

**Repertory of Practice of United Nations Organs**  
**Supplements Nos. 7-9 (1985-1999)<sup>1</sup>**

(Advance version, to be issued in volume III of *Supplement Nos. 7-9* (forthcoming) of  
 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 period under review, there was no formal discussion in the Security Council regarding the interpretation of Article 32.
2. In practice, in extending invitations, the Council has 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.<sup>2</sup>

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<sup>1</sup> At the bilateral meeting between the Codification Division of the Office of Legal Affairs and the Security Council Affairs Division of the Department of Political Affairs, on 11 March 2011, it was agreed that in order to expedite the elimination of the backlog in volume III, studies on *Supplements 7, 8 and 9* of the volume would be merged.

<sup>2</sup> See, for instance, thirteenth supplement to the *Repertoire of the Practice of the Security Council* (1996-1999), chapter III; p. 83.

3. With one exception,<sup>3</sup> the Council has also continued to refrain from referring explicitly to the relevant Charter Article in extending invitations. During the review period, invitations were usually extended “under the relevant provisions of the Charter” and either rule 37 or rule 39 of the Provisional Rules of Procedure of the Security Council.<sup>4</sup>

4. In 1988, the Council extended invitations to two non-member States “in accordance with the provisions of Article 32”. At its 2791<sup>st</sup> meeting, held on 16 February 1988, the Security Council extended invitations to the Democratic People’s Republic of Korea and the Republic of Korea, at their request, to participate in its discussion of the item relating to the destruction of a commercial passenger airliner of the Republic of Korea.<sup>5</sup> The invitations were renewed at the subsequent meeting of the Council, held on 17 February 1988, in which discussion of the item continued.<sup>6</sup>

5. 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*.

6. For information regarding the Council’s practice on invitations and participation see Chapter III of the *Repertoire of the Practice of the Security Council*:

[http://www.un.org/en/sc/repertoire/85-88/85-88\\_03.pdf#page=3](http://www.un.org/en/sc/repertoire/85-88/85-88_03.pdf#page=3) (during 1985-1988);  
[http://www.un.org/en/sc/repertoire/89-92/89-92\\_03.pdf#page=4](http://www.un.org/en/sc/repertoire/89-92/89-92_03.pdf#page=4) (during 1989-1992);  
[http://www.un.org/en/sc/repertoire/93-95/93-95\\_03.pdf#page=4](http://www.un.org/en/sc/repertoire/93-95/93-95_03.pdf#page=4) (during 1993-1995); and  
[http://www.un.org/en/sc/repertoire/96-99/96-99\\_03.pdf#page=4](http://www.un.org/en/sc/repertoire/96-99/96-99_03.pdf#page=4) (during 1996-1999).

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<sup>3</sup> See paragraph 4 of this study.

<sup>4</sup> See, for instance, thirteenth supplement to the *Repertoire of the Practice of the Security Council* (1996-1999), chapter III, part I “Basis of invitations to participate”; pp. 84-88.

<sup>5</sup> The title of the item, as included in the agenda of the Security Council, was as follows: “Letter dated 10 February 1988 from the Permanent Observer of the Republic of Korea to the United Nations addressed to the President of the Security Council (S/19488); Letter dated 10 February 1988 from the Permanent Representative of Japan to the United Nations addressed to the President of the Security Council (S/19489)”.

<sup>6</sup> For details, see S/PV.2791 and S/PV.2792.