

ARTICLE 34

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ARTICLE 34

TEXT OF ARTICLE 34

The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

INTRODUCTORY NOTE

1. During the period under review Article 34 was invoked in connexion with a resolution of the Security Council requesting the Secretary-General to enter into immediate consultations with the parties concerned and to report to the Security Council on the results of his consultations.

2. On a number of occasions the Security Council established subsidiary organs of investigation in connexion with situations which might have led to international friction or given rise to disputes without however invoking Article 34 in the resolutions or leading to any constitutional discussion regarding the Article. These cases are presented in the General Survey.

3. The General Survey also includes a few decisions of the Security Council which relate in varying degrees to the investigative functions of the Council as envisaged

in Article 34 without, however, being directed expressly to determining whether the continuance of the particular dispute or situation was in fact likely to endanger the maintenance of international peace and security.

4. In addition, the General Survey lists a case in which Article 34 was invoked in the letter of submission and in the constitutional discussion in the Security Council without resulting in a draft resolution or decision.

5. Some explicit references to Article 34 in the Security Council and in the General Assembly are also noted in the General Survey.

6. One constitutional issue is dealt with in the Analytical Summary of Practice. During the period under review no material was found for inclusion under section II, B-G.

I. GENERAL SURVEY

7. During the period under review, the Security Council did not institute any investigation for the explicit purpose of determining whether the continuance of a dispute or situation was likely to endanger the maintenance of international peace and security. However, by resolution 377 (1975), in connexion with the situation concerning Western Sahara, the Council explicitly invoked Article 34 and requested the Secretary-General to enter into immediate consultations with the parties concerned and interested and to report to the Security Council as soon as possible on the results of his consultations in order to enable the Council to adopt the appropriate measures to deal with the situation. The proceedings are reviewed in paragraphs 25-30 of the present study.

8. In those additional cases where the Security Council decided to set up subsidiary organs of investigation, the relationship to Article 34 was only peripheral since, in these instances, as in the case mentioned in the previous paragraph, it was not the stated purpose of the proposed investigation to determine whether the continuance of the particular dispute or situation was likely to endanger the maintenance of international peace and security. Yet, in all these cases the Council initiated some investigation or fact-finding concerning situations whose continuance might have endangered international peace and security.

9. In connexion with the complaint by Guinea, the Security Council, by resolution 289 (1970), decided to send a special mission to the Republic of Guinea to report on the situation immediately. After the adoption of the resolution¹ the representative of Finland stated

that the Council needed to have the full facts of the situation established by an impartial investigation before it could take more substantive action. The mission was composed of five Council members and submitted a report on 3 December 1970.²

10. By resolution 294 (1971) the Security Council decided, in connexion with a complaint by Senegal, to send to the spot a special mission of members of the Council to carry out an inquiry into the facts of which the Council had been informed, to examine the situation along the border between Guinea (Bissau) and Senegal and to report to the Council, making any recommendations aimed at guaranteeing peace and security in this region.³ In the course of the consideration of the question, there was general agreement that the Council should fully utilize its investigative powers under Article 34 so that any action it deemed necessary could be taken on an informed basis. Some members wondered whether it was justifiable to condemn a State or a particular act in the absence of an investigation by or under the authority of the Council to establish all the pertinent facts about alleged incidents.⁴

²For the decision on the composition of the Security Council Special Mission to the Republic of Guinea, see the report of the President of the Security Council and the Secretary-General of 24 November 1970, S C (25), Suppl. Oct.-Dec. 1970, S/9999.

³S C resolution 294 (1971), para. 4. The resolution was adopted at the 1572nd meeting on 15 July 1971: S C (26), 1572nd mtg., paras. 82-85.

⁴For texts of relevant statements, see: S C (26), 1569th mtg.: Senegal, paras. 15, 17, 20-60; 1570th mtg.: Somalia, paras. 101 and 102; 1571st mtg.: Sierra Leone, para. 77; 1572nd mtg.: China, para. 42; France, para. 57; Italy, para. 70; Japan, paras. 8 and 9; Somalia, paras. 27, 31 and 32, 33-36; United Kingdom, paras. 89-91; United States, paras. 77, 79.

¹For the adoption of the resolution, see S C (25), 1558th mtg., para. 101. For texts of relevant statements see *ibid.*, 1558th mtg.: Finland, paras. 109-110; Guinea, paras. 18-22; Nepal, paras. 80-82; United States, paras. 84-86, 97-99; Secretary-General, paras. 7-13.

11. On 3 August 1971, the Security Council adopted resolution 295 (1971) concerning the complaint by Guinea, under which it affirmed that the territorial integrity and political independence of Guinea had to be respected; it decided to send a special mission of three members of the Security Council to Guinea to consult with the authorities and to report on the situation.⁵ The decision to dispatch a mission of inquiry to Guinea was based on a proposal of the African and Asian members of the Council and was adopted unanimously.⁶

12. In connexion with the situation in the Middle East, the Council, in its resolution 298 (1971), requested the Secretary-General, in consultation with the President of the Council and using such instrumentalities as he might choose, including a representative or a mission, to report to the Council within sixty days on the implementation of the resolution regarding the status of the City of Jerusalem. The report was to contain information on how Israel was complying with earlier resolutions on Jerusalem.⁷

13. By resolutions 326 (1973) and 327 (1973) the Security Council decided to dispatch a special mission, consisting of four members of the Council and assisted by a team of six United Nations experts, to Zambia to assess the situation in the area, and, in particular, the needs of Zambia in maintaining alternative systems of road, rail, air and sea communications for the normal flow of traffic.⁸ During the discussions concerning the complaint by Zambia the majority of the Council members favoured the dispatch of a Council mission and of a team of United Nations experts to examine the situation in the area and to assess Zambia's needs for the maintenance of its economy and of alternative systems of communications, as long as the illegal régime in Southern Rhodesia continued to threaten or attack the security and economy of Zambia. Others expressed grave doubts about the utility of a political mission and proposed to restrict the investigating team to technical experts drawn from locally available United Nations staff, so that the investigation could be conducted free from the political and time pressure of a high-level Council mission and could, if necessary, be extended or intensified in order to gauge the effectiveness of the Council measures in Zambia.⁹

14. During the consideration by the Council of the complaint by Iraq concerning incidents on its frontier with Iran, the representative of Iraq expressed his Government's willingness to accept a special mission of the Secretary-General to investigate the situation along the eastern borders. As a result of consultations among Council members the President announced, in a statement representing the consensus of the members of the Council, that the Council requested the Secretary-General to appoint as soon as possible a special repre-

sentative to conduct an investigation of the events that had given rise to the complaint by Iraq.¹⁰ Following the successful outcome of the mission by the Secretary-General's Special Representative, several representatives in the Council praised the investigation as an example of the quiet resolution of political conflict and as successful fact-finding which would allow the resumption of negotiations towards an agreement between the two parties.¹¹

15. Having considered the situation in Timor, the Security Council, in its resolution 384 (1975), called upon all States to respect the territorial integrity of East Timor as well as the inalienable right of its people to self-determination and, having noted General Assembly resolution 3485 (XXX) of 12 December 1975, requested the Secretary-General to send urgently a special representative to East Timor for the purpose of making an on-the-spot assessment of the existing situation and of establishing contact with all the parties in the Territory and all States concerned in order to ensure the implementation of the Council's resolution.¹² Several representatives emphasized the importance of the fact-finding mission but pointed out that it was merely designed to ensure the implementation of the Council resolution.¹³

16. In connexion with the complaint by Botswana against the illegal régime in Southern Rhodesia, the Security Council, in its resolution 403 (1977), accepted the invitation of Botswana to dispatch a mission to assess that country's needs in carrying out its development projects in the face of hostile and provocative acts committed by the illegal minority régime in Southern Rhodesia.¹⁴

17. On 8 February 1977, the Security Council decided, by resolution 404 (1977), to send a Special Mission composed of three members of the Council to the People's Republic of Benin in order to investigate the complaint by Benin regarding an armed attack by mercenaries at the airport and city of Cotonou on 16 January 1977.¹⁵ By its resolution 405 (1977) the Council took note of the report of the Special Mission and condemned the act of armed aggression against Benin.¹⁶

18. During the consideration of the complaint by Cuba at the 1741st and 1742nd meetings in September 1973, some constitutional discussions regarding the interpretation of Article 34 took place in the Security Council, but no formal proposal for Council action was

¹⁰For the text of the President's statement, see S C (29), Suppl. for Jan.-March, 1974, S/11229.

¹¹For texts of relevant statements see S C (29), 1762nd mtg.: Iraq, paras. 31-33; 1764th mtg.: President, para. 3; 1770th mtg.: Iran, para. 98; United States, paras. 47-49.

¹²S C resolution 384 (1975), 4th and 5th preamb. paras., paras. 5-6. The resolution was adopted at the 1869th meeting on 22 December 1975: S C (29), 1869th mtg., para. 12.

¹³For texts of relevant statements, see: S C (29), 1864th mtg.: Mr. Horta, para. 98; 1869th mtg.: France, para. 90; Italy, para. 81; Japan, para. 42; United Republic of Tanzania, para. 72.

¹⁴S C resolution 403 (1977), para. 6. The resolution was adopted at the 1985th meeting on 14 January 1977: S C (32), 1985th mtg., para. 202. During the consideration of the complaint of Botswana at the 1983rd to 1985th meetings there was no constitutional discussion regarding the investigative function under Article 34.

¹⁵S C resolution 404 (1977), paras. 2 and 3. The resolution was adopted by consensus at the 1987th meeting, on 8 February 1977: S C (32), 1987th mtg., para. 123. The deliberations in the Council did not involve any constitutional discussion of the request by Benin that a mission be dispatched.

¹⁶For the report of the Special Mission to the People's Republic of Benin, see: S C (32), Special Supplement No. 3. S C resolution 405 (1977) was adopted by consensus at the 2005th meeting on 14 April 1977: S C (32), 2005th mtg., para. 207.

⁵S C resolution 295 (1971), paras. 1 and 2. The resolution was adopted at the 1573rd mtg.: S C (26), 1573rd mtg., para. 80.

⁶For texts of relevant statements, see *ibid.*: Guinea, paras. 19-23; Somalia, paras. 40 and 41, 65-71; 1576th mtg.: President (Italy), paras. 1-6.

⁷See S C resolution 298 (1971) of 25 September 1971, para. 5. For the adoption of the resolution, see S C (26), 1582nd mtg., paras. 338-339.

⁸S C resolutions 326 and 327 (1973) were adopted on 2 February 1973. For the adoption of the two resolutions, see S C (28), 1691st mtg., paras. 20-23.

⁹For texts of relevant statements see S C (28), 1687th mtg.: Zambia, para. 7; 1688th mtg.: Kenya, paras. 144-146; 1689th mtg.: France, para. 39; United States, para. 76; 1690th mtg.: Sudan, paras. 42-47; 1691st mtg.: France, paras. 51 and 52; United States, paras. 34 and 35; President, para. 89; 1692nd mtg.: Indonesia, paras. 20-28.

submitted. In asking for the meeting of the Council,¹⁷ Cuba invoked Articles 34, 35 and 39 and charged Chile with acts of violence which were called a serious threat to international peace and security. On this basis the representative of Cuba asked for an investigation of his Government's charges by the Council. Several speakers supported the Cuban viewpoint in varying degrees. Those opposing the Cuban allegations did not view the events as fulfilling the criteria of Article 34 and related provisions of the Charter and therefore rejected the call for a Council investigation. Quoting the text of Article 34, the representative of Chile stated: "... Therefore two conditions have to be fulfilled at the same time for the Security Council to be allowed to carry out an investigation. The controversy or dispute complained about must first of all be present and, secondly, it must threaten or endanger the maintenance of international peace and security. In the incident that occurred around the Cuban Embassy in Santiago neither of those two conditions is fulfilled." Although the representative of Cuba formally asked for an investigation by the Council, no draft resolution to that effect was submitted.

19. In the course of the Security Council's debates concerning the critical situation in Cyprus in the summer of 1974, the representative of the USSR submitted a draft resolution which called for the immediate dispatch of a special mission of the Council to Cyprus for the purpose of verifying on the spot the implementation of resolution 353 (1974).¹⁸ The representative underlined the urgency of his Government's proposal by pointing to the deteriorating situation on the island and to the lack of up-to-date information about the ongoing crisis. Several representatives supported the USSR proposal, but others criticized it as merely designed to disturb the efforts by the interested parties and by the Secretary-General to arrive at a peaceful situation. The Council considered the draft resolution, but did not vote on it.¹⁹

20. During the period under review, a number of other suggestions were made in the Security Council for the establishment of fact-finding or investigative bodies or for the exercise of the investigative function by the Council. None of these proposals were formalised, but they reflect the attention paid by the Council to its mandate under Article 34 of the Charter.

21. During consideration of the complaint by Senegal, involving the discussion of border incidents between overseas territories under the administration of one Member State and other Member States neighbouring those territories, one representative proposed that the Security Council should call upon the administering State to allow a special mission, to be appointed by the Council or by the General Assembly, to go to its over-

seas territories to conduct an impartial investigation of conditions there in order to ascertain the wishes of the people in those areas.²⁰ Another representative suggested that it would be preferable if the Council established a commission acceptable to all parties to investigate border incidents and related questions and report periodically to the Security Council on progress towards self-determination in the territories, and thereby help to prevent border incidents and disputes arising from them.²¹

22. On a number of other occasions, suggestions were made that the Council consider the dispatch of fact-finding and information-gathering missions to assist in the struggle for self-determination and independence,²² to examine with the help of committees and missions the progress in major issues affecting the future of Africa,²³ and to control the arms flow into the territories under Portuguese administration.²⁴ Concerning an incident in February 1976 involving Somalia and France, the representative of Somalia supported a proposal to send a fact-finding mission to the area.²⁵ In a letter dated 14 April 1976 to the Secretary-General,²⁶ the representative of Oman, as Chairman of the Arab Group for that month, requested that the Secretary-General send a personal representative or another suitable representative to Palestine to look into the question of secret land acquisitions by Israel in the occupied Arab territories and to report the facts and findings of this investigation²⁷ to the Secretary-General.

23. During the period under review, Article 34 was explicitly referred to in the Security Council on a few occasions. In connexion with the complaint by Cuba, the article was invoked in the letter of submission and during the Council debate.²⁸ The article was also referred to during the consideration of measures for the maintenance and strengthening of international peace

²⁰See S C (26), 1586th mtg.: Somalia, para. 45 in connexion with the complaint by Senegal.

²¹See *ibid.*, 1600th mtg.: United States, paras. 50 and 51 in connexion with the same question. For a similar suggestion, see S C (27), 1669th mtg.: United States, para. 45, in connexion with another complaint by Senegal.

²²Such suggestions were made in connexion with the consideration of measures for the maintenance of international peace and security in Latin America (S C (28), 1699th mtg.: Chairman, Special Committee of Twenty-Four, para. 135) and in connexion with the consideration of questions relating to Africa of which the Security Council is currently seized and implementation of the Council's relevant resolutions (S C (27), 1636th mtg.: Burundi, para. 39).

²³For this suggestion see *ibid.*, 1630th mtg.: Yugoslavia, paras. 111 and 112, 123 in connexion with the consideration of questions relating to Africa.

²⁴For these proposals see *ibid.*, 1672nd mtg.: Liberia, para. 54; 1676th mtg.: Somalia, paras. 75 and 76; 1677th mtg.: India, paras. 22-24; and, in opposition to such an investigating committee, see *ibid.*, Panama, para. 12, in connexion with the situation in Territories under Portuguese administration.

²⁵See S C (31), 1889th mtg.: Somalia, para. 95 in connexion with the consideration of communications from France and Somalia concerning the incident of 4 February 1976.

²⁶S C (31), Suppl. for April-June, 1976, S/12053.

²⁷See also in connexion with the consideration of measures for the maintenance and strengthening of international peace and security in Latin America: S C (28), 1699th mtg., para. 128, where the Chairman of the Special Committee of Twenty-Four pointed to the great value of investigations conducted by the United Nations in the past and quoted their success as proof "that there exists no substitute for first-hand information on the political, economic and social situation in the territories and on the views, wishes and aspirations of the people."

²⁸See S C (28), 1741st mtg.: Chile, paras. 44, 74; 1742nd mtg.: President (Yugoslavia), paras. 35, 103, 109, for explicit references to Article 34. For further details see also para. 18 above.

¹⁷See S C (28), Suppl. for July-Sept., 1973, S/10995, for the letter, dated 13 September 1973, from the representative of Cuba requesting the President to convene the Security Council as a matter of urgency. For texts of relevant statements, see: S C (28), 1741st mtg.: Chile, paras. 74 and 75; Cuba, para. 21; 1742nd mtg.: Chile, paras. 192-194; Cuba, paras. 163-167; President (Yugoslavia), paras. 95-97, 109; United States, paras. 36-43.

¹⁸See S C (29), Suppl. July-Sept., 1974, S/11391, for the text of the USSR draft resolution.

¹⁹For texts of relevant statements see S C (29), 1786th mtg.: United Kingdom, para. 21; 1787th mtg.: USSR, paras. 14-18; 1792nd mtg.: Cyprus, paras. 89 and 90; President (USSR), paras. 119, 124; 1793rd mtg.: President (USSR), paras. 94-96; 1794th mtg.: President (USSR), paras. 87, 89; 1795th mtg.: Byelorussian SSR, para. 222; China, paras. 183, 187; President (USSR), paras. 101-103; United Kingdom, paras. 144-148; 1810th mtg.: Byelorussian SSR, para. 277.

and security in Latin America²⁹ and during the discussion of the situation concerning Western Sahara.³⁰

24. There were also incidental explicit references in the General Assembly and its committees.³¹ In a few cases, suggestions were made that the fact-finding and investigative function of the Security Council be expanded in order to strengthen the Council's capability to carry out

²⁹S C (28), 1696th mtg.: Guyana, paras. 43-44. Having referred to Article 34, the representative then added: "The perception that Article 34 of the Charter provides a rich source of constitutional authority has already done much to strengthen the Council's effectiveness and to develop the Organization's peace-keeping role. It is unquestionably the case that acts of aggression have been discouraged through United Nations presences appointed to observe, to report and to publicize activities in troubled areas of the world. . . . But preventive diplomacy, like preventive medicine, should not await the manifestation of ill health. The investigative jurisdiction conferred by Article 34 is not restricted to specific disputes brought to the Council on the basis of adversary proceedings. It can and should be invoked by the Council itself responsive to its obligations for maintaining peace and security in all the regions of the world. And what better way of doing so than by institutionalizing a system of periodic checks through discriminate use of power conferred by Article 28, paragraph 3, of the Charter?"

³⁰For explicit references to Article 34 see S C (30), 1849th mtg.: Morocco, paras. 42, 61; 1850th mtg.: Algeria, para. 18; Guyana, para. 23; Spain, para. 110. For aspects of the constitutional discussion which arose in this case see paras. 25-30 below.

³¹G A (25), 1st Com., 1728th mtg.: Greece, para. 67; 1733rd mtg.: Cambodia, para. 55; 1734th mtg.: Ivory Coast, para. 200 (a.i. 32: Consideration of measures for the strengthening of international security: report of the Secretary-General); G A (26), 6th Com., 1279th

its primary responsibility for the maintenance of international peace and security.³²

mtg.: Byelorussian SSR, para. 25; 1284th mtg.: Ecuador, para. 7 (a.i. 90: Review of the role of the International Court of Justice); G A (27), Plen., 2036th mtg.: Mexico, paras. 174-175 (a.i. 8: Adoption of the agenda), 2089th mtg.: Greece, para. 36 (a.i. 24: Strengthening of the role of the United Nations with regard to the maintenance and consolidation of international peace and security); 1st Com., 1918th mtg.: Khmer Republic, paras. 108 and 110 (a.i. 35: Implementation of the Declaration on the Strengthening of International Security); G A (28), Plen., 2204th mtg.: Mali, paras. 56, 58 (a.i. 3: Credentials of representatives to the 28th session of the General Assembly); G A (31), 6th Com., 45th mtg.: Colombia, para. 44 (a.i. 110: Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization); G A (33), 1st Com., 46th mtg.: France, p. 61 (Introduction of draft resolution under a.i. 125: Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session).

³²See, for example, G A (25), Plen., 1842nd mtg.: Japan, para. 75; 1844th mtg.: Singapore, para. 38; 1853rd mtg.: Pakistan, para. 68; 1855th mtg.: Ecuador, paras. 107-108 (a.i. 9: General debate); also G A (25), 1st Com., 1725th mtg.: Brazil, paras. 87-88; 1729th mtg.: Japan, para. 71; 1730th mtg.: Kenya, para. 53 (a.i. 32: Consideration of measures for the strengthening of international security). See also G A (27), Annexes, a.i. 11, A/8847, annex, pp. 3 and 17, containing specific suggestions by Belgium and Netherlands regarding Article 34 in connexion with the report of the Secretary-General under General Assembly resolution 2864 (26) about ways and means of enhancing the effectiveness of the Security Council in accordance with the principles and provisions of the Charter of the United Nations.

II. ANALYTICAL SUMMARY OF PRACTICE

A. The question of the Security Council being seized of disputes and situations under Article 34

DECISION OF 22 OCTOBER 1975 IN CONNEXION WITH THE SITUATION CONCERNING WESTERN SAHARA

25. By a letter³³ dated 18 October 1975, the representative of Spain requested an emergency meeting of the Security Council in order to consider a situation of international friction in the Western Sahara and to dissuade the Moroccan Government from carrying out the announced invasion of that territory which, in addition to jeopardizing international peace and security, disregarded the right of the Saharan people to self-determination and was contrary to the purposes and principles of the Charter.

26. By a letter³⁴ of the same date the representative of Morocco protested against the letter from the representative of Spain, which demonstrated the persistent course of the Spanish Government of distorting the nature of Morocco's claims and of the peaceful means which Morocco had always preferred to employ in order to gain recognition of its right to national unity and territorial integrity.

27. At its 1849th meeting, on 20 October 1975, the Security Council decided to include the letter from Spain (S/11851) in its agenda.

28. At the same meeting, the representative of Morocco cited Article 34 and also invoked Article 35, arguing that these Charter provisions made the convening of the Council subject to the previous existence of a dispute or a new situation; in his Government's judgment, that particular condition had not been met in the case under consideration.

29. The representatives of Algeria and Guyana opposed Morocco's position and held that in view of the grave danger caused by Morocco's unilateral moves against the Western Sahara, the Security Council was legitimately concerned with this question under Article 34 and that it was obliged within the framework of this and related Charter principles to take decisions including the dispatch of a mission to maintain peace and security in the world. Other representatives expressed similar sentiments for forceful Security Council action to forestall a worsening of this dangerous situation.³⁵

30. At the 1850th meeting, the President announced that, as a result of most intensive consultations, the text of a draft resolution³⁶ had been arrived at.³⁷ At the same meeting, in the absence of any objection, he declared that draft resolution adopted by consensus as resolution 377 (1975).³⁸ Its paragraph 1 reads as follows:

"The Security Council

" . . .

"Acting in accordance with Article 34 of the Charter of the United Nations and without prejudice to any action which the General Assembly might take under the terms of its resolution 3292 (XXIX) of 13 December 1974 or to negotiations that the parties concerned and interested might undertake under Article 33 of the Charter,

"Requests the Secretary-General to enter into immediate consultations with the parties concerned and interested and to report to the Security Council as soon as possible on the results of his consultations

³³S C (30), Suppl. for Oct.-Dec., 1975, S/11851.

³⁴*Ibid.*, S/11852.

³⁵For texts of relevant statements see S C (30), 1849th mtg.: Morocco, paras. 61, 64; 1850th mtg.: Algeria, para. 13; Guyana, para. 23; Spain, paras. 110-113.

³⁶S/11858, adopted without change as S C resolution 377 (1975).

³⁷S C (30), 1850th mtg.: President, para. 3.

³⁸*Ibid.*, para. 19.

in order to enable the Council to adopt the appropriate measures to deal with the present situation concerning Western Sahara;”.

Under resolutions 379 (1975) of 2 November 1975 and 380 (1975) of 6 November 1975 the Security Council reiterated this request and appealed to the parties to cooperate fully with the Secretary-General in his effort to fulfill the mandate of the Council.³⁹

****B. The question of the nature of the act of investigation under Article 34**

****C. The question whether invitations to participate are incumbent on the Security Council in the preliminary investigation of questions**

³⁹S C resolution 379 (1975), para. 2 and S C resolution 380 (1975), para. 3.

****D. The question of the duty of Members of the United Nations, and of States which have accepted the obligations of pacific settlement provided in the Charter, in connexion with decisions of the Security Council to investigate under Article 34**

****E. The question of the power to continue after a determination under Article 34**

****F. The question whether a determination under Article 34 could result from an appraisal of the Council prior to the act of investigation**

****G. The question of the establishment of a permanent fact-finding body**