ARTICLE 14

TEXT OF ARTICLE 14

Subject to the provisions of Article 12, the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the provisions of the present Charter setting for the Purposes and Principles of the United Nations.

INTRODUCTORY NOTE

1. During the period under review, the General Assembly adopted a number of resolutions in the spirit of Article 14, some of which contained general references to the
wording of the Article. However, no resolution made explicit reference to this provision.¹

2. Since there was no constitutional discussion of the Article as such, the present study consists only of a summary of practice.

SUMMARY OF PRACTICE

3. In general terms, attention should be drawn to resolution 40/9,² whereby the General Assembly, inter alia, “call[ed] 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”, “reaffirm[ed] the important role as conferred by the Charter on the General Assembly in the area of peaceful settlement of disputes and the maintenance of international peace and security”, and “call[ed] upon Member States to make the full use, in accordance with the Charter, of the framework provided by the United Nations for the peaceful settlement of disputes and international problems.”³

¹ Mention of Article 14 was made during the discussions held at the thirty-ninth meeting of the Sixth Committee on Agenda Item 141 “Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization”, preceding the adoption by the General Assembly of resolution 40/78 of 12 December 1985. On that occasion, in referring to a proposal made with a view to the strengthening of the capacity of the United Nations for preventive action, the representative of Mexico stated: “Articles 10, 11 and 14 of the Charter conferred subsidiary responsibility on the General Assembly to act when a situation arose that threatened peace and the Security Council was not fulfilling its function of preserving peace.”

² GA resolution 40/9 of 8 November 1985, entitled “Solemn appeal to States in conflict to cease armed action forthwith and to settle disputes between them and through negotiations, and to State 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”.

³ Ibid., paras. 2, 4 and 6.
4. The General Assembly adopted a number of resolutions making recommendations in order to address specific situations in conformity with the intent of Article 14. For instance, in its resolution 40/7\(^4\) dealing with the situation in Kampuchea, the Assembly, 

“[d]eploring” the fact that the continuance of foreign armed intervention and occupation caused continuing hostility in that country and seriously threatened international peace and security, and “convinced” that, in order to bring about lasting peace in South-East Asia and reduce the threat to international peace and security, “there [was] an urgent need for the international community to find a comprehensive political solution to the Kampuchean problem”, “urge[d] the States of South-East Asia, once a comprehensive political solution to the Kampuchean conflict [was] achieved, to exert renewed efforts to establish a zone of peace, freedom and neutrality in South-East Asia.”\(^5\) Also, in its resolutions 41/31,\(^6\) 42/18\(^7\) and 43/11,\(^8\) entitled “Judgment of the International Court of Justice of 27 June 1986 concerning military and paramilitary activities in and against Nicaragua”, the Assembly, “having considered the events that have taken place in and against Nicaragua since the Judgment was rendered, in particular the continued financing by the United States of America of military and other activities in and against Nicaragua,” “urgently calle[d] for full and immediate compliance with the Judgment of the International Court of Justice of 27 June 1986 in the case of ‘Military and Paramilitary Activities in and against Nicaragua’”.\(^9\)


\(^5\) Ibid., paras. 12-13, as well as, on the same item, resolutions 41/6 of 21 October 1986, 42/3 of 14 October 1987 and 43/19 of 3 November 1988, para. 4.

\(^6\) GA resolution 41/31 of 3 November 1986, preambular para. 5 and para. 1.

\(^7\) GA resolution 42/18 of 12 November 1987, preambular para. 5 and para. 1.

\(^8\) GA resolution 43/11 of 25 October 1988, preambular para. 5 and para. 1.

\(^9\) In relation to this item, the General Assembly adopted the following resolutions, entitled “Trade embargo against Nicaragua”: resolutions 40/188 of 17 December 1985, 41/164 of 5 December 1986, 42/176 of 11 December 1987 and 43/185 of 20 December 1988.
5. Many other resolutions illustrate the exercise by the General Assembly of its recommendatory competence pursuant to Article 14. Mention can be made, *inter alia*, of the resolutions entitled “Zone of peace and co-operation of the South Atlantic”,10 “Strengthening of security and cooperation in the Mediterranean region”,11 “Pretoria’s crucial ‘municipal elections’”,12 “The uprising (Intifada) of the Palestinian people”,13 “The situation in Afghanistan and its implications for international peace and security”,14 “The situation in the Middle East”15 and “The situation in Central America: threats to international peace and security and peace initiatives”,16 as well as various other resolutions addressing pending problems that appeared to require definite and peaceful solutions.17

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11 GA resolution 42/90 of 7 December 1987.
12 GA resolution 43/13 of 26 October 1988.
14 GA resolution 40/12 of 13 November 1985, preambular paras. 2-6 and paras. 3-4. See also resolutions 41/33 of 5 November 1986, and 42/15 of 10 November 1987.
6. The General Assembly also adopted numerous resolutions in the area of disarmament and nuclear weapons, most of which were the follow-up of resolutions adopted at previous sessions. Although these resolutions did not expressly refer to the wording of Article 14, they nevertheless related to this provision in that they aimed at preventing nuclear wars and other conflicts, and, more generally, at preserving the survival of humankind and the maintenance of friendly relations among States.

7. In the area of human rights, the General Assembly adopted numerous resolutions in order to address specific situations that were likely to impair the general welfare. These resolutions concerned, *inter alia*, the provision of assistance to several States or to refugees, displaced persons and other vulnerable groups within the territories of such
States; the human rights situation in several countries; and the question of “Policies of apartheid of the Government of South Africa.”

8. Finally, the General Assembly adopted a series of resolutions regarding natural catastrophes which had occurred all over the world. Such resolutions dealt with situations that were likely to impair the general welfare and seemed to require adjustment

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through recommendations by the Assembly. This was the case of the resolutions concerning “International relief to Mexico”, 23 “International relief to Colombia”, 24 “Long term and effective solutions and problems caused by natural disasters in Bangladesh”, 25 “Emergency assistance to El Salvador”, 26 and “Fight against locust, grasshopper infestation in Africa”. 27

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23 GA resolution 40/1 of 24 September 1985.
24 GA resolution 40/13 of 15 November 1985.
26 GA resolution 41/2 of 14 October 1986.
27 GA resolution 41/185 of 8 December 1986.