

ARTICLE 28

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1. The Security Council shall be so organized as to be able to function continuously. Each member of the Security Council shall for this purpose be represented at all times at the seat of the Organization.
2. The Security Council shall hold periodic meetings at which each of its members may, if it so desires, be represented by a member of the Government or by some other specially designated representative.
3. The Security Council may hold meetings at such places other than the seat of the Organization as in its judgement will best facilitate its work.

INTRODUCTORY NOTE

1. During the period under review, the Security Council held no periodic meetings as provided for in Article 28(2) nor did it hold any meetings at places other than the seat of the Organization.
2. Article 28(2) and (3) was implicitly referred to in a note issued by the President of the Security Council in connection with the Council's consideration of the report of the Secretary-General on the work of the Organization for 1982. Article 28(2) was explicitly and implicitly referred to in five resolutions adopted by the General Assembly in connection with the item "Review of the implementation of the Declaration on the Strengthening of International Security".

SUMMARY OF PRACTICE

3. In a note¹ dated 12 September 1983 issued by the President of the Security Council, in accordance with the decision taken in the course of consultations on 17 August 1983, the members of the Council welcomed the ideas and observations contained in the report of the Secretary-General on the work of the Organization for 1982.² In their discussion of the report, held in informal consultations, they had, among other things, "considered the question of holding periodic meetings of the Council and the desirability of holding occasional meetings outside Headquarters, as well as holding meetings at the highest possible level".³
4. On 14 December 1979, at the 103rd plenary meeting of its thirty-fourth session, the General Assembly adopted resolution 34/100, entitled "Implementation of the Declaration on the Strengthening of International Security". In paragraph 14 of the resolution, the Assembly requested the Secretary-General to prepare, with the help of a group of governmental experts, a report to be submitted to the General Assembly at its thirty-fifth session on the extent of the implementation of the provisions of the Declaration and on actions which should be undertaken by the Assembly in order to secure full compliance with the provisions of the Declaration.⁴

5. On 24 March 1980, the Secretary-General, acting in accordance with paragraph 14 of resolution 34/100 and after appropriate consultations, appointed a team of governmental experts to help with the preparation of the report. The report of the Group of Experts on the Implementation of the Declaration on the Strengthening of International Security⁵ was transmitted by the Chairman of the Group of Governmental Experts to the Secretary-General by a letter dated 19 September 1980.⁶ The Expert Group made several observations and conclusions concerning the implementation of the provisions of the Declaration, including the observation that "periodic meetings at the ministerial level in specific cases, to consider and review outstanding problems and crises and unsettled disputes, would enable the Council to play a more active role in preventing potential conflicts".⁷

6. On 12 December 1980, at the 94th plenary meeting of its thirty-fifth session, the General Assembly adopted resolution 35/158, entitled "Review of the implementation of the Declaration on the Strengthening of International Security". In paragraph 13 of the resolution, the Assembly "emphasiz[ed] the great urgency of the need to examine ... the possibility of holding periodic meetings of the Council at the ministerial or higher governmental level in specific

¹ S/15971.

² G A (37), Suppl. No. 1.

³ S/15971, para. 15.

⁴ It should be noted here that in paragraph 26 of the Declaration on the Strengthening of International Security (G A resolution, 2734 (XXV)), the General Assembly "welcom[ed] the decision of the Security Council to hold periodic meetings in accordance with Article 28,

paragraph 2, of the Charter and express[ed] the hope that these meetings [would] make an important contribution to the strengthening of international security".

⁵ A/35/505, annex.

⁶ Ibid.

⁷ Ibid., annex, para. 42.

cases to consider and review outstanding problems and crises or actions which would enable the Council to play a more active role in preventing potential conflicts". In paragraph 15 of the resolution, the Assembly requested the Secretary-General to transmit the resolution to the Council and invited the Council to report to the General Assembly at its thirty-sixth session on the steps taken to implement the provisions of two above-mentioned paragraphs of the resolution.

7. On 9 December 1981, at the 91st plenary meeting of its thirty-sixth session, the General Assembly adopted resolution 36/102 in connection with the same item. In paragraph 6 of the resolution, the Assembly took note of the fact that the Security Council had failed to report to the General Assembly on steps taken to implement the provisions of resolution 35/158. In paragraph 7 of the resolution, the General Assembly requested the Security Council to "explore ... the possibility of holding periodic meetings of the Council, in conformity with Article 28 of the Charter, at the ministerial or higher level in specific cases, so as to enable it to play a more active role in preventing potential conflicts, and to present the Council's conclusions to the General Assembly at its thirty-seventh session".

8. On 16 December 1982, at the 108th plenary meeting of its thirty-seventh session, the General Assembly adopted resolution 37/118 in connection with the same item. In paragraph 7 of the resolution, the Assembly took note of the fact that the Security Council had again failed to report to the General Assembly on steps taken to implement the provisions of resolution 35/158 and urged the Council to do so without delay. In paragraph 8 of the resolution, the General Assembly reiterated its previous request as contained in resolution 36/102.

9. On 20 December 1983, at the 103rd plenary meeting of its thirty-eighth session, the General Assembly adopted resolution 38/190 in connection with the same item. In paragraph 4 of the resolution, the Assembly "emphasiz[ed] the need to consider holding periodic meetings of the Security Council in specific cases to consider and review out-

standing problems and crises, thus enabling the Council to play a more active role in preventing conflicts". In paragraph 5 of the resolution, the Assembly took note of the fact that the Council had failed to report to the General Assembly on steps taken to implement the relevant provisions which had been adopted since 1980, and expressed the firm hope that the Council would do so at the thirty-ninth session of the General Assembly.

10. On 17 December 1984, at the 102nd plenary meeting of its thirty-ninth session, the General Assembly adopted resolution 39/155 in connection with the same item. In paragraph 9 of the resolution, the Assembly once again "emphasiz[ed] that the Security Council should consider holding periodic meetings in specific cases to consider and review outstanding problems and crises, thus enabling the Council to play a more active role in preventing conflicts".

11. At its sessions held from 1979 through 1984, in accordance with the mandate given to it by the General Assembly,⁸ the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization examined several proposals on the question of the maintenance of international peace and security, some of which had a bearing upon Article 28(2) and (3) of the Charter.⁹

⁸ G A resolutions 33/94 (para. 3(b)), 34/147 (para. 3(a)), 35/164 (para. 3(a)), 36/122 (para. 4(a)), 37/114 (para. 5(a)) and 38/141 (para. 3(a)).

⁹ See in particular the following proposals: G A (36), Suppl. No. 33, para. 268 (proposal 10 bis), paras. 178-182 (proposal 34) and paras. 183-186 (proposal 35); G A (39), Suppl. No. 33, paras. 20, 34-37 (working paper submitted by Belgium, the Federal Republic of Germany, Italy, Japan, New Zealand and Spain, entitled "Prevention and removal of threats to the peace and of situations which may lead to international friction or give rise to a dispute", A/AC.182/L.38, sect. I.1.a). In the discussion of the above-mentioned working paper, reference was made to a letter dated 10 June 1983 from the representatives of five Nordic States addressed to the Secretary-General (A/38/271-S/15830), which recommended, inter alia, that the utilization of periodic meetings, as provided for in Article 28(2) of the Charter, be considered to improve the Council's efficiency.