

ARTICLE 42

TEXT OF ARTICLE 42

Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade and other operations by air, sea or land forces of Members of the United Nations.

NOTE

1. No decisions requiring treatment under Article 42 were taken by the Security Council during the period under review. However, in the deliberations of the Council, Article 42 was referred to explicitly in connection with several items,¹ without giving rise to a constitutional discussion.
2. The General Assembly adopted no resolutions containing either explicit or implicit references to Article 42.
3. Article 42, together with Article 43, was explicitly referred to in the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization when it examined various proposals on the question of the maintenance of international peace and security.²
4. During deliberations on one of those proposals,³ the relationship between Articles 42 and 43 was considered. It was argued that there was a direct connection between the two Articles and that, "since no agreement had been concluded under Article 43, Article 42 could not legally be invoked".⁴ According to another opinion, "one could conceive of Article 42 being used by way of a de facto agreement between the Security Council and a State seeking to take action, and the United Nations was not barred from invoking Article 42 until Article 43 had been given effect."⁵
5. Explicit references to Article 42 were also made in the course of the deliberations of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations concerning the draft world treaty on the non-use of force in international relations.⁶

¹ See, for example, in connection with the situation in Namibia, S C (36), 2267th mtg.: Jamaica, para. 241; 2276th mtg.: Uganda, para. 18; the complaint by Iraq, S C (36), 2280th mtg.: Algeria, para. 171; 2283rd mtg.: Sierra Leone, para. 150; the situation in the occupied Arab territories, S C (37), 2324th mtg.: Sudan, para. 103; 2328th mtg.: Jordan, para. 6, and S C (38), 2413th mtg.: Zimbabwe, para. 145; the question concerning the situation in the region of the Falkland Islands (Islas Malvinas), S C (37), 2362nd mtg.: Venezuela, para. 75, United Kingdom, para. 266; and the complaint by Lesotho against South Africa, S C (37), 2408th mtg.: Sierra Leone, para. 78.

² At its sessions held from 1979 to 1984, the Special Committee examined such proposals in accordance with the mandate given to it by the General Assembly in resolutions 33/94, para. 3(b); 34/147, para. 3(a); 35/164, para. 3(a); 36/122, para. 4(a); 37/114, para. 5(a); and 38/141, para. 3(a).

³ G A (35), Suppl. No. 33, para. 23, working paper (A/AC.182/WG/33) submitted by the United States of America.

⁴ *Ibid.*, para. 44.

⁵ *Ibid.*

⁶ See, for example, G A (36), Suppl. No. 41, paras. 26 and 198; G A (37), Suppl. No. 41, para. 183.