

ARTICLE 53

TEXT OF ARTICLE 53

1. The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy State, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such State, until such time as the Organization may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a State.

2. The term enemy State as used in paragraph 1 of this Article applies to any State which during the Second World War has been an enemy of any signatory of the present Charter.

NOTE

1. No decisions requiring treatment under Article 53 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 proposals² that aimed at the deletion of the “enemy State” clauses from the texts of both Article 53 and Article 107; the adoption of a solemn declaration by the General Assembly stating that those clauses could not apply per se to Member States; and seeking comments and suggestions from Member States on the applicability of those clauses. No agreement, however, was reached in the Special Committee on such proposals. The relevant discussion in the Special Committee,³ as well as pertinent remarks made in the Sixth Committee⁴ of the General Assembly on the reports of the Special Committee, followed along lines similar to those described in the previous *Supplement*.⁵

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); and 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 G A (34), Suppl. No. 33, para. 18 (subparas. 63-64, 66-67 and 76 (sect. I.J)); G A (37), Suppl. No. 33, paras. 165-178.

³ *Ibid.*

⁴ G A (34), 6th Comm., 30th mtg.: Mexico (para. 72); 33rd mtg.: Tanzania (para. 30), Japan (para. 39); 34th mtg.: 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 (paras. 10-11); 38th mtg.: Uganda (para. 19), Mexico (para. 65); 40th mtg.: Nepal (paras. 87-90); G A (36), 6th Comm., 38th mtg.: Japan (para. 61); 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).

⁵ See *Repertory, Supplement No. 5*, vol. II, under Article 53, paras. 5-6 and 8.