

Repertory of Practice of United Nations Organs
Supplement Nos. 7-9 (1985-1999)¹

(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 37

TEXT OF ARTICLE 37

1. Should the parties to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to the Security Council.
2. If the Security Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action under Article 36 or to recommend such terms of settlement as it may consider appropriate.

NOTE

1. During the period under review, none of the decisions adopted by the Security Council contained an explicit or implicit reference to Article 37, nor were there references to Article 37 in the text of communications requesting the convening of a meeting of the Council to discuss a dispute which might endanger the maintenance of international peace and security.

¹ 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.

2. In cases dealing with continuing disputes which might be deemed to fall under the provisions of Article 37(2), the Council was requested to take appropriate actions or to recommend the appropriate terms of settlement.²

3. For detailed information regarding the Council's practice on the pacific settlement of disputes , including in connection with the provisions under Article 37 (referred to in paragraph 2 above), see Chapter X of the *Repertoire of the Practice of the Security Council*:
http://www.un.org/en/sc/repertoire/85-88/85-88_10.pdf#page=33 (during 1985-1988);
http://www.un.org/en/sc/repertoire/89-92/89-92_10.pdf#page=27 (during 1989-1992);
http://www.un.org/en/sc/repertoire/93-95/93-95_10.pdf#page=17 (during 1993-1995); and
http://www.un.org/en/sc/repertoire/96-99/96-99_10.pdf#page=6 (during 1996-1999).

² For instance, in connection with the situation between Iran and Iraq, see S/PV.2663, pp. 6-17 (statement by the Secretary-General of the League of Arab States).