ARTICLE 38

TEXT OF ARTICLE 38

Without prejudice to the provisions of Articles 33 to 37, the Security Council may, if all the parties to any dispute so request, make recommendations to the parties with a view to a pacific settlement of the dispute.

NOTE

1. During the period under review there was no instance in which all the parties to a dispute made a request to the Council under Article 38.

2. Article 38, together with other Articles of Chapters VI and VII of the Charter, was explicitly referred to in the General Assembly during consideration of the report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations.¹

¹G A (33), 6th Com., 56th mtg.: Togo, para. 61.
Chapter VII

ACTION WITH RESPECT TO THREATS TO THE PEACE, BREACHES OF THE PEACE, AND ACTS OF AGGRESSION