

ARTICLE 48

TEXT OF ARTICLE 48

1. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine.
2. Such decisions shall be carried out by the Members of the United Nations directly and through their action in the appropriate international agencies of which they are members.

NOTE

1. No decisions requiring treatment under Article 48 were taken by the organs of the United Nations during the period under review.
2. It should be noted, however, that two resolutions adopted by the Security Council calling on all States to implement the sanctions regime against South Africa may be considered as falling implicitly within the scope of Article 48.¹
3. One draft resolution that failed of adoption owing to the negative vote of a permanent member may be considered as implicitly invoking Article 48. In connection with the question of United States personnel detained in Iran,² the representative of the United States introduced a draft resolution by which the Security Council, inter alia, would have called upon "all Member States, and in particular those with primary responsibility under the Charter for the maintenance of international peace and security", to cooperate in implementing economic and diplomatic sanctions on Iran until "all persons of United States nationality being held as hostages in Iran" "are released and have safely departed from Iran".³
4. A number of resolutions adopted by the General Assembly in connection with the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples contain provisions which may have a bearing on the subject matter of the Article.⁴ Similar provisions were contained in resolutions of the General Assembly adopted in connection with the question of Southern Rhodesia, as well as the question of assistance to Mozambique and Zambia, respectively.⁵
5. The discussions leading to the adoption of the resolutions mentioned above did not give rise to constitutional arguments regarding the interpretation or application of Article 48.
6. No explicit references were made to this Article in the deliberations of the Security Council or the General Assembly during the period under review.

¹ S C resolutions 473 (1980), para. 10 and 475 (1980), para. 4.

² The item, as included in the agenda, was entitled: "Letter dated 22 December 1979 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/13705)".

³ S C (35), Suppl. for Jan.-March 1980, S/13735, paras. 1, 2 and 7.

⁴ G A resolutions 34/94, para. 9; 35/119, para. 9; 36/68, para. 9; 37/35, para. 9; 38/54, para. 9; and 39/91, para. 9. In those resolutions, the General Assembly requested all States, directly and through their action in the specialized agencies and other organizations of the United Nations system, to withhold assistance of any kind from the Government of South Africa. In its resolution 34/94, the Assembly also requested all States to withhold assistance from the regime in Southern Rhodesia.

⁵ G A resolutions 34/192, para. 11; 34/129, preamb. paras. 1-2 and paras. 1-15; 35/99, preamb. paras. 1-3 and paras. 1-14; 36/215, preamb. paras. 1-3 and paras. 1-13; 37/161, preamb. paras. 1-3 and paras. 1-13; 34/128, preamb. paras. 1, 3-4, 6 and 9 and paras. 1-13; 35/94, preamb. paras. 1-4 and 6 and paras. 1-14; 36/214, preamb. paras. 1-2 and 4 and paras. 1-9. In all of these resolutions, the Assembly appealed to Member States, as well as regional and other organizations, to provide assistance to States that experienced economic problems caused by applying mandatory sanctions imposed by the Security Council.