
Article 2(6)

Contents

	<i>Paragraphs</i>	<i>Page</i>
Text of Article 2(6)		
Introductory note	1	40
I. General survey	2–5	40
II. Analytical summary of practice	6–15	42
Decisions taken by the Organization affecting non-member States with respect to the maintenance of international peace and security		42
**1. Recommendations to, or in respect of, specific non-member States		
2. Recommendations to non-member States in general	6–15	42
**(a) Recommendations involving the Principles of the Charter in general		
(b) Recommendations involving specific Principles of the Charter	6–13	42
(c) Recommendations involving actions or cessation of actions	14–15	45
(i) In the Security Council	14	45
(ii) In the General Assembly	15	45

Article 2(6)

Text of Article 2(6)

The Organization shall ensure that States which are not Members of the United Nations act in accordance with these Principles so far as may be necessary for the maintenance of international peace and security.

Introductory note

1. The general structure of the present study follows that of Article 2(6) in the *Repertory, Supplements Nos. 3, 4, 5 and 6*.

I. General survey

2. During the period under review, no decisions referring explicitly to Article 2(6) were made by any organ of the United Nations. Nor were any recommendations made by an organ of the Organization to specific non-member States with respect to the maintenance of international peace and security.

3. The Security Council adopted one resolution on the question of South Africa, in which, inter alia, it called upon States that were not members of the United Nations to act in accordance with the provisions of that resolution.¹ The General Assembly also adopted four resolutions on the question of the situation in the Middle East, in which, inter alia, it explicitly urged non-member States to act in accordance with the provisions of the resolutions.²

4. The General Assembly adopted a number of resolutions referring to the purposes and principles of the Charter in general,³ and made particular references to certain principles contained in Article 2,⁴ which were also addressed implicitly to non-member States.⁵

¹ SC resolution 591 (1986) (para. 12).

² GA resolutions 40/168 (para. 15); 41/162 B (para. 15); 42/209 C (para. 15); and 43/54 B (para. 15).

³ For the symbols of General Assembly resolutions that make general references to the purposes and principles of the Charter, see *Repertory, Supplement No. 7*, vol. I, chap. I, under Articles 1(1), 1(3), 1(4), 2(1), 2(2), 2(3) and 2(5), footnote 1.

⁴ See, for example, GA resolutions 40/9 (para. 2), on the solemn appeal to States in conflict to cease armed action forthwith and to settle disputes between them through negotiations, and to States Members of the United Nations to undertake to solve situations of tension and conflict and existing disputes by political means and to refrain from the threat or use of force and from any intervention in the internal affairs of other States; 40/94 N (para. 2), regarding disarmament and the maintenance of international peace and security; 40/152 I (para. 1), on international cooperation for disarmament; 41/11 (para. 4), regarding declaration of a zone of peace and cooperation in the South Atlantic; 41/90 (paras. 2 (a) and 6 (a)), on the review of the implementation of the Declaration on the Strengthening of International Security; 42/22, annex (paras. 1, 2, 4, 16 and 17) on the Declaration on the Enhancement of the Effectiveness of the Principle of Refraining from the Threat or Use of Force in International Relations; 42/92 (paras. 2 (a) and 6), Declaration on the Prevention and Removal of Disputes and Situations Which May Threaten International Peace and Security and on the Role of the United Nations in this Field; 42/93 (paras. 5 and 7), regarding a comprehensive system of international peace and

5. The Security Council and the General Assembly adopted many resolutions concerning actions or cessation of actions in respect of the maintenance of international peace and security, which affected non-member States and may be said to have bearing on Article 2(6). The terminology employed in the resolutions to identify the addressees of these decisions include the following: “States”,⁶ “all States”,⁷ “any State”,⁸ “no State”,⁹ “every State”,¹⁰ “States concerned”,¹¹ “States party to regional arrangements”,¹² “all countries”,¹³ “countries which are outside the region”,¹⁴ “Governments”,¹⁵ “all Governments”,¹⁶ “the Governments of all States”.¹⁷ These decisions were made, inter alia, in connection with the following topics: peaceful settlement of disputes,¹⁸ decolonization,¹⁹ disarmament,²⁰ policies of

security; 43/88 (paras. 2 (a) and 2 (c)), relating to the review of the implementation of the Declaration on the Strengthening of International Security; and 43/89 (para. 2), regarding a comprehensive approach to strengthening international peace and security in accordance with the Charter of the United Nations.

⁵ For the terminology employed in these resolutions, see para. 5.

⁶ SC resolutions 579 (1985) (para. 5); and 591(1986) (paras. 1-2 and 8). GA resolutions 41/74 (paras. 4 and 5); 42/22, annex I (paras. 4, 6 and 7), annex II (paras. 13-24), annex III, paras. 26-28 and 30-33); 42/154 (paras. 4-8); 42/158 (para. 2); 43/51 (annex, paras. 1-5); and 43/123 (para. 4).

⁷ SC resolutions 562 (1985) (para. 3); 566 (1985) (para. 2); 574 (1985) (para. 5); 579 (1985) (paras. 3 and 4); 581 (1986) (paras. 5 and 6); 591 (1986) (paras. 3-7 and 9-12); 598 (1987) (para. 5); 610 (1988) (para. 2); 612 (1988) (para. 4); 615 (1988) (para. 2); and 620 (1988) (para. 3). GA resolutions 40/6 (para. 8); 40/8 (para. 3); 40/9 (preamb.); 40/57 (paras. 6 and 9); 41/10 (para. 2); 41/11 (para. 3); 41/64 (para. 15); 42/35 (paras. 3-5); 42/113 (para. 9); 43/50 A (paras. 7-8); 43/107 (paras. 4-6); and 43/122 I (para. 3).

⁸ GA resolutions 43/51 (annex, para. 6); and 43/107 (paras. 3-4).

⁹ GA resolution 42/22 (annex I, para. 8).

¹⁰ GA resolution 42/22 (annex I, paras. 1 and 5).

¹¹ GA resolution 43/51 (annex, para. 5).

¹² GA resolution 43/51 (para. 4).

¹³ GA resolutions 43/50 A (para. 9); and 43/56 (para. 8 (a)).

¹⁴ GA resolution 43/24 (para. 7).

¹⁵ GA resolutions 42/64 (para. 6); and 43/130 (para. 1).

¹⁶ GA resolutions 40/64 D (paras. 5-7); 40/96 B (para. 5); 40/97 A (para. 33); 40/140 (para. 11); 40/147 (para. 4); 40/162 (para. 12); 40/165 A (para. 8); 41/35 C (para. 3); 41/39 A (para. 34); 41/64 (para. 14); 41/69 C (para. 3); 41/69 F (para. 2); 41/109 (paras. 2 and 3); 42/14 A (paras. 37 and 49); 42/23 E (para. 5); 42/47 (paras. 3, 21 and 23); 42/68 (para. 17); and 43/26 A (para. 39).

¹⁷ GA resolutions 40/151 D (para. 2); 41/60 A (paras. 3 and 4); 41/86 K (para. 8); 42/14 A (para. 74); and 43/26 A (para. 58).

¹⁸ GA resolutions 40/68 (para. 1); 41/74 (para. 1); 42/150 (para. 1); and 43/51 (annex, para. 1).

¹⁹ GA resolutions 40/52 (paras. 11, 12, 20 and 21); 40/57 (para. 6); 40/58 (para. 4); 41/41 B (paras. 6 and 9); 41/55 A (paras. 5 and 7); 42/71 (paras. 6, 9 and 11); 42/74 (paras. 9-11); 43/45 (paras. 6 and 11); 43/46 (para. 4); and 43/78 C (paras. 1 and 2).

²⁰ GA resolutions 40/84 (para. 3); 40/94 A (para. 5); 40/94 K (para. 2); 40/94 N (paras. 2-3); 40/151 D (para. 2); 40/152 I (para. 1); 40/152 L (para. 3); 41/59 B (para. 3); 41/59 E (para. 8); 41/59 G (para. 4); 41/59 J (para. 1); 42/38 C (para. 1); 43/75 F (para. 4); 43/75 S (para. 6); and 43/78 C (para. 3).

apartheid of the Government of South Africa,²¹ weapons of mass destruction,²² the strengthening of international peace and security,²³ combating international terrorism,²⁴ peaceful uses of outer space,²⁵ observance of human rights and fundamental freedoms,²⁶ self-determination of peoples,²⁷ protection of refugees,²⁸ protection of diplomatic and consular missions.²⁹

II. Analytical summary of practice

Decisions taken by the Organization affecting non-member States with respect to the maintenance of international peace and security

**1. Recommendations to, or in respect of, specific non-member States

2. Recommendations to non-member States in general

***(a) Recommendations involving the Principles of the Charter in general*

(b) Recommendations involving specific Principles of the Charter

6. The General Assembly adopted several resolutions, in which it implicitly³⁰ called upon non-member States, inter alia, to fulfil their obligations under specific principles contained in the Charter of the United Nations.³¹

7. The Assembly also adopted four resolutions³² on review of the implementation of the Declaration on the Strengthening of International Security,³³ which contained

²¹ SC resolutions 566 (1985) (para. 2); 574 (1985) (para. 5); 581 (1986) (paras. 5-6); and 591 (1986) (paras. 1-12). GA resolutions 40/57 (para. 9); 40/64 B (para. 12); 40/64 D (paras. 5-7); 40/64 I (para. 7); 41/35 A (paras. 15 and 16); 41/35 B (para. 7); 41/35 H (paras. 7-8); 42/23 A (paras. 6-8); 42/23 B (para. 1); 43/50 A (para. 9); 43/50 D (para. 1); 43/50 J (para. 6); and 43/50 K (para. 7).

²² SC resolutions 612 (1988) (para. 4); and 620 (1988) (para. 3). GA resolutions 40/90 (paras. 3 and 5); 40/94 A (para. 4); 40/94 N (paras. 4-5); 41/56 (paras. 3-5); 42/32 (para. 3); 42/35 (paras. 3-5); 43/68 (para. 3); 43/69 (para. 3); and 43/74 A (paras. 1-2 and 4).

²³ GA resolutions 40/157 (para. 3); 41/89 (para. 4); 41/90 (paras. 2-4, 6 and 13); 41/92 (para. 4); 42/92 (paras. 2-4, 6 and 13); 42/93 (paras. 1 and 5-9); 43/84 (paras. 3 and 4); 43/85 (para. 1); 43/88 (paras. 2-4 and 12); and 43/89 (para. 2).

²⁴ GA resolutions 40/61 (paras. 5-11); 42/159 (paras. 4-8); and 43/107 (para. 3-6).

²⁵ GA resolutions 40/87 (para. 4); 40/162 (paras. 12 and 13); 41/53 (paras. 4 and 10); 41/64 (paras. 14-15); 42/33 (paras. 4 and 11); 42/68 (paras. 2, 17 and 18); and 43/56 (paras. 8, 17 and 18).

²⁶ GA resolutions 40/139 (para. 5); 40/140 (para. 11); 41/32 (para. 1); 41/113 (paras. 4-5); 41/131 (para. 13); 42/115 (para. 3); 42/119 (para. 13); 43/90 (para. 5); 43/92 (paras. 6 and 18); 43/125 (para. 13); 43/130 (paras. 1 and 3); and 43/154 (paras. 2-3).

²⁷ GA resolutions 40/25 (paras. 1, 27, 33 and 35); 42/95 (paras. 1 and 37); and 43/106 (paras. 1, 23, 42 and 44).

²⁸ GA resolutions 40/118 (paras. 5, 6 and 13); 41/69 A (para. 7); 41/123 (para. 2); 42/69 A (para. 7); 42/109 (paras. 3 and 10); 42/122 (para. 2); 42/123 (para. 7); 42/144 (para. 4); 43/57 A (para. 7); 43/57 D (paras. 1 and 2); 43/57 F (para. 2); 43/117 (paras. 4, 12 and 19); and 43/119 (para. 4).

²⁹ GA resolutions 40/73 (paras. 4-9); 41/78 (paras. 4-9); 42/154 (paras. 4-9); and 43/167 (paras. 3-8).

³⁰ For the terminology employed in the resolutions adopted by United Nations organs, see para. 5.

³¹ For references to specific principles, see footnote 4.

³² GA resolutions 40/158 (para. 2); 41/90 (para. 2); 42/92 (para. 2); and 43/88 (para. 2).

³³ GA resolutions 40/158; 41/90; 42/92; and 43/88.

identical language regarding the principles contained in the Charter. The relevant paragraphs of the said resolutions read as follows:

“2. *Urges once again* all States to abide strictly, in their international relations, by their commitment to the Charter of the United Nations and, to this end:

“(a) To refrain from the use or threat of use of force, intervention, interference, aggression, foreign occupation and colonial domination or measures of political and economic coercion, which violate the sovereignty, territorial integrity, independence and security of other States, as well as the permanent sovereignty of peoples over their natural resources”.

8. At its fortieth session, the General Assembly adopted resolution 40/9, on the solemn appeal to States in conflict to cease armed action forthwith and to settle disputes between them through negotiations, and to States Members of the United Nations to undertake to solve situations of tension and conflict and existing disputes by political means and to refrain from the threat or use of force and from any intervention in the internal affairs of other States, paragraph 2 of which reads as follows:

“2. *Calls upon* all States to comply fully and consistently with the obligations they have assumed, in accordance with the purposes and principles of the Charter of the United Nations, to resolve conflicts and disputes by peaceful means and to refrain from the threat or use of force and from any intervention in the internal affairs of other States.”

9. At the same session, the Assembly adopted resolution 40/152 I, on review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session, paragraph 1 of which reads as follows:

“1. *Calls upon* all States, in implementing the Final Document of the Tenth Special Session of the General Assembly, to make active use of the principles and ideas contained in the Declaration on International Cooperation for Disarmament by actively participating in disarmament negotiations, with a view to achieving concrete results, and by conducting them on the basis of the principles of reciprocity, equality, undiminished security and the non-use of force in international relations, and to refrain at the same time from developing new channels of the arms race.”

10. At its forty-first session, in 1986, the General Assembly adopted a resolution declaring a zone of peace and cooperation in the South Atlantic, in which it referred to specific principles enshrined in the Charter. The relevant paragraph reads as follows:

“4. *Calls upon* all States of the region and of all other regions to cooperate in the elimination of all sources of tension in the zone, to respect the national unity, sovereignty, political independence and territorial integrity of every State therein, to refrain from the threat or use of force, and to observe strictly the principle that the territory of a State shall not be the object of military occupation resulting from the use of force in violation of the Charter

of the United Nations, as well as the principle that the acquisition of territories by force is inadmissible.”³⁴

11. At its forty-second session, the Assembly adopted the Declaration on the Enhancement of the Effectiveness of the Principle of Refraining from the Threat or Use of Force in International Relations,³⁵ which contains a number of references to the principles enshrined in the Charter. The relevant paragraphs of the Declaration read as follows:

“1. *Solemnly declares that:*

“I

“1. Every State has the duty to refrain in its international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations. Such a threat or use of force constitutes a violation of international law and of the Charter of the United Nations and entails international responsibility.

“2. The principle of refraining from the threat or use of force in international relations is universal in character and is binding, regardless of each State’s political, economic, social or cultural system or relations of alliance.

“3. No consideration of whatever nature may be invoked to warrant resorting to the threat or use of force in violation of the Charter.

“4. States have the duty not to urge, encourage or assist other States to resort to the threat or use of force in violation of the Charter.

“5. By virtue of the principle of equal rights and self-determination enshrined in the Charter, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and every State has the duty to respect this right in accordance with the provisions of the Charter.

“...

“9. In accordance with the purposes and principles of the United Nations, States have the duty to refrain from propaganda for wars of aggression.

“10. Neither acquisition of territory resulting from the threat or use of force nor any occupation of territory resulting from the threat or use of force in contravention of international law will be recognized as legal acquisition or occupation.

“11. A treaty is void if its conclusion has been procured by the threat or use of force in violation of the principles of international law embodied in the Charter.

“12. In conformity with the Charter and in accordance with the relevant paragraphs of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the

³⁴ GA resolution 41/11 (para. 4).

³⁵ GA resolution 42/22, annex.

Charter of the United Nations, States shall fulfil in good faith all their international obligations.”

12. At the same session, the Assembly adopted its resolution 42/93, on the comprehensive system of international peace and security. Paragraph 5 of the resolution refers to specific principles that are contained in the Charter and reads as follows:

“5. *Reaffirms* that all States should adhere strictly to the fundamental principles of international law, especially respect for the sovereignty, political independence and territorial integrity of States, non-intervention and non-interference in their internal affairs, refraining from the threat or use of force, peaceful settlement of disputes, equality and self-determination of peoples, respect for human rights and fundamental freedoms, cooperation among States and compliance in good faith with their obligations assumed in accordance with the Charter.”

13. At its forty-third session, the Assembly adopted resolution 43/89, on the comprehensive approach to strengthening international peace and security in accordance with the Charter of the United Nations, paragraph 2 of which reads as follows:

“2. *Calls upon* all States to intensify their practical efforts towards ensuring international security in all its aspects through peaceful means, in accordance with the purposes and principles of the Charter”.

(c) *Recommendations involving actions or cessation of actions*

(i) *In the Security Council*

14. During the period under review, the Security Council, in its resolution 591 (1986), concerning the question of South Africa, requested all States to adopt a number of measures in order effectively to implement the arms embargo that had been imposed by the Council against that country.³⁶ In that resolution, the Council made explicit reference to non-member States, requesting them to act in accordance with the provisions of the said resolution. Paragraph 12 of the resolution reads as follows:

“12. *Further requests* all States, including States non-members of the United Nations, to act in accordance with the provisions of the present resolution.”³⁷

(ii) *In the General Assembly*

15. During the period under review, the General Assembly adopted four resolutions on the situation in the Middle East, in which it, inter alia, called upon all Member States to apply a number of measures against Israel.³⁸ The said resolutions contained identical language, expressly addressed to non-member States, urging them to act in accordance with the provisions of the resolutions. Paragraph 15 of the resolutions reads as follows:

³⁶ An arms embargo against South Africa was imposed in 1977; see SC resolution 418 (1977).

³⁷ SC resolution 591 (1986) (para. 12).

³⁸ GA resolutions 40/168 B (paras. 13-14); 41/162 B (paras. 13-14); 42/209 C (paras. 13-14); and 43/54 B (paras. 13-14).

“15. *Urges* non-member States to act in accordance with the provisions of the present resolution.”³⁹

³⁹ GA resolutions 40/168 B (para. 15); 41/162 B (para. 15); 42/209 C (para. 15); and 43/54 B (para. 15).