ARTICLE 36

TEXT OF ARTICLE 36

1. The Security Council may, at any stage of a dispute of the nature referred to in Article 33 or of a situation of like nature, recommend appropriate procedures or methods of adjustment.

2. The Security Council should take into consideration any procedures for the settlement of the dispute which have already been adopted by the parties.

3. In making recommendations under this Article the Security Council should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court.

NOTE

No decisions requiring treatment under this Article were taken by the Security Council during the period under review. In a number of instances, the Security Council adopted resolutions, certain provisions of which might be considered as having a bearing on Article 36. However, that Article was not explicitly mentioned in any of these resolutions; nor was there any constitutional discussion in the relevant Council debates.1

1 In connexion with the Cyprus question, see S C resolutions: 231 (1966), 2nd preamb. para. and para. 3; 238 (1967), 2nd preamb. para. and para. 3; 244 (1967), 4th preamb. para. and para. 2, 247 (1968), 2nd preamb. para. and para. 3; 254 (1968), 2nd preamb. para. and para. 3; 261 (1968), 2nd preamb. para. and para. 3; 266 (1969), 2nd preamb. para. and para. 3; 274 (1969), 2nd preamb. para. and para. 3. See also: Repertory, Supplement No. 2, vol. II, under Article 36, para. 9 In connexion with the situation in the Middle East, see: S C resolution 242 (1967). 3rd preamb. para., and paras. 1-3. See also this Supplement, under Article 33, footnote 1.