

Repertory of Practice of United Nations Organs
Supplement No. 9

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Repertory of Practice of United Nations Organs)
Volume I

ARTICLE 2(6)

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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 this study follows that of Article 2(6) in the *Repertory, Supplement* Nos. 3, 4, 5, 6, 7 and 8.

I. GENERAL SURVEY

2. During the period under review, none of the decisions taken by the Security Council or the General Assembly for the maintenance of international peace and security referred explicitly to Article 2(6). Nor were any recommendations made by the Security Council or the General Assembly to specific non-member States with respect to the maintenance of international peace and security.

3. In this period, the Security Council adopted one resolution relating to relations between Ethiopia and the Sudan,¹ in which it, *inter alia*, called upon all States, including States not members of the United Nations, to act strictly in conformity with the resolution.

4. Many resolutions adopted by the Security Council and the General Assembly with respect to the maintenance of international peace and security may be said to bear upon Article 2(6) inasmuch as they were addressed to “all States,”² “States,”³ “each

¹ SC resolution 1054 (1996) (para. 5).

² SC resolutions 970 (1995) (para. 2); 976 (1995) (para. 12); 984 (1995) (para. 8); 985 (1995) (para. 4); 986 (1995) (para. 14); 988 (1995) (para. 4); 999 (1995) (para. 11); 1001 (1995) (para. 10); 1011 (1995) (para. 9); 1012 (1995) (para. 6); 1013 (1995) (para. 7); 1014 (1995) (para. 11); 1016 (1995) (para. 7); 1019 (1995) (para. 8); 1020 (1995) (para. 11); 1022 (1995) (paras. 6 and 7); 1031 (1995) (paras. 4 and 23); 1032

(1995) (para. 11); 1034 (1995) (para. 12); 1037 (1996) (para. 20); 1041 (1996) (para. 14); 1045 (1996) (paras. 19 and 20); 1048 (1996) (para. 11); 1051 (1996) (paras. 5, 12, 13 and 14); 1053 (1996) (para. 5); 1054 (1996) (paras. 3 and 5); 1055 (1996) (para. 19); 1059 (1996) (para. 11); 1064 (1996) (para. 18); 1070 (1996) (para. 3); 1071 (1996) (paras. 12, 13 and 14); 1075 (1996) (para. 17); 1076 (1996) (paras. 3, 4 and 12); 1078 (1996) (para. 4); 1083 (1996) (paras. 10 and 11); 1086 (1996) (paras. 5 and 6); 1087 (1996) (para. 15); 1088 (1996) (para. 24); 1100 (1997) (para. 9); 1116 (1997) (para. 7); 1123 (1997) (paras. 6 and 9); 1127 (1997) (paras. 4, 6 and 10); 1132 (1997) (paras. 5, 6, 8, 11, 15 and 18); 1136 (1997) (para. 9); 1141 (1997) (paras. 6 and 9); 1146 (1997) (para. 10); 1152 (1998) (para. 9); 1153 (1998) (paras. 6 and 7); 1159 (1998) (para. 3); 1160 (1998) (paras. 8, 10 and 15); 1161 (1998) (paras. 2 and 5); 1162 (1998) (paras. 7, 8 and 9); 1165 (1998) (para. 4); 1166 (1998) (para. 3); 1171 (1998) (paras. 2 and 5); 1172 (1998) (paras. 3 and 8); 1173 (1998) (paras. 11, 12, 17 and 18); 1174 (1998) (para. 16); 1179 (1998) (para. 5); 1181 (1998) (paras. 13, 17 and 18); 1189 (1998) (paras. 3, 4 and 5); 1192 (1998) (para. 4); 1193 (1998) (paras. 3 and 10); 1196 (1998) (para. 5); 1199 (1998) (para. 7); 1207 (1998) (para. 1); 1210 (1998) (paras. 11 and 12); 1212 (1998) (para. 9); 1214 (1998) (para. 10); 1217 (1998) (para. 9); 1227 (1999) (para. 7); 1231 (1999) (para. 7); 1233 (1999) (para. 5); 1234 (1999) (para. 1); 1237 (1999) (para. 8); 1242 (1999) (paras. 11 and 12); 1247 (1999) (para. 16); 1260 (1999) (paras. 3, 9, 13 and 15); 1261 (1999) (para. 3); 1265 (1999) (para. 6); 1267 (1999) (paras. 3, 4, 5, 7, 9 and 10); 1269 (1999) (paras. 2 and 4); 1270 (1999) (paras. 20 and 21); 1281 (1999) (paras. 11 and 12). GA resolutions 50/18 (para. 2); 50/27 (para. 38); 50/39 (paras. 6 and 10); 50/40 (para. 4); 50/53 (paras. 4, 5 and 6); 50/65 (para. 5); 50/68 (para. 3); 50/69 (para. 4); 50/70 C (para. 3), E (para. 3); 50/78 (para. 3); 50/138 (paras. 3 and 5); 50/140 (para. 3); 50/172 (para. 5); 50/186 (para. 3); 50/192 (paras. 5, 7 and 9); 50/193 (paras. 10 and 28); 50/200 (para. 7); 51/19 (para. 2); 51/30 A (para. 5), B (paras. 2 and 3), F (para. 3), G (para. 6), H (paras. 3, 5, 6 and 7); 51/37 (para. 3); 51/43 (para. 3); 51/44 (paras. 1 and 4); 51/45 B (para. 3), E (para. 5), G (paras. 2 and 4), J (para. 3), M (para. 4), P (para. 1), S (para. 2); 51/55 (paras. 1 and 5); 51/82 (para. 3); 51/83 (paras. 3 and 5); 51/94 (para. 7); 51/114 (paras. 5, 7 and 20); 51/115 (paras. 5, 7 and 9); 51/116 (para. 23); 51/122, Annex (paras. 3 and 8); 51/123 (para. 33); 51/146 (paras. 6 and 10); 51/147 (para. 4); 51/156 (para. 10); 51/195 A (para. 8), B (paras. 15 and 16); 51/210 I (paras. 3, 4 and 6); 51/242, Annex II (para. 9); 52/14 (para. 2); 52/36 (para. 3); 52/37 (paras. 1 and 4); 52/38 A (paras. 1, 2 and 3), H (para. 1), I (para. 3), K (paras. 2 and 5), N (paras. 3 and 4), O (paras. 2 and 3), S (para. 1); 52/56 (para. 30); 52/78 (paras. 6 and 10); 52/79 (para. 4); 52/12 (paras. 3 and 5); 52/114 (para. 3); 52/119 (para. 5); 52/145 (para. 15); 52/146 (paras. 3 and 12); 52/147 (paras. 8 and 28); 52/155 (para. 4); 52/164 (para. 2); 52/165 (paras. 3, 4, 6, 7); 52/169 E (paras. 2 and 3), G (para. 9), H (para. 3), L (para. 7); 52/211 A (para. 8), B (para. 4); 52/1 I (para. 3), M (para. 6); 53/34 (para. 2); 53/43 (para. 4); 53/45 (para. 32); 53/68 (paras. 6 and 10); 53/69 (para. 4); 53/71 (paras. 1, 3 and 7); 53/75 (para. 3); 53/76 (paras. 1 and 4); 53/77 A (para. 1), C (para. 3), J (para. 2), L (para. 1), N (para. 3), Q (paras. 3 and 4), U (paras. 3 and 7), W (paras. 2 and 3), X (para. 7); 53/92 (para. 8); 53/97 (para. 11); 53/99 (para. 2); 53/105 (para. 3); 53/108 (paras. 3, 4, 5, 7 and 8); 53/135 (paras. 3 and 8); 53/136 (para. 3); 53/150 (para. 7); 53/156 (para. 4); 53/163 (para. 7); 53/165 (paras. 9 and 15); 53/203 A (para. 6), B (paras. 10 and 12); 54/35 (para. 2); 54/44 (para. 3); 54/52 (para. 3); 54/53 (paras. 1 and 4); 54/54 A (para. 6), B (para. 6), C (para. 3), D (paras. 3 and 7), L (paras. 3 and 4), P (para. 7), Q (paras. 2 and 3); 54/55 B (para. 3); 54/62 (paras. 6, 7 and 11); 54/63 (para. 2); 54/67 (para. 26); 54/91 (paras. 9 and 13); 54/92 (para. 4); 54/96 D (para. 7); 54/105 (para. 2); 54/109 (para. 2); 54/110 (paras. 3, 4, 5, 7 and 8); 54/151 (paras. 4 and 10); 54/152 (para. 3); 54/168 (para. 5); 54/185 (paras. 7 and 15); 54/188 (para. 6); 54/189 A (paras. 8 and 9), B (paras. 15 and 18).

³ SC resolutions 978 (1995) (paras. 1, 2 and 3); 986 (1995) (paras. 1 and 9); 988 (1995) (para. 3); 991 (1995) (para. 4); 993 (1995) (paras. 10 and 11); 997 (1995) (paras. 8 and 9); 999 (1995) (para. 16); 1007 (1995) (para. 10); 1011 (1995) B (para. 11); 1012 (1995) (paras. 3 and 9); 1013 (1995) (paras. 3 and 8); 1022 (1995) (paras. 5 and 6); 1029 (1995) (paras. 10, 11 and 12); 1036 (1996) (para. 12); 1037 (1996) (para. 18); 1050 (1996) (paras. 6 and 7); 1053 (1996) (paras. 9, 10 and 11); 1054 (1996) (para. 6); 1061 (1996) (para. 12); 1063 (1996) (paras. 6 and 7); 1065 (1996) (para. 14); 1089 (1996) (para. 13); 1096 (1997) (para. 18); 1124 (1997) (para. 18); 1129 (1997) (para. 1); 1132 (1997) (para. 13); 1137 (1997) (para. 4); 1158 (1998) (para. 1); 1160 (1998) (para. 12); 1161 (1998) (para. 6); 1171 (1998) (para. 4); 1175 (1998) (para. 1); 1181 (1998) (para. 16); 1199 (1998) (para. 11); 1203 (1998) (para. 7); 1216 (1998) (para. 10); 1233 (1999) (para. 10); 1237 (1999) (para. 11); 1261 (1999) (paras. 13 and 15); 1265 (1999) (paras. 6 and 14); 1267 (1999) (para. 8); 1270 (1999) (para. 19); 1284 (1999) (para. 15). GA resolutions 50/50 (para. 2); 50/70 K (para. 3); 50/172 (para. 2); 50/192 (para. 6); 50/192 (para. 9); 50/200 (para. 7); 51/30 J (para. 4);

State,”⁴ “interested States,”⁵ “all interested States”,⁶ “a State,”⁷ “all other States”,⁸ “the State,”⁹ “every State,”¹⁰ “all countries,”¹¹ “Governments,”¹² “all Governments”¹³ and “the international community”¹⁴. These resolutions related to a variety of subjects, including Burundi,¹⁵ Haiti,¹⁶ Sierra Leone,¹⁷ relations between Eritrea and Ethiopia,¹⁸ relations between Ethiopia and the Sudan,¹⁹ the situation in Afghanistan,²⁰ the situation

⁴ 51/45 E (para. 9), K (para. 3), S (para. 1); 51/94 (para. 6); 51/115 (paras. 3 and 6); 51/122, Annex (para. 2); 51/156 (paras. 3, 4, 5, 6, 7 and 9); 51/210 I (para. 5), Annex (paras. 3, 6 and 7); 51/242, Annex II (paras. 12 and 13); 52/38 E (para. 2), P (para. 3); 52/119 (para. 2); 52/133 (para. 4); 52/160 (paras. 6 and 7); 52/165 (para. 5); 53/77 J (para. 3), O (para. 3); 53/97 (paras. 4, 5, 6, 7, 8 and 10); 53/101 (paras. 1 and 2); 53/105 (paras. 8 and 9); 53/135 (para. 7); 53/150 (para. 6); 53/163 (para. 43); 54/27 (para. 6); 54/54 N (para. 3), S (para. 2); 54/63 (para. 4); 54/105 (para. 7); 54/113 (paras. 3 and 4); 54/151 (para. 8); 54/164 (para. 4); 54/168 (para. 2); 54/184 (para. 51).

⁵ SC resolution 1067 (1996) (para. 5). GA resolution 53/144, Annex, Article 2 (paras. 1 and 2).

⁶ SC resolution 1076 (1996) (para. 9).

⁷ GA resolution 52/211 B (para. 7).

⁸ SC resolution 1207 (1998) (para. 2).

⁹ GA resolutions 50/66 (para. 7); 51/41 (para. 7); 52/34 (para. 7); 53/74 (para. 7); 54/51 (para. 7).

¹⁰ GA resolution 53/144, Annex, Articles 9 (para. 5), 12 (para. 2), 14 (paras. 1, 3 and 15).

¹¹ GA resolutions 50/172 (para. 1); 52/119 (para. 1); 54/168 (para. 1).

¹² GA resolutions 50/72 B (para. 4); 51/94 (paras. 3 and 4); 53/22 (para. 3); 53/43 (paras. 5 and 6); 53/144 (para. 2); 53/150 (paras. 3 and 4); 53/243 A (last preamb. para., Article 5 of the Declaration); 54/96 B (para. 7).

¹³ GA resolutions 50/27 (para. 26); 50/33 (para. 8); 51/94 (para. 2); 51/116 (para. 31); 51/140 (para. 8); 52/59 (para. 4); 52/147 (para. 41); 53/48 (para. 4); 53/92 (para. 12); 53/150 (para. 2); 54/71 (para. 4); 54/234 (para. 2).

¹⁴ SC resolutions 975 (1995) (para. 10); 1007 (1995) (para. 8); 1044 (1996) (para. 5); 1045 (1996) (para. 18); 1048 (1996) (para. 12); 1049 (1996) (para. 8); 1050 (1996) (para. 5); 1055 (1996) (para. 25); 1064 (1996) (paras. 11 and 23); 1075 (1996), operative paragraph 22; 1083 (1996), operative paragraph 3; 1087 (1996), operative paragraph 19; 1094 (1997) (para. 3); 1100 (1997) (para. 4); 1118 (1997) (para. 15); 1123 (1997) (para. 8); 1135 (1997) (para. 11); 1141 (1997) (para. 8); 1145 (1997) (para. 5); 1149 (1998) (para. 10); 1157 (1998) (para. 12); 1182 (1998) (para. 3); 1209 (1998) (para. 2); 1213 (1998) (para. 8); 1230 (1999) (para. 5); 1234 (1999) (para. 11); 1245 (1999) (para. 3); 1271 (1999) (para. 5). GA resolutions 50/70 G (para. 2), H (para. 6); 50/132 (paras. 11, 21 and 22); 50/159 (paras. 15 and 18); 50/186 (para. 4); 50/189 (para. 8); 51/19 (paras. 9 and 11); 51/30 G (para. 10), H (para. 4); 51/45 D (para. 2); 51/108 (para. 13); 51/114 (para. 3); 51/195 A (para. 9); 51/197 (paras. 19 and 20); 51/203 (para. 8); 52/14 (paras. 9 and 14); 52/38 C (para. 6), D (para. 2); 52/52 (para. 4); 52/133 (para. 5); 52/145 (para. 16); 52/146 (para. 8); 52/150 (para. 9); 52/169 C (para. 6), G (paras. 3, 6 and 7), L (para. 11); 52/175 (para. 8); 52/176 (paras. 6 and 7); 52/211 A (para. 9); 53/1 D (para. 5), M (para. 10); 53/34 (para. 14); 53/35 (paras. 9 and 24); 53/38 (para. 7); 53/42 (para. 4); 53/77 B (paras. 2 and 7), K (para. 2); 53/92 (paras. 5 and 9); 53/94 (paras. 7 and 8); 53/156 (paras. 13 and 15); 53/160 (para. 16); 53/203 (para. 13); 54/35 (paras. 13, 16 and 19); 54/42 (para. 4); 54/54 J (para. 3), T (para. 2); 54/55 A (para. 15); 54/96 D (para. 11); 54/118 (paras. 7 and 8); 54/119 (paras. 8 and 21); 54/164 (para. 5); 54/188 (paras. 5, 12 and 21); 54/189 B (paras. 16 and 19).

¹⁵ SC resolutions 1012 (1995), 1049 (1996). GA resolution 50/159.

¹⁶ SC resolutions 975 (1995), 1007 (1995), 1048 (1996), 1063 (1996), 1086 (1996), 1123 (1997), 1141 (1997), 1212 (1998).

¹⁷ SC resolutions 1132 (1997), 1162 (1998), 1171 (1998), 1181 (1998), 1231 (1999), 1245 (1999), 1260 (1999), 1270 (1999).

¹⁸ SC resolution 1227 (1999).

¹⁹ SC resolutions 1044 (1996), 1054 (1996), 1070 (1996).

in Angola,²¹ the situation in Bosnia and Herzegovina,²² the situation in the Central African Republic,²³ the situation in Central America,²⁴ the situation in Croatia,²⁵ the situation in Cyprus,²⁶ the situation in the Democratic Republic of the Congo,²⁷ the situation in El Salvador,²⁸ the situation in the former Yugoslavia,²⁹ the situation in Georgia,³⁰ the situation in Guinea Bissau,³¹ the situation between Iraq and Kuwait,³² the situation in Kosovo (Yugoslavia),³³ the situation in Liberia,³⁴ the situation in the Middle East,³⁵ the situation in Rwanda,³⁶ the situation in Tajikistan,³⁷ peace and security in the Great Lakes region of Africa,³⁸ peace and security in Africa,³⁹ the International Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994,⁴⁰ the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia

²⁰ SC resolutions 1076 (1996), 1193 (1998), 1214 (1998), 1267 (1999). GA resolutions 50/189, 51/108, 51/195, 52/145, 52/211, 53/165, 53/203, 54/185, 54/189.

²¹ SC resolutions 976 (1995), 1045 (1996), 1055 (1996), 1064 (1996), 1075 (1996), 1087 (1996), 1118 (1997), 1127 (1997), 1135 (1997), 1149 (1998), 1157 (1998), 1173 (1998), 1213 (1998), 1237 (1999).

²² SC resolutions 1016 (1995), 1088 (1996), 1174 (1998), 1247 (1999). GA resolutions 50/193, 51/116, 51/203, 52/147, 52/150, 53/35, 53/163, 54/119, 54/184.

²³ SC resolutions 1136 (1997), 1152 (1998), 1159 (1998), 1182 (1998), 1230 (1999), 1271 (1999).

²⁴ SC resolution 1094 (1997). GA resolutions 50/132, 51/197, 52/175, 52/176, 53/94, 54/118.

²⁵ SC resolutions 1037 (1996), 1145 (1997). GA resolutions 50/193, 51/116, 52/147, 53/163, 54/184.

²⁶ SC resolutions 1146 (1997), 1179 (1998), 1217 (1998).

²⁷ SC resolution 1234 (1999). GA resolution 53/160.

²⁸ SC resolution 991 (1995).

²⁹ SC resolutions 970 (1995), 988 (1995), 1019 (1995), 1022 (1995), 1031 (1995), 1034 (1995). GA resolutions 50/192, 50/193, 51/115, 51/116, 52/147, 53/163, 54/184.

³⁰ SC resolutions 993 (1995), 1036 (1996), 1065 (1996), 1096 (1997), 1124 (1997).

³¹ SC resolutions 1216 (1998), 1233 (1999).

³² SC resolutions 986 (1995), 1051 (1996), 1129 (1997), 1137 (1997), 1153 (1998), 1158 (1998), 1175 (1998), 1210 (1998), 1242 (1999), 1281 (1999), 1284 (1999).

³³ SC resolutions 1160 (1998), 1199 (1998), 1203 (1998). GA resolutions 50/193, 51/116, 52/147, 53/163, 54/184.

³⁴ SC resolutions 985 (1995), 1001 (1995), 1014 (1995), 1020 (1995), 1041 (1996), 1059 (1996), 1071 (1996), 1083 (1996), 1100 (1997), 1116 (1997).

³⁵ GA resolution 53/38.

³⁶ SC resolutions 978 (1995), 997 (1995), 1011 (1995), 1013 (1995), 1029 (1995), 1050 (1996), 1053 (1996), 1161 (1998). GA resolutions 50/200, 51/114, 52/146, 53/156, 54/188.

³⁷ SC resolutions 999 (1995), 1032 (1995), 1061 (1996), 1089 (1996).

³⁸ SC resolution 1078 (1996).

³⁹ SC resolutions 1196 (1998), 1209 (1998).

⁴⁰ SC resolution 1165 (1998).

since 1991,⁴¹ international terrorism,⁴² the shooting down of two civil aircraft on 24 February 1996,⁴³ incidents of interference against international civil aviation,⁴⁴ children and armed conflict,⁴⁵ protection of civilians in armed conflict,⁴⁶ guiding principles for international negotiations,⁴⁷ establishment of an international criminal court,⁴⁸ United Nations Model Rules for the Conciliation of Disputes between States,⁴⁹ causes of conflict and the promotion of durable peace and sustainable development in Africa,⁵⁰ peaceful uses of outer space,⁵¹ right of peoples to self-determination and granting of independence to colonial countries and peoples,⁵² use of mercenaries,⁵³ weapons of mass destruction,⁵⁴ disarmament,⁵⁵ question of Palestine and the United Nations Relief and Works Agency for Palestine Refugees in the Near East,⁵⁶ review of the implementation of the Declaration on the Strengthening of International Security,⁵⁷ maintenance of international security – prevention of the violent disintegration of States,⁵⁸ supplement to an agenda for peace,⁵⁹ human rights questions,⁶⁰ special economic assistance to individual countries or regions,⁶¹ protection of diplomatic and consular missions,⁶² dialogue among civilizations,⁶³ fiftieth anniversary of the Convention on the Prevention and Punishment

⁴¹ SC resolutions 1166 (1998), 1207 (1998).

⁴² SC resolutions 1189 (1998), 1269 (1999). GA resolutions 50/53, 51/210, 52/164, 52/165, 53/108, 54/109, 54/110, 54/164.

⁴³ SC resolution 1067 (1996).

⁴⁴ SC resolution 1192 (1998).

⁴⁵ SC resolution 1261 (1999).

⁴⁶ SC resolution 1265 (1999).

⁴⁷ GA resolutions 52/155, 53/101.

⁴⁸ GA resolutions 52/160, 53/105, 54/105.

⁴⁹ GA resolution 50/50.

⁵⁰ GA resolutions 53/92, 54/234.

⁵¹ GA resolutions 50/27, 50/69, 51/44, 51/122, 51/123, 52/37, 52/56, 53/45, 53/76, 54/53, 54/67.

⁵² GA resolutions 50/33, 50/39, 50/40, 50/140, 51/82, 51/140, 51/146, 51/147, 52/78, 52/79, 52/114, 53/68, 53/69, 53/136, 54/91, 54/92, 54/152.

⁵³ GA resolutions 50/138, 51/83, 52/112, 53/135, 54/151.

⁵⁴ SC resolutions 984 (1995), 1172 (1998). GA resolutions 50/65, 50/66, 50/68, 50/78, 51/37, 51/41, 51/43, 52/34, 52/36, 53/74, 53/75, 54/44, 54/51, 54/52, 54/63.

⁵⁵ GA resolutions 50/70, 50/72, 51/45, 52/38, 53/77, 54/54, 54/55.

⁵⁶ GA resolutions 52/52, 52/59, 52/61, 53/42, 53/48, 54/42, 54/71.

⁵⁷ GA resolutions 51/55, 54/62.

⁵⁸ GA resolution 53/71.

⁵⁹ GA resolution 51/242.

⁶⁰ GA resolutions 50/172, 50/186, 51/94, 52/119, 52/133, 53/144, 53/150, 54/168.

⁶¹ GA resolutions 51/30, 52/169, 53/1, 54/96.

⁶² GA resolutions 51/156, 53/97.

⁶³ GA resolutions 53/22, 54/113.

of the Crime of Genocide,⁶⁴ action dedicated to the 1999 centennial of the first International Peace Conference,⁶⁵ culture of peace,⁶⁶ and zone of peace and co-operation of the South Atlantic.⁶⁷ A number of those resolutions referred to the principles of the Charter, including those in Article 2.⁶⁸

5. It may also be noted that, in its Advisory Opinion on the *Legality of the Threat or Use of Nuclear Weapons*, rendered on 8 July 1996,⁶⁹ the International Court of Justice referred to “all States”.⁷⁰

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

⁶⁴ GA resolution 53/43.

⁶⁵ GA resolutions 53/99, 54/27.

⁶⁶ GA resolution 53/243.

⁶⁷ GA resolutions 50/18, 51/19, 52/14, 53/34, 54/35.

⁶⁸ See, for example, SC resolutions 1076 (1996) (para. 3) relating to Afghanistan; 1078 (1996) (para. 4) relating to peace and security in the Great Lakes region of Africa; 1234 (1999) (para. 1) relating to the situation in the Democratic Republic of the Congo. GA resolutions 50/69 (preamb. para. 4), under agenda item, “Prevention of an arms race in outer space” (see also, under this same agenda item, 51/44, 52/37, 53/76, 54/53 (preamb. para. 4)); 51/55 (preamb. para. 4), under agenda item, “Review of the implementation of the Declaration on the Strengthening of International Security” (see also, under this same agenda item, 54/62, (paras. 6 and 7)); 53/71 (preamb. para. 5, paras. 1 and 3), under agenda item, “Maintenance of international security – prevention of the violent disintegration of States”; 53/101 (para. 1), under agenda item, “United Nations Decade of International Law”, sub-item, “Draft guiding principles for international negotiations”; 53/135 (para. 3), under agenda item, “Right of peoples to self-determination”.

⁶⁹ *Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports 1996*, p. 226.

⁷⁰ The Court observed, *inter alia*:

“... Indeed, any realistic search for general and complete disarmament, especially nuclear disarmament, necessitate[d] the co-operation of all States” (see p. 264, para. 100, of the Advisory Opinion).

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

(i) The General Assembly

6. During the period under review, the General Assembly adopted a number of resolutions with respect to the maintenance of international peace and security, which were addressed to, *inter alia*, “all States” and “States”, and invoked the Charter and specific principles thereof. During its fifty-first and fifty-third sessions, the General Assembly adopted, respectively, resolution 51/55 under its agenda item, “Review of the implementation of the Declaration on the Strengthening of International Security”, and resolution 53/71 under its agenda item, “Maintenance of international security – prevention of the violent disintegration of States”, which contained similar language. In resolution 53/71, the General Assembly, *inter alia*:

“ 1. *Call[ed]* upon all States, the relevant international organizations and competent organs of the United Nations to continue to take measures in accordance with the Charter of the United Nations, as appropriate, to eliminate threats to international peace and security and to help prevent conflicts which can lead to the violent disintegration of States;

“...

“3. *Call[ed]* upon all States to solve their disputes with other States by peaceful means in accordance with the Charter”.⁷¹

7. At its fifty-third session, the General Assembly adopted resolution 53/101 under its agenda item, “United Nations Decade of International Law”, sub-item, “Draft guiding principles for international negotiations”, in which it, *inter alia*:

⁷¹ The resolution was adopted at the General Assembly’s 79thth plenary meeting on 4 December 1998, by a vote of 156 to none, with 6 abstentions.

“1. *Reaffirm[ed]* the following principles of international law which are of relevance to international negotiations:

“...

“(b) States have the duty not to intervene in matters within the domestic jurisdiction of any State, in accordance with the Charter of the United Nations;

“(c) States have the duty to fulfil in good faith their obligations under international law;

“(d) States have the duty to refrain in their 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;

“...

(g) States shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered”.⁷²

8. Also at its fifty-third session, the General Assembly adopted resolution 53/135 under its agenda item, “Right of peoples to self-determination”, in which, after, *inter alia*, “*reaffirm[ing]* the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the principles of sovereign equality, political independence, territorial integrity of States, the non-use of force or the threat of force in international relations, and self-determination of peoples”, it, *inter alia*:

“3. *Urge[d]* all States to take the necessary steps and to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to take the necessary legislative measures to ensure that their territories and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training and transit of mercenaries for the planning of activities designed to destabilize or overthrow the Government of any State, threaten the territorial integrity and political unity of sovereign States, promote secession or fight the national liberation movements struggling against colonial or other forms of alien domination or occupation”.⁷³

⁷² The resolution was adopted at the General Assembly’s 83rd plenary meeting on 8 December 1998, without a vote.

⁷³ The resolution was adopted at the General Assembly’s 85th plenary meeting on 9 December 1998, by a vote of 115 to 18, with 35 abstentions.

9. At its fifty-fourth session, the General Assembly adopted resolution 54/62 under its agenda item, “Review of the implementation of the Declaration on the Strengthening of International Security”, in which it, *inter alia*:

“6. *Call[ed]* upon all States to solve their disputes with other States by peaceful means, in accordance with the Charter of the United Nations;

7”. *Call[ed]* upon all States, the relevant international organizations and competent organs of the United Nations to continue to take measures in accordance with the Charter of the United Nations, as appropriate, to eliminate threats to international peace and security and to help to prevent conflicts which can lead to the violent disintegration of States”.⁷⁴

(ii) The Security Council

10. At its 3993rd meeting on 9 April 1999, the Security Council adopted resolution 1234 (1999) concerning the situation in the Democratic Republic of the Congo, which was addressed to, *inter alia*, “all States”, and referred to the Charter and specific principles thereof. In that resolution, the Security Council:

“Reaffirm[ed] the obligation of all States to respect the territorial integrity, political independence and national sovereignty of the Democratic Republic of the Congo and other States in the region, including the obligation to refrain 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, and further reaffirm[ed] the need for all States to refrain from any interference in each other’s internal affairs, in accordance with the Charter of the United Nations”.⁷⁵

(c) Recommendations involving actions or cessation of actions

** (i) The General Assembly

⁷⁴ The resolution was adopted at the General Assembly’s 69th plenary meeting on 1 December 1999, by a vote of 155 to none, with 2 abstentions.

⁷⁵ SC resolution 1234 (1999) (para. 1). The resolution was adopted unanimously.

(ii) The Security Council

11. During the period under review, at its 3660th meeting on 26 April 1996, the Security Council adopted resolution 1054 (1996) concerning relations between Ethiopia and the Sudan, which imposed limited diplomatic sanctions on the Sudan and was addressed to, *inter alia*, “all States” and “all States, including States not members of the United Nations”.⁷⁶ In paragraph 5 of the resolution, the Security Council:

“5. *Call[ed] upon* all States, including States not members of the United Nations and the United Nations specialized agencies to act strictly in conformity with this resolution, notwithstanding the existence of any rights granted or obligations conferred or imposed by any international agreement or of any contract entered into or any licence or permit granted prior to the entry into force of the provisions set out in paragraph 3 above”.

In paragraph 6, the Security Council:

“6. Request[ed] States to report to the Secretary-General of the United Nations within 60 days from the adoption of this resolution on the steps they ha[d] taken to give effect to the provisions set out in paragraph 3 above”.

⁷⁶ The resolution was adopted by 13 votes to none, with 2 abstentions.