

ARTICLE 95

TEXT OF ARTICLE 95

Nothing in the present Charter shall prevent Members of the United Nations from entrusting the solution of their differences to other tribunals by virtue of agreements already in existence or which may be concluded in the future.

NOTE

1. No decisions involving the interpretation of Article 95 had been taken by United Nations organs during the period under review.
2. It was stated 1/ in the corresponding study in the Repertory that the General Assembly had adopted resolutions contemplating the solution of differences to which Members of the United Nations might be parties by tribunals other than the International Court of Justice. The United Nations Tribunal in Libya was given as one of the examples. The functions, powers and jurisdiction of that Tribunal were transferred to the Italian-Libyan Mixed Arbitration Commission established by General Assembly resolution 988 (X).
3. It may be noted that the General Assembly at its eighth and tenth sessions considered a draft on arbitral procedure 2/ prepared by the International Law Commission which contemplated the constitution of arbitral tribunals for the settlement of international disputes. By resolution 989 (X) the General Assembly invited the International Law Commission to consider the comments of Governments and the discussions in the Sixth Committee and to report to the Assembly at its thirteenth session.

1/ See in the Repertory, vol. V, under Article 95, para. 3
2/ G A (VIII), Suppl. No. 9 (A/2456), pp. 9-11.

