

# ARTICLE 29

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## ARTICLE 29

### TEXT OF ARTICLE 29

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

### INTRODUCTORY NOTE

1. During the period under review, the Security Council established two subsidiary organs and authorized the establishment of a third such organ to assist it in the discharge of its responsibilities under the Charter.<sup>1</sup> The third organ authorized was not however set up because of inadequate response from one of the parties concerned to the Secretary-General's request for its co-operation.<sup>2</sup> Of its previously established and still existing subsidiary organs, none was terminated by the Council.<sup>3</sup>

<sup>1</sup> In instances in which the subsidiary organs were set up by the Secretary-General pursuant to Council resolutions, no implication is intended as to whether those bodies are or are not subsidiary organs within the meaning of Article 29.

<sup>2</sup> See para. 6 below.

<sup>3</sup> United Nations Truce Supervision Organization in Palestine (UNTSO); United Nations Commission for Indonesia (adjourned *sine die* on 3 April 1951); United Nations Representative for India and Pakistan (still in existence); United Nations Peace-keeping Force in Cyprus (UNFICYP); United Nations Mediator in Cyprus (not functioning); United Nations Military Observer Group in India and Pakistan (UNMOGIP). For the

2. The Summary of Practice contains brief information on the above-mentioned new subsidiary organs.

3. The two standing Committees of the Security Council: the Committee of Experts and the Committee on the Admission of New Members, held no meetings during the period. All new applications for membership during the period were considered directly by the Council without reference to the Committee on the Admission of New Members.

4. The Summary of Practice also contains brief references to one subsidiary organ which was established by the General Assembly and which was placed in a special relationship with the Council by the terms of the resolution establishing it.<sup>4</sup>

status and relationship of UNMOGIP with its parent body, see *Repertory, Supplement No. 3*, vol. II, under Article 29, Annex I, p. 96, footnote <sup>a</sup>.

<sup>4</sup> United Nations Council for South West Africa established by General Assembly resolution 2248 (S-V). See also para. 9 below.

### SUMMARY OF PRACTICE

5. During the consideration of the situation in the Middle East, the Security Council adopted a draft resolution<sup>5</sup> on 22 November 1967, in which, after setting forth the principles governing the settlement, it requested 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 settlement in accordance with those principles. The Secretary-General was further requested to report to the Council as soon as possible on the progress of the efforts of the Special Representative. On 23 November 1967, the Secretary-General reported to the Council that he had designated<sup>6</sup> Ambassador Gunnar Jarring, of Sweden, as his Special Representative in the Middle East. Subsequently, at its 1452nd meeting, on 18 September 1968, the Security Council adopted a draft resolution<sup>7</sup> in which it reaffirmed its earlier resolution and urged all the parties to extend their fullest co-operation to the Special Representative in the speedy fulfilment of his mandate.

6. In another instance, in connexion with the situation in the Middle East, the Security Council, at its 1454th meeting, on 27 September 1968, adopted a draft resolution<sup>8</sup> requesting the Secretary-General to dispatch a Special Representative to the Arab territories under military occupation by Israel following the hostilities of 5 June 1967 and to report on the implementation of resolution 237 (1967) concerning respect for humanitarian principles in the treatment of prisoners of war and the protection of civilian persons in time of war in accordance with the Geneva Conventions of 12 August 1949. In a report<sup>9</sup> to the Security Council, the Secretary-General, on 14 October 1968, stated that, following an exchange of communications with the parties concerned, he had arrived at the conclusion that, in view of the fact that one of the parties had given an inadequate response to his request for co-operation in the fulfilment of the mission of the Special Representative, he had been unable to give effect to that decision of the Council.

7. In connexion with the situation in Southern Rhodesia, the Security Council decided<sup>10</sup> to establish, in accordance

<sup>5</sup> S C resolution 242 (1967).

<sup>6</sup> S C, 22nd yr., Suppl. for Oct.-Dec., S/8259.

<sup>7</sup> S C resolution 258 (1968).

<sup>8</sup> S C resolution 259 (1968).

<sup>9</sup> S C, 23rd yr., Suppl. for Oct.-Dec., pp. 74-77, S/8851.

<sup>10</sup> S C resolution 253 (1968).

with rule 28 of its provisional rules of procedure, a Committee of itself to examine reports by the Secretary-General on the implementation of economic sanctions imposed by the Security Council against Southern Rhodesia and to seek from Members of the United Nations or of the specialized agencies such further information as it might consider necessary for the proper discharge of its duty and to report to the Security Council. On 29 July 1968, the membership of the Committee was announced<sup>11</sup> by the President of the Council as follows: Algeria, France, India, Paraguay, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America.

8. During the period under review, the Council successively extended the mandate of the United Nations Force in Cyprus eight times under separate resolutions.<sup>12</sup>

<sup>11</sup> S C, 23rd yr., Suppl. for July-Sept, pp. 71-72, S/8697.

<sup>12</sup> S C resolution 231 (1966) adopted at the 1338th mtg., on 15 December 1966, extended the mandate for a further period of six months ending 26 June 1967; resolution 238 (1967) adopted at the 1362nd mtg., on 19 June 1967, extended the mandate for a further period of six months ending 26 December 1967; resolution 244 (1967) adopted at the 1386th mtg., on 22 December 1967, extended the mandate for a period of three months ending on 26 March 1968; resolution 247 (1968) adopted at the 1398th mtg., on 18 March 1968, extended the mandate for a period of three months ending 26 June 1968; resolution 254 (1968) adopted at the 1432nd mtg., on 18 June 1968, extended the mandate for a further period

9. None of the subsidiary organs established by the Security Council was requested to report to any other United Nations organ. In one case however the Council was requested to take all appropriate measures to enable an organ established by the General Assembly to discharge the functions and responsibilities entrusted to it.<sup>13</sup>

of six months ending 15 December 1968; resolution 261 (1968) adopted at the 1459th mtg., on 10 December 1968, extended the mandate for a further period of six months ending 15 June 1969; resolution 266 (1969) adopted at the 1474th mtg., on 10 June 1969, extended the mandate for a further period of six months ending 15 December 1969; and resolution 274 (1969) adopted at the 1521st mtg., on 11 December 1969, extended the mandate for a further period of six months ending 15 June 1970.

<sup>13</sup> By resolution 2248 (S-V) the General Assembly, at its 1518th plenary meeting, on 19 May 1967, decided, *inter alia*, to establish a United Nations Council for South West Africa with the necessary powers to administer South West Africa until independence, requested the Council to enter immediately into contact with the authorities of South Africa in order to lay down procedures for the transfer of the administration of the Territory and called upon the Government of South Africa to facilitate the transfer of the administration of the Territory of South West Africa to the Council in accordance with the terms of resolution 2145 (XXI) and resolution 2248 (S-V).

The United Nations Council for South West Africa was subsequently renamed United Nations Council for Namibia and the United Nations Commissioner for South West Africa was renamed United Nations Commissioner for Namibia by General Assembly resolution 2372 (XXII) adopted on 12 June 1968.