

ARTICLE 2 (6)

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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. During the period under review, no recommendations were made by an organ of the United Nations to specific non-member States with respect to the maintenance of international peace and security. Nor had any recommendations involving the Principles of the Charter in general been addressed to non-member States generally. Moreover, the item on the observance in Bulgaria and Hungary of human rights and fundamental freedoms was no longer on the agenda of the General Assembly. Consequently, among the headings established in the corresponding study in the Repertory and followed in the present study, the only supplementary material is to be found under sections I (General Survey) and II, A,2,b (Recommendations involving specific Principles of the Charter addressed to non-member States in general).

I. GENERAL SURVEY

2. Article 2 (6) was not expressly invoked by any United Nations organ in the period covered by the present study. Nevertheless, General Assembly resolutions 815 (IX) and 819 (IX) may be said to bear upon Article 2 (6). These two resolutions relating to international peace and security were addressed to "all States" and "all Governments" respectively.

II. ANALYTICAL SUMMARY OF PRACTICE

A. 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: GENERAL ASSEMBLY RESOLUTIONS 815 (IX) AND 819 (IX)

3. It was stated 1/ in the corresponding study in the Repertory that the General Assembly adopted resolution 707 (VII) on the "Complaint by the Union of Burma regarding aggression against it by the Government of the Republic of China". By resolution 717 (VIII), the General Assembly requested the Government of the Union of Burma to report on the situation to the General Assembly as appropriate. Upon the request 2/ of that Government, the same item was once more placed on the agenda of the ninth session of the General Assembly which resulted in the adoption of resolution 815 (IX). In this resolution the Assembly again

"Urges all States to take all necessary steps to prevent the furnishing of any assistance which may enable foreign forces to remain in the territory of the Union of Burma or to continue their hostile acts against that country;"

4. By a letter 3/ dated 5 October 1954 addressed to the President of the General Assembly, the Chairman of the delegation of Czechoslovakia requested the inclusion in the agenda of the ninth session of an additional item entitled "Prohibition of propaganda in favour of a new war". In an explanatory memorandum accompanying the request, it was stated that propaganda in favour of war was at variance with the Charter, and to conduct it was to violate the obligation of the Members of the United Nations "to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace" (Article 1, paragraph 2, of the Charter), and to ensure that 'international peace and security and justice are not endangered' (Article 2, paragraph 3, of the Charter)."

5. In the Ad Hoc Political Committee to which the item was referred for consideration and report, a draft resolution was submitted 4/ by Czechoslovakia reading as follows:

1/ See in the Repertory, vol. I, under Article 2 (6), para. 49.

2/ G A (IX), annexes, a.i. 63, p. 1, A/2704.

3/ G A (IX), annexes, a.i. 69, p. 1, A/2744.

4/ Ibid., p. 2, A/2844, para. 4 (A/AC.76/L.16).

"The General Assembly,

"Considering that the cessation of hostilities in Korea and the restoration of peace in Indo-China had contributed to a relaxation of tension in international relations and that more favourable conditions had consequently been created for the settlement of unsolved international problems and the strengthening of peace;

"Noting at the same time that propaganda in favour of a new war, condemned by the General Assembly on 3 November 1947, not only had not been brought to an end, but was becoming increasingly prevalent in many countries, that appeals for war and for the use of war bases in foreign territories for the invasion and bombardment of the large cities and industrial centres of various countries with the use of atomic and hydrogen weapons were being systematically broadcast through the Press, radio and cinema and that public officials not infrequently called for aggressive action against other States;

"Recognizing that aggressive propaganda of that kind constituted a serious obstacle to the further relaxation of international tension and the improvement of relations between States, would:

"1. Call upon all Governments strictly to observe the General Assembly resolution of 3 November 1947 condemning all forms of propaganda, in whatsoever country conducted, which was either designed or likely to provoke or encourage any threat to the peace, breach of the peace or act of aggression; and

"2. Recommend that all States, both Members and non-members of the United Nations, should take effective measures against all forms of propaganda tending to create hostility and hatred among nations and increasing the danger of a new world war as being incompatible with the fundamental principles and purposes of the United Nations and as constituting a serious obstacle to the development of normal relations among States and the strengthening of world peace."

6. A series of amendments to the above draft resolution was introduced 5/ by the representative of the United States of America who was later joined by the representatives of Australia, Brazil, Cuba, France, Honduras, Iraq, Pakistan, the Philippines and the United Kingdom as co-sponsors. The draft resolution, thus amended, was adopted by the Ad Hoc Political Committee by 35 votes to 5, with 10 abstentions. The Committee also adopted a proposal of the representative of New Zealand to give a new title to the draft resolution.

7. Upon the recommendation of the Ad Hoc Political Committee 6/, the General Assembly adopted resolution 819 (IX) with its new title as follows:

"Strengthening of peace through the removal of barriers to free exchange of information and ideas

"The General Assembly,

"Considering that the cessation of hostilities in Korea and the restoration of peace in Indo-China have contributed to a relaxation of tension in international relations and that more favourable conditions have consequently been created for the settlement of unsolved international problems and the strengthening of peace,

5/ Ibid., para. 5 (A/AC.76/L.17).

6/ G A (IX), annexes, a.i. 69, p. 3, A/2844, para. 6.

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"Recalling its resolution 110 (II) of 3 November 1947 and 381 (V) of 17 November 1950 concerning the condemnation of propaganda against peace, and resolution 290 (IV) of 1 December 1949 on the essentials of peace which calls upon Member States to act in accordance with the principles set forth in the Charter of the United Nations and, in particular, calls upon every nation to remove the barriers which deny to peoples the free exchange of information and ideas essential to international understanding and peace,

"Recognizing that the maintenance of such barriers constitutes a major obstacle to the strengthening of peace and genuine international co-operation and fosters the continuation of false and hostile propaganda against other States and peoples,

"1. Calls upon all Governments to give effect faithfully to resolution 290 (IV) of 1 December 1949 on essentials of peace as a guide to the achievement of a genuine peace with freedom and justice;

"2. Reaffirms resolutions 381 (V) of 17 November 1950 and 110 (II) of 3 November 1947 condemning all forms of propaganda, in whatsoever country conducted, which is either designed or likely to provoke or encourage any threat to the peace, breach of the peace or act of aggression."