

ARTICLE 107

TEXT OF ARTICLE 107

Nothing in the present Charter shall invalidate or preclude action, in relation to any State which during the Second World War has been an enemy of any signatory to the present Charter, taken or authorized as a result of that war by the Governments having responsibility for such action.

NOTE

1. No decisions requiring treatment under Article 107 were taken by the organs of the United Nations during the period under review.
2. In accordance with the mandate given to it by the General Assembly,¹ the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization examined various proposals on the question of the maintenance of international peace and security, including proposals to delete the “enemy States” clause in both Article 53² and Article 107 on the ground that it had become obsolete, with one proposal advocating the deletion of Article 107 altogether.³ No agreement was reached in the Special Committee on those proposals.

¹ G A resolutions 33/94, para. 3(b); 34/147, para. 3(a); 35/164, para. 3(a); 36/122, para. 4(a); 37/114, para. 5(a); 38/141, para. 3(a). G A resolution 39/88 A, para. 3(a), contained similar provisions and, in accordance with this resolution, the Special Committee on the Charter continued its work on the question in 1985.

² See also the present *Supplement*, under Article 53.

³ For the reports of the Special Committee, see G A (34), Suppl. No. 33, para. 18 (subparas. 63-67 and 76); and G A (37), Suppl. No. 33, paras. 164-178. Pertinent remarks were also made during the Sixth Committee's consideration of the reports of the Special Committee. See G A (34), 6th Comm., 30th mtg.: Chairman, Special Committee on the Charter, para. 55; Mexico, para. 72; 33rd mtg.: United Republic of Tanzania, para. 30; Japan, para. 39; 34th mtg.: Canada, para. 12; Uganda, para. 35; 36th mtg.: Nepal, para. 31; 37th mtg.: Tunisia, para. 62; G A (35), 6th Comm., 34th mtg.: Japan, para. 10; 36th mtg.: Czechoslovakia, para. 10; 38th mtg.: Uganda, para. 19; Mexico, para. 65; 40th mtg.: Nepal, para. 88; Nigeria, para. 105; G A (36), 6th Comm., 32nd mtg.: Bahrain, para. 57; G A (37), 6th Comm., 26th mtg.: Uganda, para. 46; 27th mtg.: Japan, para. 16; 29th mtg.: Trinidad and Tobago, para. 3; G A (38), 6th Comm., 62nd mtg.: Japan, para. 26; G A (39), 6th Comm., 25th mtg.: Japan, para. 39; 29th mtg.: Pakistan, para. 1.