

Repertory of Practice of United Nations Organs
Supplement No. 10 (2000-2009)

(Advance version, to be issued in volume III of Supplement No.10 (forthcoming)
to the *Repertory of Practice of United Nations Organs*)

VOLUME III

ARTICLE 31

TEXT OF ARTICLE 31

Any Member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that Member are specially affected.

NOTE

1. During the review period, there were at least two instances of discussion in the Security Council regarding the interpretation of Article 31. In one instance, Article 31 was explicitly invoked in support of a request for participation that was subsequently denied.¹ In a second instance, Article 31 was explicitly invoked in a debate on implementation of the note by the President of the Security Council dated 19 July 2006.²

2. In practice, in extending invitations, the Council has continued to refrain from referring explicitly to the relevant Charter Article. During the period under review, invitations were usually extended “under the relevant provisions of the Charter” and either rule 37³ or rule

¹ In connection with the briefing by Mr. Carl Bildt, Special Envoy of the Secretary-General for the Balkans, see S/PV.4164, pp.5-6 (Russian Federation).

² In connection with the implementation of the note by the President of the Security Council dated 19 July 2006 (S/2006/507), see S/PV.5968, p.33 (Cuba); S/PV.5968 (Resumption 1), p.12 (Islamic Republic of Iran); and S/PV.5968 (Resumption 1), pp.23-24 (Pakistan).

³ Rule 37 of the provisional rules of procedure of the Security Council provides: “Any Member of the United Nations which is not a member of the Security Council may be invited, as the result of a decision of the Security Council, to participate, without vote, in the discussion of any question brought before the

39⁴ of the provisional rules of procedure of the Security Council. The classification of invitations, including the comprehensive list of invitations extended under rules 37 and 39, provided in the tables annexed to the relevant studies of the *Repertoire of the Practice of the Security Council*, reflects this practice. Those instances in which the Council decided to extend invitations to participate in its proceedings without expressly invoking rule 37 or rule 39 are treated separately in the same studies.⁵

3. The Security Council's practice in connection with the extension of invitations, including materials relating to the basis for invitations and case studies where the decisions to extend an invitation gave rise to a discussion and/or a vote, or where requests for invitations were denied, is dealt with in detail in the *Repertoire of the Practice of the Security Council*.

4. For detailed information regarding the Council's practice on Article 31, as described in paragraphs 1 to 3 above, see Chapter III of the fourteenth supplement and Part II of the sixteenth supplement to the *Repertoire of the Practice of the Security Council*: http://www.un.org/en/sc/repertoire/2000-2003/00-03_3#page=4.pdf (during 2000-2003); and http://www.un.org/en/sc/repertoire/2008-2009/Part%20II/08-09_Part%20II.pdf (during 2008-2009). In the period covered by the fifteenth supplement (2004-2007), there were no instances in which Article 31 was implicitly or explicitly invoked in the proceedings of the Council.

Security Council when the Security Council considers that the interests of that Member are specially affected, or when a Member brings a matter to the attention of the Security Council in accordance with Article 35 (1) of the Charter.”

⁴ Rule 39 of the provisional rules of procedure of the Security Council provides: “The Security Council may invite members of the Secretariat or other persons, whom it considers competent for the purpose, to supply it with information or to give other assistance in examining matters within its competence.”

⁵ See, for instance, the sixteenth supplement of the *Repertoire of the Practice of the Security Council* (2008-2009), Part II, Section VII “Provisional rules of procedure”.