

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

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to the *Repertory of Practice of United Nations Organs*)

VOLUME III

ARTICLE 32**TEXT OF ARTICLE 32**

Any Member of the United Nations which is not a member of the Security Council or any state which is not a Member of the United Nations, if it is a party to a dispute under consideration by the Security Council, shall be invited to participate, without vote, in the discussion relating to the dispute. The Security Council shall lay down such conditions as it deems just for the participation of a state which is not a Member of the United Nations.

NOTE

1. During the review period, there were at least two instances of discussion in the Security Council regarding the interpretation of Article 32. First, when a few Member States explicitly invoked Article 32 in support of a request for participation that was subsequently denied¹, and second, in a debate on implementation of the note by the President of the Security Council dated 19 July 2006.²

¹ In connection with the briefing by Mr. Carl Bildt, Special Envoy of the Secretary-General for the Balkans, see S/PV.4164, p.4 (Ukraine).

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, on behalf of the Non-Aligned Movement); and S/PV.5968 (Resumption 1), pp.23-24 (Pakistan).

2. During the review period, invitations were usually extended “under the relevant provisions of the Charter” and either rule 37³ or rule 39⁴ of the provisional rules of procedure of the Security Council. It has also continued to make no distinction between a complaint involving a “dispute” within the meaning of Article 32, a “situation”, or a matter of another nature.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 32, 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 32 was implicitly or explicitly invoked in the proceedings of the Council.

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 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, fourteenth supplement to the *Repertoire of the Practice of the Security Council* (2000-2003), Chapter III “Participation in the Proceedings of the Security Council”.