

ARTICLE 43

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TEXT OF ARTICLE 43

1. All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.

2. Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.

3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional processes.

INTRODUCTORY NOTE

1. No agreements under Article 43 have been negotiated or signed. The single attempt to formulate a plan for the implementation of Article 43 was the report of the Military Staff Committee on 30 April 1947 on "General principles governing the organization of the armed forces made available to the Security Council by Member Nations of the United Nations". This report gave rise to considerable discussion in the Security Council regarding the composition and organization of the armed forces, in which the permanent members of the Security Council were unable to reach agreement. Any attempt to elucidate from the discussion those elements which bear more directly on the interpretation and application of Article 43 might give an artificial impression of the practice in connexion with this Article. Accordingly, it has been considered appropriate to indicate briefly the proceedings of the Council in connexion with the report, and to attach to this outline of proceedings an annotated text of the report of the Military Staff Committee, as amended in the course of discussion in the Council.

2. Article 43 has been referred to extensively in discussions in the General Assembly, chiefly in connexion with the respective roles of the Security Council and the General Assembly in the maintenance or restoration of international peace and security, and the

desirability of the early implementation by the Council of Article 43. The discussions in the General Assembly are dealt with in this Repertory under Articles 11, 26 and 106. ^{1/}

3. At its 23rd meeting, on 16 February 1946, the Security Council adopted a resolution ^{2/} directing the Military Staff Committee, as its first task, to examine from the military point of view the provisions contained in Article 43, and to submit the results of the study and any recommendations to the Council in due course.

4. At its 105th meeting, on 13 February 1947, the Security Council adopted a resolution ^{3/} concerning the implementation of General Assembly resolution 41 (I). ^{4/} In paragraph 4, the Council resolved "to request the Military Staff Committee to submit to it, as soon as possible, and as a matter of urgency, the recommendations for which it has been asked by the Security Council on 16 February 1946 in pursuance of Article 43 of the Charter, and as a first step, to submit to the Security Council not later than 30 April 1947, its recommendations with regard to the basic principles which should govern the organization of the United Nations armed force".

^{1/} In resolution 3(7) A (V), "Uniting for peace", the General Assembly, after reaffirming "that the initiative in negotiating the agreements for armed forces provided for in Article 43 of the Charter belongs to the Security Council" and after expressing its desire "to ensure that, pending the conclusion of such agreements, the United Nations has at its disposal means for maintaining international peace and security", recommended that each Member of the United Nations "maintain within its national armed forces elements so trained, organized and equipped that they could promptly be made available, in accordance with its constitutional processes, for service as a United Nations unit or units, upon recommendation by the Security Council or the General Assembly, without prejudice to the use of such elements in exercise of the right of individual or collective self-defence recognized in Article 51 of the Charter".

For the discussion of the Charter questions involved and the text of that resolution, see in this Repertory under Article 11.

References to Article 43 have also been made in the General Assembly during discussion of a number of other questions, including the United Nations Guard, United Nations Field Service, United action for peace, Methods which might be used to maintain and strengthen international peace and security: report of the Collective Measures Committee, Development of a twenty-year programme for achieving peace through the United Nations, Declaration on the removal of the threat of a new war and the strengthening of peace and security among the nations, and several items on the subject of disarmament.

^{2/} S C, 1st yr., 1st Series, No. 1, 23rd mtg., p. 369.

^{3/} S C, 2nd yr., Suppl. No. 5, S/268/Rev.1, pp. 58 and 59.

^{4/} At its 63rd plenary meeting on 14 December 1946, the General Assembly adopted resolution 41 (I) on the "Principles governing the general regulation and reduction of armaments". In paragraph 7 of this resolution, the Assembly "recommends the Security Council to accelerate as much as possible the placing at its disposal of the armed forces mentioned in Article 43 of the Charter".

5. The Chairman of the Military Staff Committee forwarded to the Secretary-General on 30 April 1947 the Committee's report 5/ on the "General principles governing the organization of the armed forces made available to the Security Council by Member Nations of the United Nations". The report included recommendations agreed upon unanimously by the delegations represented on the Committee and the proposals of individual delegations on which unanimous decision had not been achieved in the Committee. Positions of the delegations on the articles on which unanimity had not been reached and certain general comments by the French military delegation were appended as annexes.

6. In June and July 1947, the Security Council considered the report under the agenda item: "Special agreements under Article 43 of the Charter and the organization of the United Nations armed force". The Council decided to examine first those articles which had been agreed upon in the Military Staff Committee and, subject to its decision on the report as a whole, provisionally adopted those articles. The Council then turned to the articles on which agreement had not been reached. After failure to agree on article 11, regarding the military contributions to be made by the permanent members, the Council did not consider the remaining articles on which the Military Staff Committee had not agreed. Although the report as a whole was not adopted, the articles of the report which were provisionally adopted throw some light on the interpretation and application not only of Article 43, but also of Articles 44, 45, 46 and 47. An annotated text of the articles of the report, as amended by the Security Council, is attached as an annex.

7. Subsequent to the adjournment of the Security Council's discussion at its 157th meeting, on 15 July 1947, the item remained on the list of matters of which the Security Council was seized, but it was not considered. 6/

5/ S C, 2nd yr., Special Suppl. No. 1 (S/336), pp. 1-32.

6/ By resolution 377 B (V), "Uniting for peace", of 5 November 1950, the General Assembly recommended to the Security Council "that it should devise measures for the earliest application of Articles 43, 45, 46 and 47 of the Charter of the United Nations regarding the placing of armed forces at the disposal of the Security Council by the States Members of the United Nations and the effective functioning of the Military Staff Committee". The Security Council has not given consideration to this recommendation.

See also in this Repertory under Article 106 for the discussion of a draft resolution under the item "United action for peace", recommending the implementation of Article 106 pending the conclusion of agreements under Article 45, which was rejected by the General Assembly.

ANNEX

Text (with annotations) of the articles of the "General principles governing the organization of the armed forces made available to the Security Council by Member Nations of the United Nations" as set forth in the report of the Military Staff Committee a/ to the Security Council dated 30 April 1947 and as amended by the Security Council

CHAPTER I**Purpose of Armed Forces**Article 1 b/

Armed forces made available to the Security Council by Member Nations of the United Nations are intended for the maintenance or the restoration of international peace and security in cases:

1. Of existence of any threat to international peace;
2. Of any breach of international peace and security;
3. Of any act of aggression,

when measures undertaken by the Security Council in accordance with Article 41 of the United Nations Charter would be inadequate or have proved to be inadequate and when the threat to international peace and security is such that it necessitates the employment of these armed forces.

Article 2 b/

These armed forces may not be employed for purposes inconsistent with the purposes, principles and spirit of the United Nations Charter as defined in its Preamble and Chapter 1.

CHAPTER II**Composition of Armed Forces**Article 3 c/

Armed forces made available to the Security Council by Member Nations of the United Nations in accordance with Article 43 of the Charter shall be composed of units (formations) of national armed forces, land, sea and air which are normally maintained as components of armed forces of Member Nations of the United Nations.

a/ S C, 2nd yr., Special Suppl. No. 1 (S/336), pp. 1-32.

b/ At the 142nd meeting on 13 June 1947, articles 1 and 2 were adopted without discussion, subject to the Security Council's final decision on the report as a whole (S C, 2nd yr., No. 47, 142nd mtg., p. 1024).

c/ At the 142nd meeting on 18 June 1947, articles 3 and 4 were adopted without discussion (S C, 2nd yr., No. 47, 142nd mtg., p. 1024).

Article 4 c/

These armed forces shall be made available to the Security Council from the best trained and equipped units (formations) of Member Nations of the United Nations.

CHAPTER III

Over-all Strength of Armed Forces

Article 5 d/

Inasmuch as the moral weight and the potential power behind any decision to employ the armed forces made available to the Security Council by Member Nations of the United Nations in enforcement action will be very great, this fact will directly influence the size of the armed forces required to be made available to the Council, in accordance with the special agreements.

Article 6 d/

The armed forces specified in the special agreements, and which shall be made available to the Security Council, on its call, by Member Nations of the United Nations shall be limited to a strength sufficient to enable the Security Council to take prompt action in any part of the world for the maintenance or the restoration of international peace and security as envisaged in Article 42 of the Charter.

Article 7 e/

An estimate of the over-all strength of the armed forces and the strength of the services, land, sea and air, constituting those forces will be made by the Security Council with the assistance of the Military Staff Committee, and used as a basis for negotiating the special agreements referred to in Article 43 of the Charter. The final decision regarding the over-all strength required will be made by the Security Council as a result of these negotiations.

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- c/ At the 142nd meeting on 18 June 1947, articles 3 and 4 were adopted without discussion (S C, 2nd yr., No. 47, 142nd mtg., p. 1024).
- d/ A clarifying amendment to article 5 was adopted by the Security Council (S C, 2nd yr., No. 49, 145th mtg., p. 1067). The text of article 6 was amended by the Council to bring it into line with the language of the Charter (S C, 2nd yr., No. 49, 145th mtg., p. 1071). This amendment bore a consequential effect and was applied to articles 10, 13, 22 and 36. Clarification of articles 5 and 6 was sought and received from the Military Staff Committee (S C, 2nd yr., No. 48, 143rd mtg., footnote to p. 1053; pp. 1054, 1061 and 1062). At the 145th meeting on 24 June 1947, articles 5 and 6, as amended, were adopted in the form in which they appear in this text (S C, 2nd yr., No. 49, 145th mtg., pp. 1067 and 1071).
- e/ Articles 7 and 8 were agreed upon conditionally in the Military Staff Committee. The texts were accepted by the delegations of China, France, the United Kingdom and the United States. The USSR delegation accepted articles 7 and 8 conditionally; their final acceptance was made dependent on the acceptance by the other delegations of the principle of equality regarding strength and composition of armed forces contributed by the five permanent members of the Security Council, as stated in the proposal by the USSR delegation for article 11. These two articles were not discussed by the Security Council.

Article 8 e/

In order to adapt the over-all strength of the armed forces to international conditions, this over-all strength and the strength of the services constituting these forces, may be changed on the initiative of the Security Council by additional agreements between the Security Council and the Member Nations of the United Nations.

CHAPTER IV

Contribution of Armed Forces by Member Nations

Article 9 f/

All Member Nations shall have the opportunity as well as the obligation to place armed forces, facilities and other assistance at the disposal of the Security Council on its call and in accordance with their capabilities and the requirements of the Security Council.

Article 10 g/ h/

In order to facilitate the early establishment of the armed forces which, in accordance with the special agreements, are to be made available to the Security Council, on its call, the permanent members of the Security Council shall contribute initially the major portion of these forces. As the contributions of other Members of the United Nations become available, they shall be added to the forces already contributed.

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- e/ Articles 7 and 8 were agreed upon conditionally in the Military Staff Committee. The texts were accepted by the delegations of China, France, the United Kingdom and the United States. The USSR delegation accepted articles 7 and 8 conditionally; their final acceptance was made dependent on the acceptance by the other delegations of the principle of equality regarding strength and composition of armed forces contributed by the five permanent members of the Security Council, as stated in the proposal by the USSR delegation for article 11. These two articles were not discussed by the Security Council.
- f/ At the 143rd meeting on 20 June 1947, article 9 was adopted (S C, 2nd yr., No. 48, 143rd mtg., p. 1058).
- g/ At the 143rd meeting on 20 June 1947, article 10 was adopted, subject to any consequential effect amendment of article 6 might have on it. At the 145th meeting on 24 June, article 10, as amended, was adopted in the form in which it appears in this text (S C, 2nd yr., No. 48, 143rd mtg., p. 1058; S C, 2nd yr., No. 49, 145th mtg., p. 1072).
- h/ The Security Council asked the Military Staff Committee for clarification of the term "initially" or "initial" in articles 10 and 11 (S C, 2nd yr., No. 52, 149th mtg., p. 1179). The reply (S C, 2nd yr., No. 56, 154th mtg., p. 1267) was received on 7 July 1947.

Article 11 h/ i/

(Text accepted by the delegations of China, France, the United Kingdom and the United States of America:)

Each of the five permanent members of the Security Council will make a comparable initial over-all contribution to the armed forces made available to the Security Council by Member Nations of the United Nations. In view of the differences in size and composition of national forces of each permanent member and in order to further the ability of the Security Council to constitute balanced and effective combat forces for operations, these contributions may differ widely as to the strength of the separate components, land, sea and air.

(Text accepted by the delegation of the Union of Soviet Socialist Republics:)

Permanent members of the Security Council shall make available armed forces (land, sea and air) on the principle of equality regarding the over-all strength and the composition of these forces. In individual instances, deviations from this principle are permitted by special decisions of the Security Council, if such a desire is expressed by a permanent member of the Security Council.

Article 12 j/

The size and composition of contributions of individual Member Nations will be determined on the initiative of the Security Council, and on the advice of the Military Staff Committee, in the process of negotiations with each Member Nation in accordance with Article 43 of the Charter.

Article 13 k/

No Member Nation of the United Nations shall be urged to increase the strength of its armed forces or to create a particular component thereof for the specific purpose of making a contribution to the armed forces which, in accordance with the special agreements, are to be made available to the Security Council, on its call, by Member Nations of the United Nations.

h/ The Security Council asked the Military Staff Committee for clarification of the term "initially" or "initial" in articles 10 and 11 (S C, 2nd yr., No. 52, 149th mtg., p. 1179). The reply (S C, 2nd yr., No. 56, 154th mtg., p. 1267) was received on 7 July 1947.

i/ At the 146th meeting on 25 June 1947, the Security Council requested the Military Staff Committee for a provisional estimate of the proposed armed forces (S C, 2nd yr., No. 50, 146th mtg., p. 1113). The reply was received on 30 June (S C, 2nd yr., Suppl. No. 13, pp. 134-140). No agreement, however, was reached on article 11.

j/ At the 143rd meeting on 20 June 1947, article 12 was adopted (S C, 2nd yr., No. 48, 143rd mtg., p. 1058).

k/ At the 143rd meeting on 20 June 1947, article 13 was adopted, subject to any consequential effect amendment of article 6 might have on it. At the 145th meeting on 24 June, article 13, as amended, was adopted in the form in which it appears in this text (S C, 2nd yr., No. 48, 143rd mtg., p. 1058; S C, 2nd yr., No. 49, 145th mtg., p. 1073).

Article 14 l/

Contributions by Member Nations of the United Nations, other than the permanent members of the Security Council, may not necessarily be represented by armed forces. Such other Member Nations which may be unable to furnish armed forces may fulfil their obligation to the United Nations by furnishing facilities and other assistance in accordance with agreements reached with the Security Council.

Article 15 l/

Proposals for changes in the size or composition of contributions of a Member Nation or a group of nations may be initiated by the Security Council or by the Member Nation or group of nations. Any change in contributions will be effected by additional agreements between the Security Council and the respective Member Nation or group of nations.

Article 16 m/

(Text accepted by the delegations of China, France, the United Kingdom and the United States of America:)

The strength and composition of national air force contributions made available to the Security Council shall be determined as set forth in article 12 above taking into account the obligations arising from Article 45 of the Charter.

(Text accepted by the delegation of the Union of Soviet Socialist Republics:)

The strength and composition of national air force contingents made available to the Security Council by Member Nations for action envisaged in Article 45 of the Charter are determined by the Security Council, with the assistance of the Military Staff Committee, within the limits of a special agreement or agreements referred to in Article 43 of the Charter.

Article 17 n/

(Text accepted by the delegations of China and France.

Text not accepted by the delegations of the Union of Soviet Socialist Republics, the United Kingdom and the United States of America:)

In case of self-defence (Article 51 of the Charter) and of national emergencies, Member Nations will have the right to make use of armed forces, which they have made available to the Security Council in conformity with the terms of special agreements. They undertake, however, to assume anew all of their obligations within the shortest possible space of time.

l/ At the 143rd meeting on 20 June 1947, articles 14 and 15 were adopted (S C, 2nd yr., No. 48, 143rd mtg., p. 1058).

m/ Article 16 was not discussed by the Security Council.

n/ Article 17 was not discussed by the Security Council.

CHAPTER V

Employment of Armed Forces

Article 18 o/

The armed forces made available to the Security Council by Member Nations of the United Nations will be employed, in whole or in part, only by the decision of the Security Council and only for the period necessary for the fulfilment of the tasks envisaged in Article 42 of the Charter.

Article 19 p/

In view of the military advantages which would accrue, the employment of the armed forces under Article 42 of the Charter should, whenever possible, be initiated in time to forestall or to suppress promptly a breach of the peace or an act of aggression.

Article 20 q/

(Text accepted by the delegations of China, France, the United Kingdom and the United States of America:)

After the armed forces, including line of communication forces, made available to the Security Council have carried out the tasks with which they have been entrusted by the Security Council under Article 42 of the Charter, they shall be withdrawn as soon as possible to the general locations governed by the special agreement or agreements provided for by Article 43 of the Charter. The time for the beginning and completion of the withdrawal shall be fixed by the Security Council.

(Text accepted by the delegation of the Union of Soviet Socialist Republics:)

The armed forces will be withdrawn to their own territories and territorial waters within a time-limit of thirty to ninety days after they have fulfilled the measures envisaged in Article 42 of the Charter, unless otherwise decided by the Security Council. This time-limit should be provided for in agreements concluded under Article 43 of the Charter.

o/ At the 143rd meeting on 20 June 1947, article 18 was adopted (S C, 2nd yr., No. 48, 143rd mtg., p. 1058). At the 145th meeting on 24 June, article 18 was reconsidered, and the Security Council asked the Military Staff Committee for clarification (S C, 2nd yr., No. 49, 145th mtg., pp. 1089 and 1090). At the 149th meeting on 30 June, the article was discussed in conjunction with the letter of interpretation (S C, 2nd yr., No. 52, 149th mtg., p. 1158). A proposal to substitute the phraseology of paragraph 2 of this letter for the original text of article 18 was rejected (S C, 2nd yr., No. 52, 149th mtg., pp. 1159-1162). A proposal to append paragraph 2 as the interpretation accepted by the Security Council was adopted (S C, 2nd yr., No. 52, 149th mtg., p. 1168). The appended text read:

"Article 18 of the 'General Principles' was intended to establish the principle that the armed forces specified in the special agreements may be called for, in whole or in part, only by decision of the Security Council, for employment under Article 42 of the Charter. When so called, they may be employed by the Security Council only for the period necessary for the fulfilment of the tasks envisaged in Article 42 of the Charter."

p/ At the 143rd meeting on 20 June, article 19 was adopted (S C, 2nd yr., No. 48, 143rd mtg., p. 1058).

q/ Articles 20 and 21 were not discussed by the Security Council.

Article 21 g/

(Text not accepted by the delegations of China, France, the United Kingdom and the United States of America.

Text accepted by the delegation of the Union of Soviet Socialist Republics:)

If for any reason these armed forces remain in territories or territorial waters granted for the use of such forces, under agreements between the Security Council and other Member Nations of the United Nations for the passage, stationing or action of these forces, they should be withdrawn to their own territories or territorial waters not later than thirty days after the expiration of the period indicated in article 20, unless otherwise decided by the Security Council. This time-limit should be provided for in agreements concluded under Article 43 of the Charter.

CHAPTER VI

Degree of Readiness of Armed Forces

Article 22 r/

The degree of readiness of the armed forces which shall be made available, at its call, to the Security Council by individual Member Nations of the United Nations is fixed by the Security Council, on the advice of the Military Staff Committee, as a result of the negotiations in concluding the special agreements with those Member Nations under Article 43 of the Charter.

Article 23 s/

The degree of readiness of the armed forces shall be maintained at a level which will enable these forces to start in good time to fulfil the Security Council's measures envisaged in Article 42 of the Charter.

Article 24 s/

These armed forces shall be either maintained in readiness for combat or brought up to readiness for combat within the time-limits to be specified in the special agreements.

g/ Articles 20 and 21 were not discussed by the Security Council.

r/ At the 143rd meeting on 20 June 1947, article 22 was adopted, subject to any consequential effect amendment of article 6 might have on it. At the 145th meeting on 24 June, article 22, as amended, was adopted in the form in which it appears in this text (S C, 2nd yr., No. 48, 143rd mtg., p. 1058; S C, 2nd yr., No. 49, 145th mtg., p. 1091).

s/ At the 143rd meeting on 20 June 1947, articles 23 and 24, with editorial amendments, were adopted in the form in which they appear in this text (S C, 2nd yr., No. 48, 143rd mtg., p. 1060).

Article 25 t/

(Text accepted by the delegations of China, France, the United Kingdom and the United States of America:)

The degree of readiness of national air force contingents should be maintained at a level which will enable the United Nations to take urgent military measures in accordance with the provisions of Article 45 of the Charter.

(Text accepted by the delegation of the Union of Soviet Socialist Republics:)

The degree of readiness of national air force contingents made available to the Security Council by Member Nations for action envisaged in Article 45 of the Charter is determined by the Security Council, with the assistance of the Military Staff Committee, within the limits of a special agreement or agreements referred to in Article 45 of the Charter.

CHAPTER VII

**Provision of Assistance and Facilities, Including
Rights of Passage, for Armed Forces**

Article 26 t/

(Text accepted by the delegations of China, the United Kingdom and the United States of America:)

The special agreements between the Security Council and Member Nations under Article 43 of the Charter shall include the following:

1. A general guarantee of rights of passage and of the use of such of the Member Nation's available bases as are required by armed forces operating under the Security Council;
2. Specific provisions covering details of bases and other assistance and facilities, including rights of passage, which Member Nations agree to make available to the Security Council on its call. Such specific provisions may be contained in the original agreement or in subsequent agreements under Article 43 of the Charter to be concluded at the appropriate time.

(Text accepted by the delegation of France:)

Special agreements envisaged in Article 43 of the Charter will indicate bases, assistance and facilities, including the right of passage, which the Member Nations will put at the disposal of the Security Council on its call.

In case of necessity, Member Nations undertake, on call of the Security Council and through additional special agreements, to make available to it other bases, assistance and facilities which would have proved necessary to the operations undertaken.

t/ Articles 25 and 26 were not discussed by the Security Council.

Specific agreements, concluded at the appropriate time, between the Security Council and the Member Nation concerned, will indicate the duration and the other conditions involved in the exercise of rights thus extended to the armed forces operating under the direction of the Security Council.

(Text accepted by the delegation of the Union of Soviet Socialist Republics:)

Special agreements envisaged in Article 43 of the Charter will indicate assistance and facilities, including the rights of passage, which the Member Nations will make available to the Security Council on its call and in accordance with specific agreements concluded between the Security Council and the Member Nations concerned.

Specific agreements, concluded at the appropriate time between the Security Council and the Member Nation concerned, will indicate the duration and the other conditions involved in the exercise of rights thus extended to the armed forces operating under the direction of the Security Council.

Article 27 u/

(Text accepted by the delegations of China, France, the United Kingdom and the United States of America.

Text not accepted by the delegation of the Union of Soviet Socialist Republics:)

A Member Nation will retain its national sovereignty, and its control and command, over bases and other facilities placed at the disposal of the Security Council.

Article 28 u/

(Text accepted by the delegations of China, France, the United Kingdom and the United States of America.

Text not accepted by the delegation of the Union of Soviet Socialist Republics:)

If additional contributions from permanent members of the Security Council are requested when enforcement action under Chapter VII of the Charter is under consideration, those contributions should also be of comparable size taking into account the value of assistance and facilities as well as armed forces which any of the above Member Nations may provide.

CHAPTER VIII

Logistical Support of Armed Forces

Article 29 v/

Member Nations of the United Nations which, in accordance with special agreements, have placed armed forces at the disposal of the Security Council on its call for the carrying out of measures envisaged in Article 42 of the Charter, will provide their respective forces with all necessary replacements in personnel and equipment and with all necessary supplies and transport.

u/ Articles 27 and 28 were not discussed by the Security Council.

v/ At the 143rd meeting on 20 June 1947, article 29, with an editorial amendment in the French text, was adopted (S C, 2nd yr., No. 48, 143rd mtg., p. 1061).

Article 30 w/

Each Member Nation will at all times maintain a specified level of reserves to replace initial personnel, transport, equipment, spare parts, ammunition and all other forms of supply for the forces which it has agreed to place at the disposal of the Security Council on its call. This reserve level will be prescribed in the special agreements under Article 43 of the Charter.

Article 31 x/

(Text accepted by the delegations of China, the United Kingdom and the United States of America:)

Member Nations, in the event of inability to discharge to the full extent their responsibilities under article 29 above, may invoke the aid of the Security Council, which, on the advice of the Military Staff Committee, will negotiate with other appropriate Member Nations for the provision of such assistance as it deems necessary. The agreement of Member Nations concerned must be obtained by the Security Council before the deficiencies in the contribution of one Member Nation can be made up by transfers from the contribution of another Member Nation.

(Text accepted by the delegations of France and the Union of Soviet Socialist Republics:)

Deviations from the principle stated in article 29 above shall be permitted in individual instances at the request of a Member Nation, by special decisions of the Security Council on the advice of the Military Staff Committee, if this Member Nation desires to have supplies and transport made available to it for the proper provision of the armed forces placed by this Member Nation at the disposal of the Security Council.

CHAPTER IX

General Location of Armed Forces

Article 32 x/

(Text accepted by the delegations of China, the United Kingdom and the United States of America:)

Armed forces made available to the Security Council by Member Nations when not employed by the Security Council will, within the terms of special agreements referred to in Article 43 of the Charter, be based at the discretion of Member Nations in any territories or waters to which they have legal right of access.

(Text accepted by the delegation of France:)

When they are not employed by the Security Council, the armed forces which the Member Nation undertakes to make available to the Security Council, on its call, are stationed in the general locations governed by the special agreement or agreements concluded between the Security Council and the Member Nation under Article 43 of the Charter:

w/ At the 143rd meeting on 20 June 1947, article 30 was adopted (S C, 2nd yr., No. 48, 143rd mtg., p. 1061).

x/ Articles 31 and 32 were not discussed by the Security Council.

1. Either within the national borders of the Member Nation or the territories or waters under its jurisdiction;
2. Or within the territory or waters of ex-enemy nations under Article 107 of the Charter or under the terms of the peace treaties;
3. Or within the territory or waters of other nations where armed forces have access under international agreements registered with the United Nations Secretariat and published by it in accordance with Article 102 of the Charter;
4. Or in certain strategic areas specified by the Security Council and which have been the subject of specific agreements between the Security Council and the Member Nation under Articles 82 and 83 of the Charter.

(Text accepted by the delegation of the Union of Soviet Socialist Republics:)

Armed forces made available to the Security Council by Member Nations of the United Nations shall be garrisoned within the frontiers of the contributing Member Nations' own territories or territorial waters, except in cases envisaged in Article 107 of the Charter.

Article 33 y/

(Text accepted by the delegations of China, France, the United Kingdom and the United States of America.

Text not accepted by the delegation of the Union of Soviet Socialist Republics:)

The locations of these armed forces should be so distributed geographically as to enable the Security Council to take prompt action in any part of the world for the maintenance or restoration of international peace and security.

Article 34 y/

(Text accepted by the delegations of China, France, the United Kingdom and the United States of America.

Text not accepted by the delegation of the Union of Soviet Socialist Republics:)

Any displacement of forces likely to modify their availability as governed by the special agreement or agreements shall be brought to the notice of the Security Council.

Article 35 z/

The armed forces made available to the Security Council by Member Nations of the United Nations, on its call, for the fulfilment of measures envisaged in Article 42 of the Charter will be based, during the carrying out of these measures, in areas designated by the Security Council.

y/ Articles 33 and 34 were not discussed by the Security Council.

z/ At the 143rd meeting on 20 June 1947, article 35, with an editorial amendment to the French text, was adopted (S C, 2nd yr., No. 48, 143rd mtg., p. 1061).

CHAPTER X

Strategic Direction and Command of Armed Forces

Article 36 aa/

The armed forces envisaged in the special agreements shall remain under the exclusive command of the respective contributing nations, except when, having been made available to the Security Council, on its call, they will operate under its authority.

Article 37 ab/

When these forces are called upon for the fulfilment of measures envisaged in Article 42 of the Charter, they shall come under the control of the Security Council.

(Note: The word "control" is translated into French as autorité and into Russian as ПОДЧИНЕНИЕ.)

Article 38 ac/

During the period these armed forces are employed by the Security Council, the Military Staff Committee shall be responsible, under the Security Council, for their strategic direction. The time and place at which the Military Staff Committee will assume or relinquish strategic direction will be designated by the Security Council.

Article 39 ac/

The command of national contingents will be exercised by commanders appointed by the respective Member Nations. These contingents will retain their national character and will be subject at all times to the discipline and regulations in force in their own national armed forces.

Article 40 ad/

The commanders of national contingents will be entitled to communicate directly with the authorities of their own country on all matters.

aa/ At the 143rd meeting on 20 June 1947, article 36 was adopted, subject to any consequential effect amendment of article 6 might have on it. At the 145th meeting on 24 June, article 36, as amended, was adopted in the form in which it appears in this text (S C, 2nd yr., No. 48, 143rd mtg., p. 1061; S C, 2nd yr., No. 49, 145th mtg., p. 1091).

ab/ At the 143rd meeting on 20 June 1947, article 37, with the editorial note, was adopted (S C, 2nd yr., No. 48, 143rd mtg., p. 1061).

ac/ At the 143rd meeting on 20 June 1947, articles 38 and 39 were adopted (S C, 2nd yr., No. 48, 143rd mtg., p. 1061).

ad/ At the 143rd meeting on 20 June 1947, article 40 was adopted (S C, 2nd yr., No. 48, 143rd mtg., p. 1061).

Article 41 ae/

(Text accepted by the delegations of China, the Union of Soviet Socialist Republics and the United States of America:)

An over-all commander or over-all commanders of armed forces made available to the Security Council may be appointed by the latter, on the advice of the Military Staff Committee, for the period of employment of these forces by the Security Council.

(Text accepted by the delegations of France and the United Kingdom:)

A supreme commander or supreme commanders of armed forces made available to the Security Council may be appointed by the latter, on the advice of the Military Staff Committee, for the period of employment of these forces by the Security Council.

Commanders-in-chief of land, sea or air forces acting under the supreme commander or commanders mentioned above may be appointed by the Security Council on the advice of the Military Staff Committee.

ae/ Article 41 was not discussed by the Security Council.