

Chapter V

**SUBSIDIARY ORGANS ESTABLISHED BY OR IN PURSUANCE OF SECURITY
COUNCIL RESOLUTIONS**

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INTRODUCTORY NOTE

The material included in this chapter covers procedures of the Security Council in establishing, or authorizing the establishment of, subsidiary organs deemed necessary for the performance of its functions related to the maintenance of international peace and security.

Part I, "Occasions on which subsidiary organs of the Security Council have been established or proposed", includes one case history in which the Council authorized the Secretary-General to set up a subsidiary organ (Case 1), and another in which the Council itself, acting under rule 28 of the provisional rules of procedure of the Security Council, established the subsidiary organ (Case 4).

Part I also includes two instances (Cases 2 and 3) concerning formal proposals to establish subsidiary organs which were submitted and discussed, but were not put to the vote.

With respect to the case in which a subsidiary organ has been set up by the Secretary-General pursuant to

a Security Council resolution, no implication is intended whether this body does or does not come within Article 29.

Part II of this chapter contains no entries, as there were no instances, during the period under review, of consideration by the Council of procedures in relation to subsidiary organs.

ARTICLE 29 OF THE CHARTER

"The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions."

RULE 28 OF THE PROVISIONAL RULES OF PROCEDURE

"The Security Council may appoint a commission or committee or a rapporteur for a specified question."

Part I

OCCASIONS ON WHICH SUBSIDIARY ORGANS OF THE SECURITY COUNCIL HAVE BEEN ESTABLISHED OR PROPOSED

NOTE

During the period under review, the Security Council: (i) requested the Secretary-General to designate a Special Representative to proceed to the Middle East to maintain contacts with the States which had been engaged in military activities, in order to promote peaceful settlement;¹ and (ii) established a Committee to survey the implementation of the Council resolutions in connexion with the situation in Southern Rhodesia.² The latter subsidiary body did not involve meetings at places away from the seat of the Organization during the period under review.

The Council also requested³ the Secretary-General to dispatch a Special Representative to the Arab territories under military occupation by Israel, as a result of the hostilities of June 1967; and to report on the implementation of the Council resolution 237 (1967) concerning humanitarian problems. However, following consultations with the parties concerned, the Secretary-General reported to the Council that in view of the fact that one of the parties accepted the mission conditionally, he was not able to give effect to the Security Council decision.⁴

Of the subsidiary organs established in connexion with the Security Council's discharge of responsibilities for the maintenance of international peace and security, the United Nations Representative for India and Pakistan and the United Nations Truce Supervision Organization (UNTSO)⁵ continued in existence during the period under

⁵ At the 1366th meeting of the Council, on 9 July 1967, the President (Ethiopia) read a consensus of the Council members under which the Secretary-General was to negotiate with the Governments of the United Arab Republic and Israel for the stationing of United Nations military observers in the Suez Canal sector under the Chief of Staff of UNTSO (*OR, 22nd yr., Resolutions and Decisions of the Security Council, 1967*, pp. 6-7). The Secretary-General reported on 11 July 1967 (S/8053, *OR, 22nd yr., Suppl. for July-Sept. 1967*, pp. 77-78) that both Member States had accepted the proposal to station United Nations military observers in the Suez Canal zone. He also reported that he was recruiting twenty-five additional military observers which, he estimated, would be required. He later reported, on the basis of revised estimates, that the observation in that area would have to be covered by forty-six temporary observers and four regular UNTSO observers (S/8053/Add.1 of 10 August 1967). At the 1371st meeting on 25 October 1967, the Secretary-General stated that it had been increasingly apparent that the number of observers needed to be enlarged to ninety, and that other related measures should be adopted. Details were later submitted in his report to the Council dated 31 October 1967 (S/8053/Add.3, *OR, 22nd yr., Suppl. for Oct.-Dec. 1967*, pp. 76-79). On 8 December 1967, the President of the Council (Nigeria) circulated a statement reflecting the views of the Council members recognizing the necessity of the enlargement by the Secretary-General of the number of observers and means of transportation.

¹ Case 1.

² Case 4.

³ Resolution 259 (1968).

⁴ S/8851, *OR, 23rd yr., Suppl. for Oct.-Dec. 1968*, pp. 74-77.

review, while the mandate of the United Nations Force in Cyprus (UNFICYP) has been extended several times throughout the period.⁶

With regard to the mediation function in Cyprus, as provided for in paragraph 7 of Security Council resolution 186 (1964) of 4 March 1964, the Secretary-General reported to the Council⁷ on 10 March 1966, that, after the resignation of Mr. Galo Plaza as United Nations Mediator in Cyprus, his efforts towards achieving a resumption of the mediation activities had been unavailing owing primarily to the widely differing and firmly held views on the matter of the three Governments most directly concerned.⁸ In subsequent reports,⁹ the Secretary-General informed the Council that the situation regarding a resumption of the mediation function, remained unchanged.

Of the Standing Committees of the Security Council, neither the Committee of Experts nor the Committee on Admission of New Members has been employed during the period under review.¹⁰

⁶ The mandate of the Force was extended by the following resolutions of the Security Council: at its 1275th meeting on 16 March 1966 (for a period of three months ending 26 June 1966, resolution 220 (1966)); at its 1286th meeting on 16 June 1966 (for a period of six months ending 26 December 1966, resolution 222 (1966)); at its 1338th meeting on 15 December 1966 (for a further period of six months ending 26 June 1967, resolution 231 (1966)); at its 1362nd meeting on 19 June 1967 (for a further period of six months ending 26 December 1967, resolution 238 (1967)); at its 1386th meeting on 22 December 1967 (for a period of three months ending on 26 March 1968, resolution 244 (1967)); at its 1398th meeting on 18 March 1968 (for a further period of three months ending 26 June 1968, resolution 247 (1968)); at its 1432nd meeting on 18 June 1968 (for a further period ending 15 December 1968, resolution 254 (1968)); and at its 1459th meeting on 10 December 1968 (for a further period ending 15 June 1969, resolution 261 (1968)).

For statement of the Secretary-General regarding the acute financial situation affecting the United Nations Operation in Cyprus, see Chapter I, part IV, p. 16. For texts of relevant statements, see: 1275th meeting: Greece, para. 125, Japan, para. 66; Netherlands, para. 75; New Zealand, para. 72; Turkey, para. 120; USSR, para. 36; United Kingdom, paras. 45-49; United States, para. 81.

⁷ S/7191, *OR*, 21st yr., *Suppl. for Jan.-Mar. 1966*, p. 229.

⁸ See also *Repertoire of the Practice of the Security Council, Supplement 1964-1965*, chapter V, Case 2, pp. 71-72.

⁹ S/7350 and Add. 1, *OR*, 21st yr., *Suppl. for April-June 1966*, p. 154; S/7611, *OR*, 21st yr., *Suppl. for Oct.-Dec. 1966*, p. 111; S/7969, *OR*, 22nd yr., *Suppl. for April-June 1967*, p. 183; S/8286, *OR*, 22nd yr., *Suppl. for Oct.-Dec. 1967*, p. 266; S/8446, *OR*, 23rd yr., *Suppl. for Jan.-Mar. 1968*, p. 217; S/8622, *OR*, 23rd yr., *Suppl. for April-June 1968*, p. 189; S/8914, *OR*, 23rd yr., *Suppl. for Oct.-Dec. 1968*, p. 136.

¹⁰ In his letter to the President of the Security Council dated 13 December 1967 (S/8296), the permanent representative of the United States made reference to the problem of the "micro-States", raised by the Secretary-General in his Introduction of the annual report to the XXII session of the General Assembly (A/6701/Add.1), and proposed that the members of the Council should be consulted as to the possibility of reconvening the Committee on Admission of New Members with the purpose of considering such a problem. Subsequently, at the 1414th meeting of the Council on 18 April 1968, the representative of the United States recalled that the aforementioned proposal was still outstanding, and expressed the hope that the Council would, at an early date, reconvene the Committee to consider the implications with regard to membership of the so-called "micro-States". For communications addressed by the President of the Security Council to the permanent representative of the United States, regarding consultations with members of the Council on this proposal, see S/8316, *OR*, 22nd yr., *Suppl. for Oct.-Dec. 1967*, p. 333; S/8376, *OR*, 23rd yr., *Suppl. for Jan.-Mar. 1968*, p. 156; S/8437, *ibid.*, p. 208; S/8520.

A. INVOLVING, TO FACILITATE THEIR WORK, MEETINGS AT PLACES AWAY FROM THE SEAT OF THE ORGANIZATION

1. Subsidiary organs established

CASE 1

Special Representative in the Middle East

Establishment and terms of reference

At the 1379th meeting on 16 November 1967, in connexion with the situation in the Middle East (II), the representative of the United Kingdom introduced a draft resolution¹¹ under which the Security Council would, *inter alia*, request the Secretary-General "to designate a Special Representative to proceed to the Middle East to establish and maintain contacts with the States concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement in accordance with the provisions and principles in this resolution".

In submitting the proposed text to the Council, the representative of the United Kingdom stated¹² that he considered "that the United Nations Special Representative should be free to decide himself the exact means and methods by which he pursues his endeavours in contact with the States concerned both to promote agreement and to assist efforts to achieve a peaceful and accepted and final settlement".

At the 1382nd meeting on 22 November 1967, the United Kingdom draft resolution was adopted unanimously¹³ by the Council.

Composition

The Secretary-General reported, on 23 November 1967, to the Council¹⁴ that he had designated Ambassador Gunnar Jarring, of Sweden, as his Special Representative in the Middle East. He also reported that he had, on the same date, addressed identical notes to the Governments of Israel, Jordan, Lebanon, Syria and the United Arab Republic informing them of his designation of Ambassador Jarring, and expressing the hope that each of the Governments concerned would extend to him its full co-operation, and afford him all facilities necessary for the effective discharge of his important mission.¹⁵

Subsequently, at the 1440th meeting on 16 August 1968, after the Council had unanimously adopted resolution 256 (1968) condemning a further violation of the cease-fire

¹¹ S/8247, same text as resolution 242 (1967).

¹² 1379th meeting (PV), p. 11.

¹³ 1382nd meeting (PV), p. 36.

¹⁴ S/8259, *OR*, 22nd yr., *Suppl. for Oct.-Dec. 1967*, pp. 244-245.

¹⁵ In a report to the Security Council on 22 December 1967 (S/8309, *OR*, 22nd yr., *Suppl. for Oct.-Dec. 1967*, p. 326), the Secretary-General stated that after consultations at the United Nations Headquarters with representatives of the States concerned, and with the concurrence of the Government of Cyprus, Ambassador Jarring had established his headquarters at Nicosia, and had visited the Governments of the States concerned to fulfil his mandate. Subsequent reports on the activities of the Special Representative in the Middle East were submitted to the Council by the Secretary-General on 17 January 1968 (S/8309/Add.1, *OR*, 23rd yr., *Suppl. for Jan.-Mar. 1968*, pp. 20-21); on 29 March 1968 (S/8309/Add.2, *OR*, 23rd yr., *Suppl. for Jan.-Mar. 1968*, pp. 21-22); on 29 July 1968 (S/8309/Add.3, *OR*, 23rd yr., *Suppl. for July-Sept. 1968*, pp. 27-28); and on 3 December 1968 (S/8309/Add.4, *OR*, 23rd yr., *Suppl. for Oct.-Dec. 1968*, pp. 31-33).

in the Middle East, the President (Brazil) took note¹⁶ of the widespread support expressed during the discussion for the efforts of the Special Representative and requested the Secretary-General, with the consent of the Council, to convey that expression of support to Ambassador Gunnar Jarring.

At the 1452nd meeting on 18 September 1968, the Council adopted¹⁷ resolution 258 (1968) reaffirming its resolution 242 (1967) which, among others, requested the Secretary-General to designate a Special Representative to proceed to the Middle East, and urged all the parties to extend to him their fullest co-operation in the speedy fulfilment of his mandate.

2. Subsidiary organs proposed but not established

CASE 2

At the 1298th meeting on 10 August 1966, in connexion with the complaint by the United Kingdom concerning an alleged attack by aircraft on the territory of the Federation of South Arabia, the representative of New Zealand submitted a draft resolution¹⁸ under which the Security Council would decide "to request the Secretary-General to arrange for an immediate investigation, to be carried out by experienced United Nations personnel, in order to establish the facts relating to the incident referred to in the letter dated 2 August 1966 from the deputy permanent representative of the United Kingdom to the United Nations (S/7442), and to report to the Security Council as soon as possible".¹⁹

In the course of the discussion, it was suggested that the Secretary-General be requested to use his good offices to assist the parties in bringing about peaceful conditions in the area.²⁰

At the 1300th meeting on 16 August 1966, the President (Uganda) reported that, as a result of consultation among Council members, a consensus²¹ had been agreed to, the text of which he read before the Council. It included an invitation to the Secretary-General "to continue his good offices in an endeavour to settle the outstanding question in agreement with the parties concerned".

At the same meeting, the representative of New Zealand stated²² that he waived his right to call for a vote on his draft resolutions, and agreed to the consensus read by the President of the Council.

CASE 3

At the 1443rd meeting on 22/23 August 1968, in connexion with the Situation in Czechoslovakia, the representative of Canada submitted a draft resolution,²³ jointly sponsored with Brazil, Denmark, France, Paraguay, Senegal, the United Kingdom and the United States, under which the Security Council would request

the Secretary-General of the United Nations "to appoint and despatch immediately to Prague a Special Representative who shall seek the release and ensure the personal safety of the Czechoslovak leaders under detention and who shall report back urgently". The joint draft resolution was the subject of discussion at the 1443rd, 1444th and 1445th meetings, on 23 and 24 August 1968.

The representative of the USSR raised objections on the grounds that it was an attempt at direct intervention in the affairs of Czechoslovakia, and the common cause of the countries of the socialist community.²⁴

The representative of Canada explained that in the light of the armed invasion of Czechoslovakia by the Soviet Union and some of its Warsaw Pact Allies, the proposal before the Council was essentially a humanitarian one, and represented the minimum which the Council could do in the prevailing circumstances.²⁵

The representative of France stated that there was a deep concern in international opinion shared by the Governments at the announcement of the arrest, by foreign military forces, of several leaders of Czechoslovakia. The draft resolution of which he was a co-sponsor, involved a measure whose essentially humanitarian aspect did not need to be emphasized, and was justified by a situation to which the Council could not remain indifferent.²⁶

In the view of the representative of Denmark, it was absolutely essential, at that stage, for the Council to act with a sense of urgency and efficiency, in support of the elementary rights and interests of the true representatives of the people of Czechoslovakia.²⁷

The representative of Ethiopia maintained that for the Secretary-General's efforts to be at all effective and successful, the mission called for in the draft resolution would require the widest possible, if not the unanimous support of the members of the Council.²⁸

The representative of the United States considered that the adoption of the draft resolution would be the best way in which the Council, in exercise of its responsibilities, could ensure the security and welfare of the detained leaders of the Czechoslovak Government.²⁹

The representative of the United Kingdom reiterated his appeal to the representative of the USSR to give an assurance that the acknowledged leaders of Czechoslovakia were free and safe. The purpose of the draft resolution before the Council was to get an answer to those questions. Should he respond to that appeal, he would not only be serving the best interests of the people of Czechoslovakia, and of his own Government, but also the best interests of the United Nations.³⁰

The representative of Pakistan observed that the draft resolution had originated in the humanitarian concern of the eight Powers that had sponsored it. Some comments could be made regarding the need to revise the text of that proposal. However, in view of reports that Czecho-

¹⁶ 1440th meeting (PV), p. 7.

¹⁷ 1452nd meeting (PV), pp. 7-10.

¹⁸ S/7456, 1298th meeting, para. 103.

¹⁹ For discussion relating to article 33, see chapter X, Case 1.

²⁰ 1298th meeting: Japan, para. 88.

²¹ 1300th meeting, para. 2; *OR, 21st yr., Resolutions and Decisions of the Security Council, 1966*, p. 12.

²² 1300th meeting, para. 10.

²³ S/8767, 1443rd meeting (PV), p. 168.

²⁴ 1443rd meeting (PV), p. 176; 1444th meeting (PV), pp. 7-10, 11.

²⁵ 1444th meeting (PV), p. 21.

²⁶ 1444th meeting (PV), pp. 23-25.

²⁷ 1444th meeting (PV), p. 27.

²⁸ *Ibid.*, p. 31.

²⁹ *Ibid.*, p. 36.

³⁰ *Ibid.*, pp. 51, 53.

slovak leaders were participating in the negotiations in Moscow, it was not necessary to do so at the time.³¹

The 1445th meeting was adjourned without a vote being taken on the eight-Power draft resolution, and no further meetings were held on the item.³²

B. NOT INVOLVING, TO FACILITATE THEIR WORK, MEETINGS AT PLACES AWAY FROM THE SEAT OF THE ORGANIZATION

1. Subsidiary organs established

CASE 4

Committee established in pursuance of resolution 253 (1968) of 29 May 1968

Establishment and terms of reference

At the 1428th meeting on 29 May 1968, in connexion with the situation in Southern Rhodesia, the President (United States) drew the attention of the Security Council to a joint draft resolution³³ the text of which, he stated, had been arrived at in extensive consultations among the Council members.

At the same meeting, the Council adopted³⁴ unanimously the joint draft resolution which included the following paragraph:

"20. *Decides* to establish, in accordance with rule 28 of the provisional rules of procedure of the Security Council, a committee of the Security Council to undertake the following tasks and to report to it with its observations:

"(a) To examine such reports on the implementation of the present resolution as are submitted by the Secretary-General;

³¹ 1445th meeting (PV), p. 116.

³² 1445th meeting: President (Brazil), pp. 122-123.

³³ S/8601, same text as Security Council resolution 253 (1968).

³⁴ 1428th meeting (PV), p. 27.

"(b) To seek from any States Members of the United Nations or of the specialized agencies such further information regarding the trade of that State (including information regarding the commodities and products exempted from the prohibition contained in operative paragraph 3 (d) above) or regarding any activities by any nationals of that State or in its territories that may constitute an evasion of the measures decided upon in this resolution as it may consider necessary for the proper discharge of its duty to report to the Security Council."³⁵

After the adoption of the resolution, the President stated³⁶ that, after consultations with members of the Council, he would undertake further consultations on the establishment of the committee promptly. There being no objection, it was so decided.

Composition

On 31 July 1968, the President of the Council (Algeria) announced³⁷ that, after extensive consultations, it had been agreed that the Committee of the Security Council established in pursuance of resolution 253 (1968) of 29 May 1968, would be composed of the following members: Algeria, France, India, Paraguay, USSR, United Kingdom and United States.³⁸ It had also been decided that the representative of India should be the chairman of the Committee for three months up to 31 December 1968.³⁹

****2. Subsidiary organs proposed but not established**

³⁵ The resolution referred to in sub-paragraphs (a) and (b), was resolution 253 (1968) of 29 May 1968.

³⁶ 1428th meeting (PV), p. 76.

³⁷ S/8697, *OR*, 23rd yr., *Suppl. for July-Sept. 1968*, pp. 71-72.

³⁸ The Committee submitted, on 30 December 1968, its first report to the President of the Security Council (S/8954, *OR*, 24th yr., *Suppl. for Oct.-Dec. 1968*, pp. 181-295).

³⁹ On 27 January 1969 (S/8697/Add. 1), the President of the Council (Colombia) announced that following consultations, it had been agreed that, in view of the expiry of India's term of office in the Council, Pakistan should replace India as a member of the Committee.

Part II

****CONSIDERATION OF PROCEDURES RELATIVE TO SUBSIDIARY ORGANS**