

ARTICLE 47

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TEXT OF ARTICLE 47

1. There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation or armaments, and possible disarmament.

2. The Military Staff Committee shall consist of the Chiefs of Staff or the permanent members of the Security Council or their representatives. Any Member of the United Nations not permanently represented on the Committee shall be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires the participation of that Member in its work.

3. The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. Questions relating to the command of such forces shall be worked out subsequently.

4. The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional sub-committees.

NOTE

1. The only substantive decisions taken under Article 47 have been two directives adopted by the Security Council. The first provided for the establishment of the Military Staff Committee and the second laid down the first programme of work of that Committee. The Council has also taken decisions on requests for interpretation or information from the Military Staff Committee. After the Council failed to reach agreement on the organization of the armed forces to be made available to it, and following the adjournment of the discussion at its 157th meeting on 15 July 1947, there has been no action on the part of the Council which called for the application of the provisions of Article 47. 1/ The Committee has, however, continued to hold its regular meetings and has submitted annual reports 2/ to the Security Council.

2. The activities of the Military Staff Committee in connexion with the military requirements of the Security Council for the maintenance of international peace and security and with the employment and command of forces to be placed at its disposal are dealt with in this Repertory under Article 43. Those pertaining to the regulation of armaments and possible disarmament are dealt with in this Repertory under Article 26.

1/ Frequent references to the desirability of implementation by the Council of the provisions of the Article were made during the discussion of various agenda items in the First Committee and the plenary meetings of the General Assembly.

2/ See para. 13 below.

3. Brief information on the decisions of the Security Council described in paragraph 1 above is presented below.

A. Establishment of the Military Staff Committee

4. At its 2nd meeting on 25 January 1946, the Security Council adopted 3/ without objection a first directive to the Military Staff Committee which read as follows:

"By Article 47 of the Charter, the United Nations have agreed that there shall be established a Military Staff Committee to advise and assist the Security Council, and that the Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives.

"Therefore

"1. The Security Council requests the permanent members of the Security Council to direct their Chiefs of Staff to meet, or to appoint representatives who shall meet, at London before 1 February;

"2. The Security Council directs that the Chiefs of Staff or their representatives, when so assembled, shall constitute the Military Staff Committee referred to above;

"3. The Security Council directs the Military Staff Committee thereupon, as its first task, to draw up proposals for its organization (including the appropriate secretarial staff) and procedure, and to submit these proposals to the Security Council."

5. By letter 4/ dated 14 February 1946, the Chairman of the Military Staff Committee transmitted to the President of the Security Council the "Draft Statute of the Military Staff Committee" and the "Draft Rules of Procedure of the Military Staff Committee and its Secretariat" in accordance with the directive of the Council.

6. At its 23rd meeting on 16 February 1946, the Security Council instructed 5/ its Committee of Experts to examine the draft Statute and the draft rules of procedure of the Military Staff Committee and submit a report on them to the Council. The Security Council also decided that, pending approval by the Council of the draft Statute and the draft rules of procedure, the Military Staff Committee might be authorized to act provisionally along the lines of the proposals which it had submitted.

7. Following observations 6/ made by the Secretariat of the United Nations and the correspondence 7/ which resulted therefrom between the Secretary-General and the Military Staff Committee, the latter made certain amendments to its draft Statute and draft rules of procedure and submitted a revised text 8/ to the Security Council on 24 July 1946.

3/ S C, 1st yr., 1st Series, No. 1, 2nd mtg., p. 14.

4/ S/10.

5/ S C, 1st yr., 1st Series, No. 1, 23rd mtg., p. 369.

6/ S/Procedure/14 and Addendum.

7/ S/124 and Corr.1 and S/124/Add.1.

8/ S/115.

8. The report 9/ of the Committee of Experts on the draft Statute and the draft rules of procedure of the Military Staff Committee was circulated on 17 July 1947, but has not so far been placed on the agenda of the Security Council.

B. Definition of first programme of work

9. At its 23rd meeting on 16 February 1946, the Security Council also adopted 10/ a proposal containing a second directive to the Military Staff Committee which read as follows:

"That the Security Council should request the Military Staff Committee to meet at the temporary headquarters of the United Nations simultaneously with the first meeting of the Security Council at the temporary headquarters in New York, and that the Council should direct the Military Staff Committee, as its first task, to examine from the military point of view the provisions contained in Article 43 of the Charter, and to submit the results of the study and any recommendations to the Council in due course."

10. On 30 April 1947 the Military Staff Committee submitted its report 11/ on the "General principles governing the organization of the armed forces made available to the Security Council by Member Nations of the United Nations", in accordance with the above directive.

C. Decisions on requests for interpretation or information from the Military Staff Committee

11. During the discussion of the report of 30 April 1947 of the Military Staff Committee in June and July 1947, after some representatives had requested clarification of certain questions, the Security Council decided 12/ on 18 June 1947 to invite the Chairman of the Military Staff Committee to sit at the Council table. In addition, at the request of the representative of Australia, the President requested, in a letter 13/ dated 19 June, an interpretation of articles 5 and 6 of the report of the Military Staff Committee to the Security Council on the organization of the armed forces of the United Nations. Following receipt of the reply 14/ from the Chairman of the Military Staff Committee, the representative of the USSR maintained the position taken by his delegation in the Military Staff Committee, that the Committee should, as a body, give any necessary advice to the Security Council as a body, and that the Security Council had not adopted any decision to ask the opinion of the Military Staff Committee on the question put by the representative of Australia. 15/

12. At the 145th meeting on 24 June 1947, discussion arose in the Security Council as to the right of an individual member of the Council to ask the Military Staff Committee for interpretation, explanation and assistance. The President ruled 16/ that an individual member could address such requests through the President and, in

9/ S/421.

10/ S C, 1st yr., 1st Series, No. 1, 23rd mtg., p. 369.

11/ S C, 2nd yr., Special Suppl. No. 1, pp. 1-32. Action by the Security Council in connexion with this report is dealt with in this Repertory under Article 43.

12/ S C, 2nd yr., No. 47, 142nd mtg., pp. 1040 and 1041.

13/ S C, 2nd yr., No. 48, 143rd mtg., footnote to p. 1053.

14/ S C, 2nd yr., No. 48, 143rd mtg., pp. 1061 and 1062.

15/ S C, 2nd yr., No. 48, 143rd mtg., pp. 1063 and 1064.

16/ S C, 2nd yr., No. 49, 145th mtg., pp. 1088 and 1091.

the case of objection, a vote would be taken. At that meeting, the Council voted 17/ to consult the Military Staff Committee concerning its interpretation of article 18 of its report. This procedure was followed at the 146th meeting on 25 June 1947, when the Security Council, in order to permit agreement to be reached on article 11 of the report of the Military Staff Committee, decided, 18/ in the absence of objection, to request the Military Staff Committee for a provisional estimate of the proposed armed forces. Again, at the 149th meeting on 30 June, the Security Council, in the absence of objection, decided 19/ to request the Military Staff Committee for clarification of a term used in articles 10 and 11 of its report.

D. Annual reports of the Military Staff Committee to the Security Council

13. The Military Staff Committee has each year submitted a report of its activities, which has been included in the annual report of the Security Council to the General Assembly. After the Committee reported 20/ to the Security Council in 1948 its inability to agree either on the question of the over-all strength and composition of the armed forces or on the question of the future work of the Committee, the annual reports 21/ have recorded that the Committee has continued to hold its regular meetings but without further progress on matters of substance.

17/ S C, 2nd yr., No. 49, 145th mtg., pp. 1089 and 1090.

18/ S C, 2nd yr., No. 50, 146th mtg., p. 1113.

19/ S C, 2nd yr., No. 52, 149th mtg., p. 1179.

20/ G A (IV), Suppl. No. 2, p. 95.

21/ G A (V), Suppl. No. 2, p. 62.

G A (VI), Suppl. No. 2, p. 88.

G A (VII), Suppl. No. 2, p. 54.

G A (VIII), Suppl. No. 2, p. 26.

G A (IX), Suppl. No. 2, p. 55.