

ARTICLE 50

TEXT OF ARTICLE 50

If preventive or enforcement measures against any State are taken by the Security Council, any other State, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems.

NOTE

1. During the period under review, the Security Council adopted no decisions containing explicit or implicit references to Article 50.

2. The Article was implicitly invoked in the proceedings of the Security Council following the adoption, on 21 December 1979, of resolution 460 (1979), by which the Council called for urgent assistance to “the front-line States for reconstruction purposes and to facilitate the repatriation of all refugees or displaced persons to Southern Rhodesia”.¹ In his statement, the Secretary-General drew attention to “the special nature and the magnitude of the problems faced by these countries as a result of the application of sanctions and the disruption of normal trade, traffic and communications in the region” and stressed that “a cooperative effort by the international community [was] demanded by the situation” to enable those countries “to restore their economies”. He assured the Council that he would do everything he could “to organize all possible assistance to the front-line States, in accordance with the terms of the resolution just adopted”.² In the course of the debate, several representatives³ echoed that statement.

3. The General Assembly adopted one resolution explicitly invoking Article 50 together with Article 49 of the Charter. In connection with the question of assistance to Zambia, the Assembly, on 14 December 1979, adopted resolution 34/128, by which it recognized that Zambia had incurred “direct costs and the costs of contingency measures as a result, inter alia, of its decision to apply sanctions against ... Southern Rhodesia”.⁴ The Assembly requested the Security Council “to examine the situation in Zambia, in the context of Chapter VII, Articles 49 and 50, of the Charter of the United Nations, with a view to proposing additional measures of assistance to Zambia in view of its critical economic and financial position”.⁵

4. Provisions which may have a bearing on the subject matter of Article 50 were contained in resolutions of the General Assembly on the question of Southern Rhodesia,⁶ as well as the question of assistance to Mozambique⁷ and Zambia,⁸ respectively. In those resolutions, the Assembly referred to the economic hardship suffered by the above-mentioned States due to the application of mandatory sanctions imposed by the Security Council and appealed to Member States, as well as regional, interregional and other organizations, to provide assistance to those States.

5. Article 50 was incidentally referred to in the plenary of the General Assembly during its thirty-fourth session in 1979. The representative of Mozambique⁹ stated in the general debate that the application of sanctions against Southern Rhodesia had caused serious economic difficulties for his country and recalled Security Council resolution 386 (1976), by which the

¹ S C resolution 460 (1979), paras. 4 and 5.

² S C (34), 2181st mtg.: paras. 9-10, 12 and 14.

³ *Ibid.*: Jamaica, para. 110; Mozambique, paras. 180-181; United Republic of Tanzania, para. 201; Madagascar, para. 223; Cuba, para. 259.

⁴ G A resolution 34/128, preamb. paras. 4 and 6.

⁵ *Ibid.*, para. 12.

⁶ G A resolution 34/192, para. 11.

⁷ G A resolutions 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.

⁸ G A resolutions 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.

⁹ G A (34), Plen., 25th mtg.: Mozambique, paras. 218 and 225-226.

Council had appealed to the international community, inter alia, to provide Mozambique with better conditions for complying with United Nations mandatory sanctions.¹⁰

6. In the discussions of the Second Committee of the General Assembly on assistance to Zambia and Mozambique, respectively, the need for international assistance to be provided to States whose economic development had been adversely affected due to the application of sanctions imposed by the Security Council was repeatedly emphasized.¹¹

7. Neither the resolutions nor the references above gave rise to a constitutional discussion regarding the interpretation or application of Article 50.

¹⁰ See also the present *Supplement*, under Article 49, para 5.

¹¹ See, for example: G A (34), 2nd Comm., 46th mtg.: Mozambique, paras. 7 and 11; G A (35), 2nd Comm., 40th mtg.: Mozambique, paras. 30, 32 and 38; G A (36), 2nd Comm., 7th mtg.: Under-Secretary-General for Special Political Questions and Coordinator, Special Economic Assistance Programmes, para. 18; 21st mtg.: Mozambique, paras. 27-29; 32nd mtg.: Zambia, paras. 46-51; 43rd mtg.: Mozambique, para. 42.