetings of the Security Council was entitled "Letter dated 25 July 1948 from the President of the Atomic Energy Commission addressed to the President of the Security Council (S/1040)".
Part IV. The agenda: matters of which the Security Council is seized (rules 10 and 11)

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>First reading in the agenda</th>
<th>First entry in agenda statement</th>
<th>Last action in the Council as of December 1954</th>
</tr>
</thead>
<tbody>
<tr>
<td>44.</td>
<td>Complaint of bombing by air forces of the territory of China</td>
<td>493rd meeting, 31 August 1950</td>
<td>S/1774, 7 September 1950</td>
<td>Failed to adopt U.S. draft resolution (S/1752) and rejected USSR draft resolution (S/1745/Rev.1) 561st meeting, 12 September 1950</td>
</tr>
<tr>
<td>48.</td>
<td>Complaint of failure by the Iranian Government to comply with provisional measures indicated by the International Court of Justice in the Anglo-Iranian Oil Company case</td>
<td>559th meeting, 1 October 1951</td>
<td>S/2364, 2 October 1951</td>
<td>Adopted French motion to adjourn the debate until the International Court had ruled on its own competence 565th meeting, 19 October 1951</td>
</tr>
<tr>
<td>50.</td>
<td>New applications for membership. Viet-Nam (S/2446) Democratic Republic of Viet-Nam (S/2466)</td>
<td>594th meeting, 2 September 1952</td>
<td>S/2770, 8 September 1952</td>
<td>Not recommended 603rd meeting, 19 September 1952</td>
</tr>
<tr>
<td></td>
<td></td>
<td>594th meeting, 2 September 1952</td>
<td>S/2770, 8 September 1952</td>
<td>Not recommended 603rd meeting, 19 September 1952</td>
</tr>
<tr>
<td>51.</td>
<td>Question of appeal to States to accede to and ratify the Geneva Protocol of 1925 for the prohibition of the use of bacterial weapons</td>
<td>577th meeting, 14 June 1952</td>
<td>S/2670, 23 June 1952</td>
<td>Rejected USSR draft resolution 583rd meeting, 28 June 1952</td>
</tr>
<tr>
<td>52.</td>
<td>Question of request for investigation of alleged bacterial warfare</td>
<td>581st meeting, 23 June 1952</td>
<td>S/2687, 1 July 1952</td>
<td>Rejected USSR draft resolution 585th meeting, 1 July 1952</td>
</tr>
<tr>
<td></td>
<td></td>
<td>581st meeting, 23 June 1952</td>
<td>S/2687, 1 July 1952</td>
<td>Failed to adopt U.S. draft resolution 587th meeting, 3 July 1952</td>
</tr>
<tr>
<td></td>
<td></td>
<td>581st meeting, 23 June 1952</td>
<td>S/2687, 1 July 1952</td>
<td>Failed to adopt U.S. draft resolution 590th meeting, 9 July 1952</td>
</tr>
<tr>
<td>56.</td>
<td>Letter dated 29 May 1954 from the acting permanent representative of Thailand to the United Nations addressed to the President of the Security Council (S/3220)</td>
<td>672nd meeting, 3 June 1954</td>
<td>S/3224, 8 June 1954</td>
<td>Failed to adopt Thailand draft resolution (S/3229) 674th meeting, 18 June 1954</td>
</tr>
<tr>
<td>57.</td>
<td>Cablegram dated 19 June 1954 from the Minister of External Relations of Guatemala addressed to the President of the Security Council (S/3232)</td>
<td>675th meeting, 20 June 1954</td>
<td>S/3257, 29 June 1954</td>
<td>Failed to adopt Brazilian-Colombian draft resolution (S/3246/Rev.1) Adopted French draft resolution (S/3257) 675th meeting, 20 June 1954</td>
</tr>
<tr>
<td>59.</td>
<td>Letter dated 8 September 1954 from the representative of the U.S. addressed to the President of the Security Council</td>
<td>679th meeting, 10 September 1954</td>
<td>S/3289, 13 September 1954</td>
<td>Adjourned to meet again upon request of any delegation 689th meeting, 10 September 1954</td>
</tr>
</tbody>
</table>

*At the 56th meeting on 23 June 1954, the Council failed to adopt the agenda. For case history, see the Supplement, 1951-1955, Annex 27, pp. 53, 54.*
61. Letter dated 28 January 1955 from the representative of New Zealand addressed to the President of the Security Council concerning the question of hostilities in the area of certain islands off the coast of the mainland of China

Letter dated 30 January 1955 from the representative of the USSR addressed to the President of the Security Council concerning the question of acts of aggression by the U.S. against the People's Republic of China in the area of Taiwan and other islands of China

62. Applications for membership of the Secretariat:

(1) Reconsideration. Mongolian People's Republic

Reconsideration. Republic of Korea, Vietnam

68. Letter dated 23 September 1956 from the representatives of France and the United Kingdom addressed to the President of the Security Council (S/3654)

69. Letter dated 24 September 1956 from the representative of Egypt addressed to the President of the Security Council (S/3656)

70. Letter dated 27 October 1956 from the representatives of France, the United Kingdom and the United States addressed to the President of the Security Council (S/3690)

71. Letter dated 25 October 1956 from the representative of France addressed to the Secretary-General (S/3699 and C/T.4)

<table>
<thead>
<tr>
<th>Item</th>
<th>First inclusion in the agenda</th>
<th>First entry in Summary Statement</th>
<th>Last action of the Council as of 31 December 1955</th>
<th>Final entry in Summary Statement as of 31 December 1955</th>
</tr>
</thead>
<tbody>
<tr>
<td>61.</td>
<td>689th meeting, 28 January 1956</td>
<td>S/3359, 28 January 1956</td>
<td>Postponed consideration of matters contained in the letter from the representative of New Zealand 691st meeting, 14 February 1955</td>
<td>Rejected USSR motion to consider the next item on the agenda 691st meeting, 14 February 1955</td>
</tr>
<tr>
<td>62.</td>
<td>701st meeting, 10 December 1955</td>
<td>S/3507, 10 December 1955</td>
<td>Rejected USSR amendment (S/3517) to United Kingdom draft resolution (S/3513) and postponed further consideration of letter 708th meeting, 21 December 1955</td>
<td>See items 73, 77 and 112 below</td>
</tr>
<tr>
<td>68.</td>
<td>734th meeting, 26 September 1956</td>
<td>S/3661, 1 October 1956</td>
<td>Rejected a motion to discuss this item simultaneously with the preceding one submitted by France and the United Kingdom 743rd meeting, 13 October 1956</td>
<td>See items 77 and 85 below</td>
</tr>
<tr>
<td>69.</td>
<td>734th meeting, 26 September 1956</td>
<td>S/3661, 1 October 1956</td>
<td>Rejected a motion to discuss this item simultaneously with the preceding one submitted by France and the United Kingdom 743rd meeting, 13 October 1956</td>
<td></td>
</tr>
<tr>
<td>70.</td>
<td>746th meeting, 28 October 1956</td>
<td>S/3738, 6 November 1956</td>
<td>Adopted United States draft resolution (S/3738) to call an emergency special session of the General Assembly 754th meeting, 4 November 1956</td>
<td></td>
</tr>
<tr>
<td>71.</td>
<td>747th meeting, 29 October 1956</td>
<td>S/3738, 6 November 1956</td>
<td>Adjourned its discussion to a further date 747th meeting, 29 October 1956</td>
<td></td>
</tr>
</tbody>
</table>

* / (Note that agenda heading, the applications remaining on the list are only those which failed to obtain recommendation.)
Part IV. The agenda: matters of which the Security Council is seized (rules 10 and 11)

72. Letter dated 30 October 1956 from the representative of Egypt addressed to the President of the Security Council (S/3712)

73. Admission of new Members

<table>
<thead>
<tr>
<th>Item</th>
<th>Primary inclusion in the agenda</th>
<th>Primary entry in Summary Statement</th>
<th>Last action of the Council as of 31 December 1963</th>
<th>Final entry in Summary Statement as of 31 December 1963</th>
</tr>
</thead>
<tbody>
<tr>
<td>72</td>
<td>750th meeting, 30 October 1956</td>
<td>S/3758, 6 November 1956</td>
<td>Adopted Yugoslav draft resolution (S/3719)</td>
<td>751st meeting, 31 October 1956</td>
</tr>
<tr>
<td>73</td>
<td>756th meeting, 12 December 1956</td>
<td>S/3759, 17 December 1956</td>
<td>Rejected USSR draft resolution (S/3756)</td>
<td>See items 77 and 112 below</td>
</tr>
<tr>
<td>77</td>
<td>789th meeting, 9 September 1957</td>
<td>S/3885, 17 September 1957</td>
<td>Rejected USSR amendment (S/3887) to recommend simultaneous admission of Democratic People's Republic of Korea and of the Republic of Korea</td>
<td>See item 85 below</td>
</tr>
<tr>
<td>78</td>
<td>789th meeting, 9 September 1957</td>
<td>S/3888, 17 September 1957</td>
<td>Not recommended</td>
<td>790th meeting, 9 September 1957</td>
</tr>
<tr>
<td>77</td>
<td>789th meeting, 9 September 1957</td>
<td>S/3888, 17 September 1957</td>
<td>Not recommended</td>
<td>790th meeting, 9 September 1957</td>
</tr>
<tr>
<td>78</td>
<td>811th meeting, 18 February 1958</td>
<td>S/3967, 26 February 1958</td>
<td>Adjourned the meeting under rule 33</td>
<td>811th meeting, 18 February 1958</td>
</tr>
</tbody>
</table>

Not recommended by the Security Council:

- Admission of new Members:
  - Mongolian People's Republic
  - People's Republic of Korea
  - Viet-Nam
  - Mongolia

Adjourned the meeting under rule 33:

- 811th meeting, 18 February 1958
<table>
<thead>
<tr>
<th>Item</th>
<th>First entry in Summary Statements</th>
<th>Last action of the Council as of 31 December 1958</th>
<th>Final entry in Summary Statements as of 31 December 1958</th>
</tr>
</thead>
<tbody>
<tr>
<td>79. Letter dated 20 February 1958 from the representative of the Sudan addressed to the Secretary-General</td>
<td>812th meeting, 21 February 1958</td>
<td>S/3967, 26 February 1958</td>
<td>Decided that the next meeting, if necessary, would be called after consultation among members and the parties concerned 812th meeting, 21 February 1958</td>
</tr>
<tr>
<td>80. Complaint of the representative of the USSR</td>
<td>814th meeting, 29 April 1958</td>
<td>S/3996, 28 April 1958</td>
<td>Failed to adopt United States draft resolution (S/3995), as amended by Sweden, and rejected USSR draft resolution (S/3997) 817th meeting, 2 May 1958</td>
</tr>
<tr>
<td>82. The Tunisian question (II): Letter dated 29 May 1958 from the representative of Tunisia to the President of the Security Council concerning: &quot;Complaint by Tunisia in respect of acts of armed aggression committed against it since May 1958 by the French military forces stationed in its territory and in Algeria&quot; Letter dated 29 May from the representative of France to the President of the Security Council concerning: (a) &quot;The complaint brought by France against Tunisia on 14 February 1958 (document S/3954)&quot; (b) &quot;The situation arising out of the disruption, by Tunisia, of the mosques erected which had been established since February 1958 with regard to the stationing of French troops at certain points in Tunisian territory&quot;</td>
<td>819th meeting, 2 June 1958</td>
<td>S/4021, 9 June 1958</td>
<td>Statements made by the representatives of France and Tunisia concerning the agreement reached by their Governments 826th meeting, 13 June 1958</td>
</tr>
<tr>
<td>83. Letter dated 17 July 1958 from the representative of Jordan addressed to the President of the Security Council concerning: &quot;Complaint by the Hashemite Kingdom of Jordan of interference in its domestic affairs by the United Arab Republic&quot;</td>
<td>831st meeting, 17 July 1958</td>
<td>S/4061</td>
<td>Agreed to consider simultaneously the complaints submitted by Lebanon and Jordan 831st meeting, 17 July 1958</td>
</tr>
<tr>
<td>85. Admission of new Members</td>
<td>842nd meeting, 6 December 1958</td>
<td>S/4135</td>
<td>Rejected USSR amendments (S/4135) to joint</td>
</tr>
</tbody>
</table>
Part IV. The agenda: matters of which the Security Council is seized (rules 10 and 11)

86. Report by the Secretary-General on the letter received from the Minister for Foreign Affairs of the Royal Government of Laos, transmitted by a note from the Permanent Mission of Laos to the United Nations, 4 September 1959 (S/4212, S/4213, S/4214)

87. Election of a member to fill the vacancy in the International Court of Justice

88. Admission of new Members

89. Letter dated 25 March 1960 from the representatives of Afghanistan, Burma, Cambodia, Ceylon, Ethiopia, Federation of Malaya, Ghana, Guinea, India, Indonesia, Iran, Iraq, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Morocco, Nepal, Pakistan, Philippines, Saudi Arabia, Sudan, Thailand, Tunisia, Turkey, United Arab Republic and Yemen addressed to the President of the Security Council (S/4279 and Add.1)

90. Cable dated 18 May 1960 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics addressed to the President of the Security Council (S/4314, S/4315)

91. Letter dated 23 May 1960 from the representatives of Argentina, Ceylon, Ecuador and Tunisia addressed to the President of the

<table>
<thead>
<tr>
<th>Date</th>
<th>Resolution/Item</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>9 December 1958</td>
<td>Viet-Nam</td>
<td>S/4135</td>
</tr>
<tr>
<td>7 September 1959</td>
<td>Viet-Nam</td>
<td>S/4220</td>
</tr>
<tr>
<td>29 September 1959</td>
<td>Viet-Nam</td>
<td>S/4255</td>
</tr>
<tr>
<td>26 January 1960</td>
<td>Cameroon</td>
<td>S/4262</td>
</tr>
<tr>
<td>30 March 1960</td>
<td>Ecuador</td>
<td>S/4301</td>
</tr>
<tr>
<td>23 May 1960</td>
<td>USSR</td>
<td>S/4329</td>
</tr>
<tr>
<td>26 May 1960</td>
<td>Lebanon</td>
<td>S/4315</td>
</tr>
</tbody>
</table>

Recommended Mr. Ricardo J. Alcaro to fill the vacancy left by Mr. José Gustavo Guerrero

Recommended Mr. Hirsch S/4225, J. Alcaro to fill the vacancy left by Mr. José Gustavo Guerrero

Adopted joint draft resolution (S/4214)

Adopted joint draft resolution (S/4214)

Adopted an Ecuadorian draft resolution (S/4229)

Adopted revised four-power draft resolution (S/4314, Rev. 7)

Rejected USSR draft resolution (S/4321)

Adopted four-power draft resolution (S/4314, Rev. 7)
Chapter II. Agenda

92. Admission of new Members
Togo
864th meeting, 31 May 1960
S/4332, 6 June 1960
Recommended
864th meeting, 31 May 1960
S/4332, 6 June 1960

93. The date of election to fill a vacancy in the International Court of Justice
864th meeting, 31 May 1960
S/4332, 6 June 1960
Adopted resolution (S/4331)
864th meeting, 31 May 1960
S/4332, 6 June 1960

94. Letter dated 15 June 1960 from the representative of Argentina to the President of the Security Council (S/4336)
865th meeting, 22 June 1960
S/4351, 28 June 1960
Adopted Argentina draft resolution (S/4349) as amended
865th meeting, 23 June 1960

95. Admission of new Members
Mali
869th meeting, 28 June 1960
S/4372, 7 July 1960
Recommended
869th meeting, 28 June 1960
S/4372, 7 July 1960

Madagascar (Malagasy Republic)
870th meeting, 29 June 1960
S/4372, 7 July 1960
Recommended
870th meeting, 29 June 1960
S/4372, 7 July 1960

Somalia
871st meeting, 5 July 1960
S/4379, 13 July 1960
Recommended
871st meeting, 5 July 1960
S/4379, 13 July 1960

Congo (Leopoldville)
872nd meeting, 7 July 1960
S/4379, 13 July 1960
Recommended
872nd meeting, 7 July 1960
S/4379, 13 July 1960

96. Letter dated 13 July 1960 from the Secretary-General addressed to the President of the Security Council (S/4381)
873rd meeting, 13/14 July 1960
S/4391, 18 July 1960
Adopted resolution (S/4902)
982nd meeting, 24 November 1961

97. Letter dated 11 July 1960 from the Minister for Foreign Affairs of Cuba addressed to the President of the Security Council (S/4379)
874th meeting, 18 July 1960
S/4408, 25 July 1960
Adopted joint draft resolution (S/4392)
876th meeting, 19 July 1960

98. Telegrams dated 13 July 1960 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics addressed to the Secretary-General (S/4384, S/4385)
880th meeting, 22 July 1960
S/4408, 25 July 1960
Rejected USSR draft resolution (S/4406) and failed to adopt United States and Italian draft resolutions (S/4409/Rev.1, S/4411)
883rd meeting, 26 July 1960

99. Admission of new Members
Dahomey
890th meeting, 23 August 1960
S/4472, 29 August 1960
Recommended
891st meeting, 23 August 1960
S/4472, 29 August 1960

Niger
890th meeting, 23 August 1960
S/4472, 29 August 1960
Recommended
891st meeting, 23 August 1960
S/4472, 29 August 1960

Upper Volta
890th meeting, 23 August 1960
S/4472, 29 August 1960
Recommended
891st meeting, 23 August 1960
S/4472, 29 August 1960

Ivory Coast
890th meeting, 23 August 1960
S/4472, 29 August 1960
Recommended
891st meeting, 23 August 1960
S/4472, 29 August 1960
### Part IV. The agenda: matters of which the Security Council is seized (rules 10 and 11)

<table>
<thead>
<tr>
<th>Item</th>
<th>First occurrence in the agenda</th>
<th>First entry in Summary Statement</th>
<th>Last action of the Council as of 31 December 1960</th>
<th>Final entry in Summary Statement as of 31 December 1960</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chad</td>
<td>899th meeting, 23 August 1960</td>
<td>S/4472, 29 August 1960</td>
<td>Recommended, 891st meeting, 23 August 1960</td>
<td>S/4472, 29 August 1960</td>
</tr>
<tr>
<td>Congo ( Brazzaville)</td>
<td>899th meeting, 23 August 1960</td>
<td>S/4472, 29 August 1960</td>
<td>Recommended, 891st meeting, 23 August 1960</td>
<td>S/4472, 29 August 1960</td>
</tr>
<tr>
<td>Gabon</td>
<td>899th meeting, 23 August 1960</td>
<td>S/4472, 29 August 1960</td>
<td>Recommended, 891st meeting, 23 August 1960</td>
<td>S/4472, 29 August 1960</td>
</tr>
<tr>
<td>Cyprus</td>
<td>892nd meeting, 24 August 1960</td>
<td>S/4472, 29 August 1960</td>
<td>Recommended, 892nd meeting, 24 August 1960</td>
<td>S/4472, 29 August 1960</td>
</tr>
</tbody>
</table>

100. Letter dated 5 September 1960 from the First Deputy Minister for Foreign Affairs of the Union of Soviet Socialist Republics addressed to the President of the Security Council (S/4477)

101. Telegram dated 8 September 1960 from the Prime Minister of the Republic of the Congo addressed to the Secretary-General (S/4486)

102. Admission of new Members

- Senegal
- Mali
- Nigeria

103. Election of members to fill vacancies in the International Court of Justice

- 909th meeting, 16 November 1960 | S/4562, 22 November 1960 | Recommended Sir Gerald Fitzmaurice to succeed to vacancy resulting from the death of Sir Hersch Lauterpacht |

104. Admission of new Members

- Mauritania
  - 911th meeting, 3/4 December 1960 | S/4572, 5 December 1960 | Not recommended |

105. Letter dated 31 December 1960 from the Minister for External Relations of Cuba to the President of the Security Council (S/4612)

- 921st meeting, 4 January 1961 | S/4617, 13 January 1961 | Discussed Chile-Ecuador joint draft resolution (S/4612) |

See item 110 below.
<table>
<thead>
<tr>
<th>Item</th>
<th>First inclusion in the agenda</th>
<th>First entry in Summary Statement</th>
<th>Last action of the Council as of 31 December 1961</th>
<th>Final entry in Summary Statement as of 31 December 1961</th>
</tr>
</thead>
<tbody>
<tr>
<td>106.</td>
<td>Letter dated 20 February 1961 from the representative of Liberia addressed to the President of the Security Council (S/1738)</td>
<td>944th meeting, 10 March 1961</td>
<td>Adopted joint draft resolution (S/4835) as amended 956th meeting, 9 June 1961</td>
<td></td>
</tr>
<tr>
<td>107.</td>
<td>Complaint by Kuwait in respect of the situation arising from the threat by Iraq to the territorial independence of Kuwait, which is likely to endanger the maintenance of international peace and security (S/4844)</td>
<td>957th meeting, 2 July 1961</td>
<td>Failed to adopt United Kingdom draft resolution (S/4855) 960th meeting, 7 July 1961</td>
<td></td>
</tr>
<tr>
<td>108.</td>
<td>Complaint by the Government of the Republic of Iraq in respect of the situation arising out of the armed threat by the United Kingdom to the independence and security of Iraq, which is likely to endanger the maintenance of international peace and security (S/4947)</td>
<td>957th meeting, 2 July 1961</td>
<td>Failed to adopt United Arab Republic draft resolution (S/4956) 960th meeting, 7 July 1961</td>
<td></td>
</tr>
<tr>
<td>109.</td>
<td>Telegram dated 20 July 1961 addressed to the President of the Security Council by the Secretary of State for Foreign Affairs of the Republic of Tunisia (S/4861), Letter dated 20 July 1961 from the Permanent Representative of Tunisia addressed to the President of the Security Council (S/4862)</td>
<td>961st meeting, 21 July 1961</td>
<td>Rejected two joint draft resolutions (S/4903, S/4904) and Turkish draft resolution (S/4905) 966th meeting, 29 July 1961</td>
<td></td>
</tr>
<tr>
<td>110.</td>
<td>Admission of new Members Sierra Leone</td>
<td>968th meeting, 26 September 1961</td>
<td>Recommended 968th meeting, 26 September 1961</td>
<td>S/4956, 2 October 1961</td>
</tr>
<tr>
<td></td>
<td>Reconsideration Mongolia</td>
<td>968th meeting, 26 September 1961</td>
<td>Recommended 971st meeting, 25 October 1961</td>
<td>S/4970, 30 October 1961</td>
</tr>
<tr>
<td></td>
<td>Reconsideration Mauritania</td>
<td>968th meeting, 26 September 1961</td>
<td>Recommended 971st meeting, 25 October 1961</td>
<td>S/4970, 30 October 1961</td>
</tr>
<tr>
<td>111.</td>
<td>Question of recommendation regarding the Acting Secretary-General</td>
<td>972nd meeting, 3 November 1961</td>
<td>Recommended 972nd meeting, 3 November 1961</td>
<td>S/4974, 7 November 1961</td>
</tr>
<tr>
<td>112.</td>
<td>Letter dated 21 November 1961 from the Permanent Representative of Cuba addressed to the President of the Security Council (S/4988)</td>
<td>980th meeting, 22 November 1961</td>
<td>Decided to retain the item on the agenda 993rd meeting, 28 November 1961</td>
<td></td>
</tr>
</tbody>
</table>

\* See Case 17.
<table>
<thead>
<tr>
<th>No.</th>
<th>Item</th>
<th>First inclusion in the agenda</th>
<th>First entry in Summary Statement</th>
<th>Last action of the Council as of 31 December 1961</th>
<th>Final entry in Summary Statement as of 31 December 1961</th>
</tr>
</thead>
<tbody>
<tr>
<td>113.</td>
<td>Admission of new Members</td>
<td>984th meeting, 30 November 1961</td>
<td>S/5162, 5 December 1961</td>
<td>Not recommended 985th meeting, 30 November 1961</td>
<td>See Item 120 below</td>
</tr>
<tr>
<td>114.</td>
<td>Letter dated 18 December 1961 from the Permanent Representative of Portugal to the President of the Security Council (S/5036)</td>
<td>987th meeting, 18 December 1961</td>
<td>S/5042, 28 December 1961</td>
<td>Rejected joint draft resolution (S/5032) and failed to adopt joint draft resolution (S/5033) 988th meeting, 18 December 1961</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Burundi</td>
<td>1018th meeting, 12 September 1962</td>
<td>S/5168, 19 September 1962</td>
<td>Recommended 1018th meeting, 12 September 1962</td>
<td>S/5168, 19 September 1962</td>
</tr>
<tr>
<td></td>
<td>Jamaica</td>
<td>1018th meeting, 12 September 1962</td>
<td>S/5168, 19 September 1962</td>
<td>Recommended 1018th meeting, 12 September 1962</td>
<td>S/5168, 19 September 1962</td>
</tr>
<tr>
<td></td>
<td>Trinidad and Tobago</td>
<td>1020th meeting, 4 October 1962</td>
<td>S/5175, 8 October 1962</td>
<td>Recommended 1020th meeting, 4 October 1962</td>
<td>S/5175, 8 October 1962</td>
</tr>
<tr>
<td>117.</td>
<td>Letter dated 22 October 1962 from the Permanent Representative of the United States of America addressed to the President of the Security Council (S/5181); letter dated 22 October 1962 from the Permanent Representative of Cuba addressed to the President of the Security Council (S/5183); letter dated 23 October 1962 from the Deputy Permanent Representative of the Union of Soviet Socialist Republics ad-</td>
<td>1022nd meeting, 23 October 1962</td>
<td>S/5201, 31 October 1962</td>
<td>Adjournment of meeting pending outcome of Secretary-General's appeal 1025th meeting, 25 October 1962</td>
<td></td>
</tr>
<tr>
<td>Item</td>
<td>First inclusion to the agenda</td>
<td>First entry in Summary Statement</td>
<td>Last action of the Council as of 31 December 1963</td>
<td>Final entry in Summary Statement as of 31 December 1963</td>
<td></td>
</tr>
<tr>
<td>------</td>
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<td>----------------------------------</td>
<td>-----------------------------------------------</td>
<td>--------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>118.</td>
<td>1026th meeting (private), 30 November 1962</td>
<td>S/5213, 3 December 1962</td>
<td>Recommended 1026th meeting, 30 November 1962</td>
<td>S/5213, 3 December 1962</td>
<td></td>
</tr>
<tr>
<td>119.</td>
<td>1027th meeting, 17 April 1963</td>
<td>S/5291, 22 April 1963</td>
<td>Adopted joint draft resolution (S/5292) 1034th meeting, 9 May 1963</td>
<td></td>
<td></td>
</tr>
<tr>
<td>120.</td>
<td>1034th meeting, 7 May 1963</td>
<td>S/5314, 13 May 1963</td>
<td>Recommended 1034th meeting, 7 May 1963</td>
<td>S/5314, 13 May 1963</td>
<td></td>
</tr>
<tr>
<td>121.</td>
<td>1035th meeting, 8 May 1963</td>
<td>S/5313, 13 May 1963</td>
<td>Postponed indefinitely 1036th meeting, 9 May 1963</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122.</td>
<td>1037th meeting, 10 June 1963</td>
<td>S/5334, 17 June 1963</td>
<td>Adopted joint draft resolution (S/5330) 1039th meeting, 11 June 1963</td>
<td></td>
<td></td>
</tr>
<tr>
<td>123.</td>
<td>1040th meeting, 22 July 1963</td>
<td>S/5377, 30 July 1963</td>
<td>Adopted joint draft resolution (S/5480) 1083rd meeting, 11 December 1963</td>
<td></td>
<td></td>
</tr>
<tr>
<td>124.</td>
<td>1040th meeting, 22 July 1963</td>
<td>S/5377, 30 July 1963</td>
<td>Adopted Norwegian draft resolution (S/5469) 1078th meeting, 4 December 1963</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### 125. Letter dated 2 August 1963 from the representatives of Ghana, Guinea, Morocco, and the United Arab Republic addressed to the President of the Security Council (S/5382); and letter dated 30 August from the Chargé d'Affaires of the Permanent Mission of the Congo (Brazzaville) addressed to the President of the Security Council on behalf of the representatives of Algeria, Burundi, Cameroon, Central African Republic, Chad, Congo (Brazzaville), Congo (Leopoldville), Dahomey, Ethiopia, Gabon, Ivory Coast, Liberia, Libya, Madagascar, Mali, Mauritania, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Tanganyika, Togo, Tunisia, Uganda, and Upper Volta (S/5489)

<table>
<thead>
<tr>
<th>Item</th>
<th>First inclusion in the agenda</th>
<th>First entry in Summary Statement</th>
<th>Last action of the Council as of</th>
<th>Last entry in Summary Statement as of</th>
</tr>
</thead>
<tbody>
<tr>
<td>125.</td>
<td>1064th meeting, 9 September 1963</td>
<td>S/5429, 16 September 1963</td>
<td>Failed to adopt joint draft resolution (S/5425/Rev.1)</td>
<td>1064th meeting, 13 September 1963</td>
</tr>
</tbody>
</table>

### 126. Election of members to fill vacancies in the International Court of Justice

<table>
<thead>
<tr>
<th>Item</th>
<th>1071st meeting, 21 October 1963</th>
<th>S/5446, 28 October 1963</th>
<th>Recommended five candidates to fill vacancies at 1071st and 1072nd meetings, 21 October 1963</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>S/5446, 28 October 1963</td>
</tr>
</tbody>
</table>

### 127. Admission of new Members

<table>
<thead>
<tr>
<th>Item</th>
<th>Zanzibar</th>
<th>Kenya</th>
</tr>
</thead>
<tbody>
<tr>
<td>S/5489</td>
<td>1084th meeting, 16 December 1963</td>
<td>S/5489, 27 December 1963</td>
</tr>
<tr>
<td></td>
<td>1084th meeting, 16 December 1963</td>
<td>1084th meeting, 16 December 1963</td>
</tr>
<tr>
<td></td>
<td>1085th meeting, 27 December 1963</td>
<td>1085th meeting, 27 December 1963</td>
</tr>
</tbody>
</table>

### 128. Letter dated 26 December 1963 from the Permanent Representative of Cyprus addressed to the President of the Security Council (S/5488)

<table>
<thead>
<tr>
<th>Item</th>
<th>1085th meeting, 27 December 1963</th>
<th>S/5509, 31 December 1963</th>
<th>Decided that the Council would be reconvened, on consultation by the President, whenever it was deemed appropriate 1085th meeting, 27 December 1963</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>S/5509, 31 December 1963</td>
</tr>
</tbody>
</table>
2. Proceedings of the Security Council regarding the retention and deletion of items from the agenda

CASE 11

At the 893rd meeting on 8 September 1960, in connexion with the letter dated 5 September 1960 from the First Deputy Minister for Foreign Affairs of the Union of Soviet Socialist Republics, the Council had before it two draft resolutions: one submitted by the USSR, and the other by Argentina, Ecuador and the United States.

At the 895th meeting on 9 September 1960, the Council, after accepting to the request of the representative of Ecuador that the three-Power draft resolution be given priority, adopted it by 9 votes in favour, none against, with 2 abstentions. The representative of the USSR then stated that, in the light of the discussion and the vote, the majority of the members were not ready to vote for the USSR draft resolution and, therefore, he would not press for a vote on his draft resolution. He further stressed that resolutions such as that adopted by the Organization of American States (OAS) fell completely within the purview of Article 53 of the Charter and were subject to approval by the Council. The members who were evading the consideration of the substantive issue were leaving the door open so that in other circumstances they might fully support the provisions of the Charter to the effect that regional agencies might apply sanctions only with the concurrence of the Council.

The representative of the United States, in reference to the interpretation of Article 53 given by the representative of the USSR, maintained that the three-Power draft resolution was not submitted under Article 53. He continued:

"As to the principle of the matter being left open for future consideration by the Council, my delegation considers this particular item completed, and in the future we shall judge proposals on their merits." 53/

The President (Italy) stated: 54/

"We can consider our examination of this question completed. Having heard the statements of the members of the Council, I take it that I may now declare that the Council has disposed of the matter." 55/

CASE 12

At the 961st meeting on 21 July 1961, the Council included in its provisional agenda an item:

"Telegram dated 20 July 1961 addressed to the President of the Security Council by the Secretary of State for Foreign Affairs of the Republic of Tunisia (S/4861). Letter dated 20 July 1961 from the Permanent Representative of Tunisia addressed to the President of the Security Council (S/4862)."

Following the adoption of the agenda, the President (Ecuador) invited the representative of Tunisia to the Council table to take part in the Council's discussion of the item. 56/

At the 962nd meeting on 22 July 1961, the Council had before it three draft resolutions: the first by the United Kingdom and the United States; the second by the United Kingdom and the United States; and the third by Liberia.

The representative of Liberia, in requesting that priority be given to his draft resolution over the other two, stated that, in view of the circumstances, the Council should adopt this preliminary decision immediately and without discussion. As soon as this draft resolution was adopted, the Council could then speedily resume its discussion on the Tunisian complaint. The draft resolution provided that the Council, pending the conclusion of the debate of the item, would call for an immediate cease-fire and a return of all armed forces to their original positions.

The Council, after accepting to the request of the representative of Liberia, took a vote on the draft resolution submitted by Liberia (S/4880), which was adopted by 10 votes in favour and none against.

At the 963rd meeting on 22 July 1961, the Council rejected the other two draft resolutions before it: the one submitted by Liberia and the United Arab Republic (S/4878), and the other by the United Kingdom and the United States (S/4879).

The representative of Tunisia, in summarizing the situation confronting the Council, stated that...

"... in order to prevent an extremely serious international situation, and also in order not to disappoint all the hopes which have always turned to our Organization, I venture to request that the question should remain before the Security Council." 57/

The representatives of Ceylon and the United Arab Republic shared the view of the representative of Tunisia that the Council should remain seized of the question they had considered and should hold itself in readiness to meet at any time when circumstances warrant such a meeting.

The President (Ecuador), in summing up the Council's proceedings on this question, stated that...

"... the fact that both draft resolutions have been put to the vote and neither has been adopted does not mean that the debate on this matter is over; firstly, because it is on the agenda and must therefore stand in its present form; and secondly, because the draft resolution adopted at the last meeting states clearly, in operative paragraph 2: 'Decides to continue the..."
debate. I do not consider that the fact that neither of the two draft resolutions submitted today has been adopted can be taken to mean that the matter is now finished."

He further held himself in readiness to convene the Council again, at the request of any member or of any State Member of the United Nations, whenever that was deemed necessary.\footnote{For texts of relevant statements, see: United meeting; President (niemeyer), paras. 143-144; Lebou, para. 119; Tunisia, para. 131; United Arab Republic, para. 138.}