

## ARTICLE 44

### TEXT OF ARTICLE 44

When the Security Council has decided to use force it shall, before calling upon a Member not represented on it to provide armed forces in fulfilment of the obligations assumed under Article 43, invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of that Member's armed forces.

### NOTE

1. No decisions requiring treatment under this Article were taken by the organs of the United Nations during the period under review.
2. There was, however, an explicit reference to Article 44, together with references to Articles 39-43, 45 and 46 and to Chapter VII of the Charter, in a draft resolution which was submitted to the Security Council during its consideration of the question of South Africa.<sup>1</sup> The paragraph containing this explicit reference was mentioned in the deliberations of the Security Council.<sup>2</sup> Both references were without constitutional significance and did not evoke any discussion in the Council.

<sup>1</sup>S C (32), Suppl. for Jan.-March, 1977, S/12310, para. 5. The draft resolution was submitted by Benin, Libyan Arab Republic and Mauritius. See also *ibid.*, Suppl. for Oct.-Dec., 1977, S/12310/Rev.1, para. 5. The revised draft resolution was put to the vote and failed of adoption, owing to the negative votes of three permanent members. For the text see this *Supplement* under Article 42, footnote 1.

<sup>2</sup>S C (32), 2039th mtg.: Senegal, para. 36. The Security Council considered the question of South Africa at meetings in March, October and November 1977.