

ARTICLE 12

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ARTICLE 12

TEXT OF ARTICLE 12

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

2. The Secretary-General, with the consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and shall similarly notify the General Assembly, or the Members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.

INTRODUCTORY NOTE

1. The scope and effect of the limitations of the powers of the General Assembly provided for in Article 12(1) were discussed in the General Assembly in the period covered by this *Supplement* during the consideration of two items. In the first instance the question was raised whether the convening of an emergency special session of the General Assembly did not transgress the limitations of the powers of the General Assembly provided for in Article 12(1), in as much as the Security Council was still seized of the matter. In the second instance, some representatives, during Committee deliberations, sought an opinion from the Legal Counsel concerning the exact constitutional meaning of the exercise by the Security Council of its functions under Article 12(1), in order to determine whether the involvement of the General Assembly would be permissible.

2. The resolutions adopted in connexion with the questions considered by both the General Assembly and the Security Council during the period under review are listed in annex I.

3. There was no instance of a request by the Security Council that the General Assembly make a recommendation in respect of any dispute or situation, in accordance with the exception provided for in Article 12(1).

4. Neither was there any case of an item being removed from the list of matters relative to the maintenance of international peace and security of which the Security Council was seized, as contained in the notifications by the Secretary-General to the General Assembly submitted under Article 12(2).

I. GENERAL SURVEY

Article 12(1)

5. During the period under review the following questions were considered by both the General Assembly and the Security Council: A. "The question of Southern Rhodesia"; B. "The question of South West Africa" (later designated as "The question of Namibia"); and C. "The situation in the Middle East". The times at which and the headings under which they were considered by the two organs are listed chronologically below.¹

6. Constitutional discussion concerning the application or interpretation of Article 12(1) arose in the General Assem-

bly in the case of the situation in the Middle East² as well as in connexion with the consideration of the item "International Year for Human Rights".³ These matters are dealt with in the Analytical Summary of Practice under the heading "B. The question of the meaning of the phrase, 'While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter' and its effect upon the powers of the General Assembly".

7. Explicit reference was made to Article 12, together

¹ See paras. 9-36 below.

² See paras. 39-42 below.

³ See paras. 43-46 below.

with Article 11, in a resolution⁴ which was adopted at the twenty-fourth session of the General Assembly in connexion with the agenda item entitled: "The strengthening of international security".⁵ No constitutional discussion concerning Article 12, however, arose during the consideration of this item.

8. During the period under review, explicit references to Article 12 were often made, together with references to Articles 10, 11, 13 and 14, during the consideration, at the twenty-first to twenty-fourth sessions of the General Assembly, of the agenda item entitled: "Comprehensive review of the whole question of peace-keeping operations in all their aspects: report of the Special Committee on Peace-keeping Operations".⁶

A. THE QUESTION OF SOUTHERN RHODESIA

9. The Security Council considered the question under the heading: "Question concerning the situation in Southern Rhodesia: letters dated 2 and 30 August 1963 addressed to the President of the Security Council on behalf of the representatives of thirty-two Member States (S/5382 and S/5409)", with various sub-items added, at its 1276th and 1277th meetings, both held on 9 April 1966, and at the 1278th to 1285th meetings, held between 17 and 23 May 1966.

10. At its twenty-first session, the General Assembly included⁷ on its agenda the item: "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples"⁸ and allocated⁹ to the Fourth Committee those chapters of the report of the Special Committee relating to specific Territories.

11. The Fourth Committee considered the chapter relating to Southern Rhodesia at its 1606th to 1621st meetings, between 11 October and 2 November, and at its 1629th to 1634th meetings, between 8 and 15 November 1966. The General Assembly considered the question at its 1450th plenary meeting on 22 October and its 1468th plenary meeting on 17 November 1966.

12. The Security Council considered the question further under the heading: "Question concerning the situation in

Southern Rhodesia: letters dated 2 and 30 August 1963 addressed to the President of the Security Council on behalf of the representatives of thirty-two Member States (S/5382 and S/5409)", with one sub-item added, at its 1331st to 1333rd and 1335th to 1340th meetings between 8 and 16 December 1966.

13. At its twenty-second session, the General Assembly included¹⁰ in its agenda the item: "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples"¹¹ and allocated¹² to the Fourth Committee those chapters of the report of the Special Committee relating to specific Territories.

14. The Fourth Committee considered the chapter relating to Southern Rhodesia separately at its 1683rd to 1697th, 1700th to 1704th and 1707th meetings between 4 October and 1 November 1967. The General Assembly considered the question at its 1594th plenary meeting on 3 November 1967.

15. The Security Council considered the question under the agenda item: "Question concerning the situation in Southern Rhodesia: letters dated 2 and 30 August 1963 addressed to the President of the Security Council on behalf of the representatives of thirty-two Member States (S/5382 and S/5409)" with one sub-item added, at its 1399th, 1400th, 1408th, 1413th, 1415th and 1428th meetings, between 19 March and 29 May 1968.

16. At its twenty-third session, the General Assembly included¹³ in its agenda the item: "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples"¹⁴ and allocated¹⁵ to the Fourth Committee those chapters of the report of the Special Committee relating to specific Territories.

17. The Fourth Committee considered separately the chapter of the Special Committee's report relating to Southern Rhodesia at its 1759th, 1760th and 1762nd to 1772nd meetings, between 7 and 25 October, and at its 1775th to 1780th meetings, between 29 October and 1 November 1968. The General Assembly considered the question at its 1707th plenary meeting on 25 October and its 1710th plenary meeting on 7 November 1968.

18. The Security Council considered the question under the agenda item entitled: "Question concerning the situation in Southern Rhodesia", with various sub-items added, at its 1475th to 1481st meetings between 13 and 24 June 1969.

19. At its twenty-fourth session, the General Assembly considered the question under the heading: "Question of Southern Rhodesia: report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Coun-

¹⁰ G A (XXII), Plen., 1564th mtg., para. 20.

¹¹ G A (XXII), Annexes, a.i. 23.

¹² G A (XXII), Plen., 1564th mtg., para. 83.

¹³ G A (XXIII), Plen., 1676th mtg., para. 94.

¹⁴ G A (XXIII), Annexes, a.i. 23.

¹⁵ G A (XXIII), Plen., 1676th mtg., para. 126.

⁴ G A resolution 2606 (XXIV).

⁵ G A (XXIV), Annexes, a.i. 103.

⁶ G A (XXI), Annexes, a.i. 33; G A (S-V), Annexes, a.i. 8; G A (XXII), Annexes, a.i. 37; G A (XXIII), Annexes, a.i. 32; G A (XXIV), Annexes, a.i. 35. For a treatment of the discussion, see this *Supplement* under Article 11, paras. 28-30. For texts of relevant statements see: G A (XXI), Spec. Pol. Com., 519th mtg.: Nigeria, para. 21, 520th mtg.: Guatemala, para. 28; 522nd mtg.: Nepal, para. 5; USSR, para. 32; 523rd mtg.: Costa Rica, para. 4; 526th mtg.: Morocco, para. 62; 543rd mtg.: Canada, para. 5; Mexico, para. 19; United States, para. 37; 544th mtg.: Peru, para. 14; G A (XXI), Plen., 1497th mtg.: France, para. 199; 1499th mtg.: Cyprus, paras. 50, 52; Liberia, paras. 68, 69, G A (XXII), Spec. Pol. Com., 573rd mtg.: France, para. 36; 574th mtg.: USSR, para. 20; 575th mtg.: Czechoslovakia, para. 17; 579th mtg.: Poland, para. 29; 580th mtg.: Democratic Republic of the Congo, para. 104; 581st mtg.: Honduras, para. 79; G A (XXIII), Spec. Pol. Com., 636th mtg.: United States, para. 38; 637th mtg.: France, para. 16; 640th mtg.: Democratic Republic of the Congo, para. 17; G A (XXIV), Plen., 1833rd mtg.: Democratic Republic of the Congo, paras. 95 and 97.

⁷ G A (XXI), Plen., 1415th mtg., para. 17.

⁸ G A (XXI), Annexes, a.i. 23.

⁹ G A (XXI), Plen., 1415th mtg., para. 105.

tries and Peoples.”¹⁶ It was dealt with by the Fourth Committee at its 1818th, 1820th to 1837th, 1839th and 1841st and 1843rd meetings, between 3 October and 3 November 1969, and by the General Assembly at its 1816th plenary meeting on 21 November 1969.

B. QUESTION OF SOUTH WEST AFRICA/ QUESTION OF NAMIBIA

20. At its twenty-first session, the General Assembly considered the question under the heading: “Question of South West Africa: report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.”¹⁷ The question was considered by the Fourth Committee at its 1601st to 1605th meetings between 30 September and 6 October and at its 1679th meeting on 17 December 1966. The General Assembly considered the question at the following plenary meetings between 23 September and 20 December 1966: 1414th, 1417th, 1419th, 1425th, 1427th, 1429th; 1431st, 1433rd, 1439th, 1448th, 1449th, 1451st, 1453rd, 1454th, 1471st and 1500th.

21. At its fifth special session, the General Assembly considered the question under the heading: “Question of South West Africa”¹⁸ at the 1680th meeting of the Fourth Committee on 2 May 1967, at its 1503rd to 1518th plenary meetings, between 24 April and 19 May, and at its 1522nd to 1524th plenary meetings, between 23 May and 13 June 1967.

22. During the first part of its twenty-second session, the General Assembly considered the question under the heading: “Question of South West Africa: (a) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples; (b) Report of the United Nations Council for South West Africa; (c) Appointment of the United Nations Commissioner for South West Africa.”¹⁹ The question was considered by the Fourth Committee at its 1697th to 1699th meetings between 19 and 23 October and at its 1719th meeting on 15 November 1967 as well as by the General Assembly at its 1620th, 1624th, 1625th, 1627th, 1628th, 1632nd, 1633rd, 1635th, 1636th and 1644th to 1671st plenary meetings between 5 and 16 December 1967.

23. The Security Council considered the question under the heading: “The question of South West Africa”, to which various sub-items were added, at its 1387th meeting, on 25 January, and at its 1390th to 1397th meetings, between 16 February and 14 March 1968.

24. The question was considered further by the General Assembly during the second part of the twenty-second session under the item: “Question of South West Africa” at its 1644th to 1671st plenary meetings between 26 April and 12 June 1968.

25. At its twenty-third session, the General Assembly considered the question under the item: “Question of Namibia: (a) Report of the Special Committee on the Situ-

ation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples; (b) Report of the United Nations Council for Namibia; (c) Appointment of the United Nations Commissioner for Namibia”.²⁰ It was dealt with by the Fourth Committee at its 1763rd meeting on 15 October and again at its 1781st, 1783rd, 1788th and 1794th meetings between 4 and 21 November 1968. The General Assembly considered the question at its 1725th, 1726th, 1728th to 1731st, 1734th, 1737th to 1739th and 1742nd plenary meetings between 25 November and 16 December 1968.

26. The Security Council considered the question under the heading: “The situation in Namibia”, with various sub-items added, at its 1464th and 1465th meetings, both held on 20 March, and at its 1492nd to 1497th meetings between 30 July and 12 August 1969.

27. At its twenty-fourth session the General Assembly considered the question under the heading: “Question of Namibia: (a) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples; (b) Report of the United Nations Council for Namibia; (c) Appointment of the United Nations Commissioner for Namibia.”²¹ The question was dealt with by the Fourth Committee at its 1818th to 1838th, 1842nd and 1846th meetings, between 3 October and 4 November, and at its 1852nd to 1855th and 1857th meetings, between 21 and 25 November 1969. The General Assembly considered the question at its 1797th plenary meeting on 31 October and at the 1819th plenary meeting on 1 December 1969.

C. THE SITUATION IN THE MIDDLE EAST

28. In 1966, the Security Council considered the question under the heading: “The Palestine question”, with various sub-items added, at its 1288th to 1295th meetings, between 25 July and 3 August, at its 1305th, 1307th to 1310th, 1312th to 1314th, 1316th, 1317th and 1319th meetings, between 14 October and 4 November, and at its 1320th to 1328th meetings, between 16 and 25 November.

29. The Security Council again considered the question at its 1341st and 1342nd meetings, both held on 24 May 1967, under the heading: “Letter dated 23 May 1967 from the Permanent Representatives of Canada and Denmark addressed to the President of the Security Council (S/7902)”, and at its 1343rd to 1361st meetings between 29 May and 14 June. Sub-items under various headings were added at the 1343rd meeting on 29 May and at the 1354th meeting on 10 June.

30. During its fifth emergency special session, the General Assembly considered the question under the heading: “Letter dated 13 June 1967 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics (A/6717)”²² at its 1525th to 1549th plenary meetings between 17 June and 5 July 1967, at its 1550th to 1555th, 1557th and 1558th plenary meetings between 12 and 21 July, and at its 1559th plenary meeting on 18 September 1967.²³

¹⁶ G A (XXIV), Annexes, a.i. 102.

¹⁷ G A (XXI), Annexes, a.i. 65.

¹⁸ G A (S-V), Annexes, a.i. 7.

¹⁹ G A (XXII), Annexes, a.i. 64.

²⁰ G A (XXIII), Annexes, a.i. 64.

²¹ G A (XXIV), *idem*.

²² G A (ES-V), Annexes, a.i. 5.

²³ For a treatment of the constitutional discussion concerning the application of Article 12 (1) in this connexion, see paras. 5-8 above.

31. The Security Council considered the question further under the heading: "Letter dated 23 May 1967 from the Permanent Representatives of Canada and Denmark addressed to the President of the Security Council (S/7902)", with various sub-items added, at its 1365th and 1366th meetings on 8 and 9 July 1967, and subsequently under the heading: "The situation in the Middle East", to which various sub-items were added, at its 1369th to 1371st, 1373rd, 1375th, 1377th and 1379th to 1382nd meetings between 24 October and 22 November 1967.

32. During the first part of the twenty-second session of the General Assembly the question was included in the agenda under the heading: "The situation in the Middle East"²⁴ but was not discussed and was referred to the second part of the session.²⁵ During the second part of the twenty-second session, the question was again not discussed and was referred to the twenty-third session.²⁶

33. The Security Council, during 1968, considered the question under the agenda item "The situation in the Middle East", to which various sub-items were added, at its 1401st to 1407th and 1409th to 1412th meetings, between 21 March and 4 April, at the 1416th to 1426th meetings, between 27 April and 21 May, at the 1434th to 1440th meetings, between 5 and 16 August, at the 1446th to 1449th and 1451st to 1454th meetings, between 4 and 27 September, at the 1456th and 1457th meetings, on 1 and 4 November, and at the 1460th to 1462nd meetings, between 29 and 31 December.

34. At the twenty-third session of the General Assembly, the question was again included in the agenda under the heading: "The situation in the Middle East"²⁷ but was not discussed and was referred to the twenty-fourth session.²⁸

35. The Security Council, during 1969, considered the question under the agenda item: "The situation in the Middle East", to which various sub-items were added, at its 1466th to 1473rd meetings, between 27 March and 1 April, at the 1482nd to 1485th meetings, between 30 June and 3 July, at the 1498th to 1502nd and 1504th meetings, between 13 and 26 August, and at the 1507th to 1511th meetings, between 9 and 15 September.

²⁴ G A (XXII), Annexes, a.i. 94

²⁵ G A, 22nd yr., Plen., 1642nd mtg., paras 174 and 175

²⁶ *Ibid.*, 1673rd mtg., paras. 1-3.

²⁷ G A (XXIII), Annexes, a.i. 95.

²⁸ *Ibid.*, Plen., 1752nd mtg., para 434.

36. At the twenty-fourth session of the General Assembly, the question was once more included in the agenda under the heading: "The situation in the Middle East",²⁹ but again was not discussed and was referred to the twenty-fifth session.³⁰

Article 12 (2)

37. Acting under Article 12 (2), the Secretary-General continued to notify the President of the General Assembly, with the consent of the Security Council, of "matters relative to the maintenance of international peace and security which are being dealt with by the Security Council".³¹ The General Assembly took note,³² of these notifications, which were based upon the "Summary Statement by the Secretary-General on matters of which the Security Council is seized and on the stage reached in their consideration". The Summary Statement is circulated each week in accordance with rule 11³³ of the provisional rules of procedure of the Security Council. The agenda items in the notifications were the same as those in the current "Summary Statement", except for the exclusion of items not considered "matters relative to the maintenance of international peace and security".

38. The matters dealt with by the Security Council were divided in the notifications into two categories: first, matters "which are being dealt with by the Security Council" and which had been discussed during the period since the previous notification; and second, matters of which the Security Council "remains seized" but which it had not discussed during that period. The Secretary-General obtained the consent of the Security Council to these draft notifications by circulating copies among the Council members.

²⁹ G A (XXIV), Annexes, a.i. 27.

³⁰ *Ibid.*, Plen., 1838th mtg., para. 1.

³¹ G A (XXI), Annexes, a.i. 7, A/6423; G A (XXII), Annexes, a.i. 7, A/6819, G A (XXIII), Annexes, a.i. 7, A/7241; G A (XXIV), Annexes, a.i. A/7670.

³² G A (XXI), Plen., 1415th mtg., para. 13; G A (XXII), Plen., 1564th mtg., para 18; G A (XXIII), Plen., 1676th mtg., para. 93; G A (XXIV), Plen., 1758th mtg., para 92.

³³ Rule 11 reads as follows: "The Secretary-General shall communicate each week to the representatives on the Security Council a summary statement of matters of which the Security Council is seized and of the stage reached in their consideration", S/96/Rev.5 (United Nations publication, Sales No.: E.69.I 9)

II. ANALYTICAL SUMMARY OF PRACTICE

**A. The question of the scope of the term "recommendation" as used in Article 12 (1)

B. The question of the meaning of the phrase "While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter", and its effect upon the powers of the General Assembly

1. DECISION TO CONVENE THE FIFTH EMERGENCY SPECIAL SESSION OF THE GENERAL ASSEMBLY IN CONNEXION WITH THE SITUATION IN THE MIDDLE EAST

39. Constitutional discussion bearing on the scope of the restriction of the powers of the General Assembly provided

for in Article 12(1) arose at the fifth emergency special session of the General Assembly, which was convened to deal with the situation in the Middle East at a time when the Security Council was still seized of the matter. By letter³⁴ dated 13 June 1967 addressed to the Secretary-General, the representative of the USSR forwarded a request of the Minister of Foreign Affairs of the USSR for the convening of an emergency special session of the General Assembly to consider the situation which had arisen as a result of continuing aggression by Israel despite the Security Council's decisions concerning the cessation of hostilities between Israel and the Arab States.

³⁴ G A (ES-V), Annexes, a.i. 5, A/6717.

40. In a letter³⁵ dated 15 June 1967 addressed to the Secretary-General, the representative of the United States pointed out that the Security Council was still seized of the question of the situation in the Middle East and that, after the adoption of a number of resolutions, its members were still engaged in consultations on further action by the Council. Thus, in the view of the United States Government, a situation had not arisen in which the General Assembly "Uniting for Peace" resolution 377A (V) was applicable, whereas that resolution, together with rules 8 (b) and 9 (b) of the rules of procedure of the General Assembly constituted "the only source of authority and the basis for the holding of an emergency special session". However, the letter concluded, should a majority of the Members decide to convene such a session, the United States hoped that any discussion would have a helpful influence in encouraging all States concerned to deal effectively with the underlying causes of tension and conflict in the Middle East.

41. During the discussion at the fifth emergency special session, representatives who had expressed reservations about the convening of the session emphasized that the General Assembly was dealing with the question at a time when the Security Council was still seized of the matter. It was further maintained that the Security Council had sufficient competence and authority to deal with the matter and to set up the necessary machinery to lessen the effects of the conflict and to find a lasting solution. In this connexion, reference was made to the limitations of the powers of the General Assembly provided for in Article 12(1).

42. It was maintained, on the other hand, that, while the Security Council had succeeded in bringing about a cease-fire in the Middle East conflict, it had failed to discharge fully its obligations under the Charter since its resolutions had not demanded the withdrawal of Israel troops from occupied territories and thus the consequences of aggression had not been eliminated. A number of representatives declared that the Security Council had been prevented from doing its duty and condemning aggression because of the position taken by certain of its permanent members. It was thus the responsibility of the General Assembly to rectify the situation by adopting decisions that would clear the way for a restoration of peace in the Middle East. It was further suggested that the situation in the Middle East was so grave that it required the application of all the means available to the United Nations and in particular the consideration of the matter by the General Assembly in which all the Members of the United Nations were represented.³⁶

2. DECISION OF THE GENERAL ASSEMBLY OF 19 DECEMBER 1968 IN CONNEXION WITH THE ITEM "INTERNATIONAL YEAR FOR HUMAN RIGHTS"

43. During its twenty-third session the General Assembly

considered the item: "International Year for Human Rights" and, at its 1748th plenary meeting on 19 December 1968, adopted resolution 2446 (XXIII) on measures to achieve the rapid and total elimination of all forms of racial discrimination in general and of the policy of *apartheid* in particular. The resolution was adopted by 83 votes to 5, with 28 abstentions.

44. The General Assembly took this action on the recommendation of its Third Committee, in which the text had been approved at the 1637th meeting on 12 December 1968 by a roll-call vote of 66 to 5, with 29 abstentions, based on a proposal in revised form submitted by Afghanistan, Algeria, Ethiopia, Guinea, India, Iraq, Kenya, Mauritania, Senegal, Sierra Leone, Somalia, Syria, Uganda, the Ukrainian SSR, the United Arab Republic, the United Republic of Tanzania, Upper Volta, Yugoslavia and Zambia.³⁷

45. During the discussion in the Third Committee, objections were raised to paragraph 7 of the draft resolution (A/C.3/L.1637/Rev.2), under which the General Assembly would have called upon all States to sever all relations with South Africa, Portugal and the illegal minority régime in Southern Rhodesia and to refrain scrupulously from giving any military or economic assistance to these régimes. The representative of Peru stated that, under the terms of Article 11 (3) of the Charter, the General Assembly might only call the attention of the Security Council to situations which were likely to endanger international peace and security, while under the terms of Article 41 it was the Security Council that might decide what measures were to be employed in the event of a threat to the peace and might call upon the Members of the United Nations to apply such measures. He added that, although the General Assembly might not call upon Governments to sever relations with certain States, it might, under Article 14 of the Charter, recommend measures for the peaceful adjustment of any situation likely to impair the general welfare or friendly relations among nations, and asked to hear the views of the Legal Counsel on that point.³⁸

46. At the 1637th meeting on 12 December 1968, the Legal Counsel replied to the question put by the representative of Peru and stated that, according to Article 10 of the Charter, the General Assembly might discuss any question or any matters within the scope of the Charter or relating to the powers and functions of any organs provided for in the Charter and, except as provided in Article 12, might make recommendations to the Members of the United Nations or to the Security Council: Article 12 provided that, while the Security Council was exercising in respect of any dispute or situation the functions assigned to it in the Charter, the General Assembly should not make any recommendation with regard to that dispute or situation unless the Security Council so requested. The matters relating to South Africa, Southern Rhodesia and the Territories under Portuguese rule were on the agenda of the Security Coun-

³⁵ S C, 22nd yr., Suppl. for April-June 1967, pp. 256-257, S/7987.

³⁶ For the texts of relevant statements, see G A (ES-V), Plen., 1526th mtg.: USSR, paras. 3-5; 1527th mtg.: Syria, paras. 47 and 49; 1529th mtg.: United Kingdom, para. 4; Yugoslavia, para. 83; 1530th mtg.: Iran, paras. 107 and 114; 1531st mtg.: Mauritania, paras. 37 and 38; Pakistan, para. 138; 1532nd mtg.: Turkey, para. 2; 1533rd mtg.: Afghanistan, para. 29; Canada, para. 109, 1534th mtg.: Indonesia, para. 90; 1537th mtg.: Argentina, para. 103; 1539th mtg.: Netherlands, paras. 41 and 42; 1540th mtg.: Ivory Coast, para. 51; New Zealand, para. 11; 1543rd mtg.: Libya, paras. 5 and 7; 1546th mtg.: Belgium, para. 77.

³⁷ See G A (XXIII), Annexes, a.i. 62, in particular A/7433 regarding draft resolution A/C.3/L.1637/Rev.2, adopted as G A resolution 2446 (XXIII).

³⁸ For a summary of the statement, see G A (XXIII), 3rd Com., 1636th mtg.: Peru, para. 28.

cil and, in principle, the General Assembly could not make any recommendations. However, the Assembly had interpreted the words "is exercising" as meaning "is exercising at this moment"; consequently, it had made recommendations on other matters which the Security Council was also considering. Thus, in accordance with that practice followed by the General Assembly, there were no ob-

stacles to the recommending of measures of the kind provided for in draft resolution A/C.3/L.1637/Rev.2.³⁹

****C. The question of the requests by the Security Council to the General Assembly in accordance with the proviso of Article 12 (1)**

³⁹ For a summary of the statement see *ibid.*, 1637th mtg., The Legal Counsel, para. 9.

ANNEX I

Tabulation of resolutions adopted by the General Assembly and the Security Council in connexion with the questions considered by the two organs, 1 September 1966 to 31 December 1969

<p>A. The question of Southern Rhodesia <i>Resolutions adopted by the General Assembly:</i> Resolution 2138 (XXI) Resolution 2151 (XXI) Resolution 2262 (XXII) Resolution 2379 (XXIII) Resolution 2383 (XXIII) Resolution 2508 (XXIV)</p> <p><i>Resolutions adopted by the Security Council:</i> Resolution 221 (1966) Resolution 232 (1966) Resolution 253 (1968)</p> <p>B. The question of South West Africa (Namibia) <i>Resolutions adopted by the General Assembly:</i> Resolution 2145 (XXI) Resolution 2146 (XXI) Resolution 2248 (S-V) Resolution 2324 (XXII) Resolution 2325 (XXII) Resolution 2372 (XXII) Resolution 2403 (XXIII)</p>	<p>Resolution 2404 (XXIII) Resolution 2498 (XXIV) Resolution 2517 (XXIV) Resolution 2518 (XXIV)</p> <p><i>Resolutions adopted by the Security Council:</i> Resolution 245 (1968) Resolution 246 (1968) Resolution 264 (1969) Resolution 269 (1969)</p> <p>C. The situation in the Middle East <i>Resolutions adopted by the General Assembly:</i> Resolution 2252 (ES-V) Resolution 2253 (ES-V) Resolution 2254 (ES-V) Resolution 2256 (ES-V) Resolution 2257 (ES-V)</p> <p><i>Resolutions adopted by the Security Council:</i> Resolution 228 (1966) Resolution 233 (1967) Resolution 234 (1967)</p>
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****ANNEX II**

Tabulation of questions related to the maintenance of international peace and security removed from the list of matters of which the Security Council was seized, based on the notifications by the Secretary-General to the General Assembly under Article 12 (2), 1 September 1966 to 31 December 1969