Appendix I: Documentation for
Multilateral Treaties of Pacific Settlement (MTOPS) Data Set
Version 1.4 (last revised 31 July 2006)

Issue Correlates of War (ICOW) Project
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******Note that this documentation file is still being improved. MTOPS version 1.4 is being released now so that scholars can use it in papers for the 2006 APSA meetings; a final version of the documentation will be released in the future.******

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Documentation of Included Treaties and Organizations

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Introduction

This appendix lists the portions of each organization's charter or other relevant treaties that call for pacific dispute settlement among members. Where possible, the entire relevant section of the document is included. Where the entire section would be too lengthy, a brief summary is provided, allowing the reader to identify relevant sections for further research if needed. Where possible, membership dates and other details were taken from official materials published by the organization in question -- using such sources as official web sites, annual reports, or fact books -- rather than summaries provided by other organizations or scholars.

Sources

Certain sources were used for numerous treaties/organizations, particularly for investigating such matters as dates (e.g., where books or official web sites only list the year when certain states joined or left organizations). These include the following:

- *New York Times*
- *Facts on File*
- *Keesing's Contemporary Archives / Keesing's Record of World Events*
- *Lexis-Nexis Academic Universe*
- *UN Treaty Series*

Other sources beyond these are generally listed in each treaty's documentation.

GLOBAL / CROSS-REGIONAL TREATIES
Permanent Court of Arbitration

Dates of Qualification: 9/1900 - present
• The Permanent Court of Arbitration (PCA) by itself does not qualify for this data set, but the 1899 and 1907 Hague treaties that established it do. Technically the PCA does not have any formal membership, but its membership is based on countries who have accepted one or both of the Hague conventions of 1899 and 1907, both of which are included here.
• 1899 Convention for the Pacific Settlement of International Disputes (Hague I): signed 7/29/1899, in force 9/4/1900
• 1907 Convention for the Pacific Settlement of International Disputes (Hague II): signed 10/18/1907, in force 1/26/1910

Pacific Settlement?: Yes

Territorial Integrity?: No

Qualifying Document(s)
1899 Hague Treaty (Convention for the Pacific Settlement of International Disputes)
Article 1: "With a view to obviating, as far as possible, recourse to force in the relations between States, the Signatory Powers agree to use their best efforts to insure the pacific settlement of international differences."

Articles 2-8: Good offices and mediation
Articles 9-14: Commissions of inquiry
Articles 15-19: Arbitration
Articles 20-29: Permanent Court of Arbitration
Articles 30-57: Arbitral procedure

1907 Hague Treaty (Convention for the Pacific Settlement of International Disputes)
Article 1: "With a view to obviating as far as possible recourse to force in the relations between States, the Contracting Powers agree to use their best efforts to ensure the pacific settlement of international differences."

Articles 2-8: Good offices and mediation
Articles 9-36: Commissions of inquiry
Articles 37-40: Arbitration
Articles 41-50: Permanent Court of Arbitration
Articles 51-85: Arbitral procedure
Articles 86-90: Arbitration by summary procedure

References
• Official web site: <http://www.pca-cpa.org/>
--1899 treaty: <http://www.pca-cpa.org/1899english.htm>
--1907 treaty: <http://www.pca-cpa.org/1907english.htm>
--contracting states: <http://www.pca-cpa.org/ENGLISH/CSAI/>

League of Nations

Dates of Qualification: 1/1920 - 4/1946

• The League was established by the Covenant of the League of Nations, which was signed on 28 April 1919 in Paris; the League formally began life on 10 January 1920 when enough states had signed and ratified the covenant.

• The League of Nations is considered to end on 18 April 1946, when the League's activities officially terminated and all remaining League property was turned over to the new United Nations. The League ceased its political activities during World War II, but technical activities continued (and the League continued to exist) until 4/18/1946.

• Exit dates for League membership were determined by the dates on which members gave notice that they were leaving the organization. Although technically this was followed by a two-year waiting period before membership (and its accompanying obligations) legally expired, states in this two-year period generally did not participate in League activities or consider themselves bound by League responsibilities.

--It is unclear what to do about occupied countries during World War II. For now I have left them coded as League members (unless they specifically withdrew); most of these countries are listed in League sources as being members at the end of the League in 1946.

Pacific Settlement?: Yes

Territorial Integrity?: Yes (violent only); see Article 10

Qualifying Document(s)

Covenant of the League of Nations

Article 10: "The Members of the League undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all Members of the League. In case of any such aggression or in case of any threat or danger of such aggression the Council shall advise upon the means by which this obligation shall be fulfilled."

Article 12: "The Members of the League agree that, if there should arise between them any dispute likely to lead to a rupture they will submit the matter either to arbitration or judicial settlement or to enquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators or the judicial decision, or the report by the Council. In any case under this Article the award of the arbitrators of the judicial decision shall be made within a reasonable time, and the report of the Council shall be made within six months after the submission of the dispute."

Article 13: Agreement to submit questions of international law or treaty interpretation to the Permanent Court of International Justice or some similar tribunal

Article 14: Creation of PCIJ

Article 15: Agreement to submit questions not submitted to arbitration/judicial settlement to the League Council

Article 16: Sanctions against resorting to war in disregard of Articles 12, 13, 14

References

• Hans Aufricht (1951). *Guide to League of Nations Publications: A Bibliographical Survey of the Work of the League, 1920-1947*. New York: Columbia University Press. [includes lists of members as of 4/18/1946 (pp. 505-507) and members whose membership had terminated before then (p. 508), with dates of membership beginning and termination]

• League of Nations (1938). *Essential Facts about the League of Nations*, ninth edition. Geneva: League of Nations Information Section. [includes a list of League membership as of 12/31/1937 with dates, pp. 32-35]
• Additional information and charter/treaty texts can be located in the *League of Nations Yearbook* and other League publications
• The League of Nations Covenant is also available online through the Avalon Project at Yale:
<http://www.yale.edu/lawweb/avalon/leagcov.htm>

Permanent Court of International Justice (PCIJ)

Dates of Qualification: 9/1921 - 4/1946

• Note that the PCIJ by itself does not qualify for this data set, and membership is included for informational purposes only -- the Optional Clause is the PCIJ's key peaceful dispute settlement obligation.

PCIJ

• The PCIJ is closely related to the League of Nations, although with a somewhat different membership because the PCIJ required signature and ratification of a separate Protocol of Signature for the Statute of the Court (first approved and opened for signature 12/16/1920)

--the Statute of the Court legally went into effect on 9/1/1921 following the ratification of the Protocol by 22 of the 41 signatories; the PCIJ was legally dissolved in April 1946 at the same time as the League of Nations, after holding its last meeting in 1945

• Technically, the PCIJ does not directly call for the peaceful settlement of disputes among its members, although it is essentially the judicial body of the League of Nations -- which does make such a call in its charter, and which includes most of the same countries. I have included signature/ratification of the PCIJ Protocol of Signature in this data set, although I recommend that users employ the PCIJ Optional Clause (see below) rather than simple ratification of the PCIJ protocol, as the Optional Clause indicates acceptance of compulsory PCIJ jurisdiction over disputes among member states.

• I have not found any mention of countries withdrawing their acceptance (or ratification) of the PCIJ Protocol of Signature, so for now all members are coded as maintaining their membership through April 1946

--the following states signed but never ratified the Protocol of Signature: USA (signed 12/2/1929), Argentina (12/28/1935), Costa Rica ("before 1/28/1921"), Egypt (5/30/1939), Guatemala (12/17/1926). Iraq (9/22/1938), Liberia (7/24/1921), Turkey (3/12/1936)

PCIJ Optional Clause

• A number of states that signed the PCIJ's Protocol of Signature also signed the Optional Clause, indicating their acceptance of PCIJ compulsory jurisdiction over their disputes. This clause was opened for signature 12/17/1921.

• The beginning date for each state's acceptance of the Optional Clause is coded as (a) the date of the declaration if ratification is not needed and no specific date of acceptance is given in the declaration; (b) the specified date of acceptance if one is given and no ratification is required, and (c) the date of ratification if required

--two states made declarations under the League Council's resolution of 5/17/1922: Liechtenstein and Monaco

--Grieves (1969): seven states made declarations under the Optional Clause that were legally subject to ratification, but never ratified these declarations (these states are not coded as accepting PCIJ compulsory jurisdiction in this data set): Argentina (signed 12/28/1935), Czechoslovakia (signed 9/19/1929), Egypt (signed 5/30/1939), Guatemala (signed 12/17/1926), Iraq (signed 9/22/1938), Liberia (signed "before 9/1/1921"), and Poland (signed 1/24/1931)

--Grieves (1969): three additional states signed without condition as to ratification but never ratified the Protocol of Signature of the Statute: Costa Rica (signed "before 1/28/1921"), Nicaragua (according to Hudson 1943: 704 and Rosenne 1991: 726 this really was ratified), and Turkey (signed 3/12/1936)

• Several states' dates differ across several sources:

--Nicaragua: Grieves (1969: 66) does not list Nicaragua's declaration as still in effect as of 12/31/1945, but Hudson (1943: 704) lists it as indefinite and Rosenne (1991: 726) lists the original 1929 declaration as still in effect in 1991 -- coded here as continuing for PCIJ through 4/1946

--Paraguay: Grieves (1969: 66) lists Paraguay's declaration as remaining in effect as of 12/31/1945, but Hudson (1943: 704) lists it as withdrawn by decree of 4/26/1938 -- coded here as being withdrawn 4/1938

• Also, many states' declarations under either the PCIJ or ICJ initially covered short periods of time (typically five or ten years), although some were made for more indefinite periods (such as "indefinitely" or "until modified or withdrawn"). When a limited declaration is later renewed, I code the initial declaration as the beginning of acceptance of compulsory jurisdiction, even if there is a slight gap (of several weeks or even months between the announced expiration of the initial declaration and the formal ratification of the revised declaration.

Pacific Settlement?: Yes (Optional Clause only)

Territorial Integrity?: No

Qualifying Document(s)

PCIJ Optional Clause

From Article 36 of the PCIJ Statute:

"The Members of the League of Nations and the States mentioned in the Annex to the Covenant may, either when signing or ratifying the Protocol to which the present Statute is adjoined, or at a later moment, declare that they recognize as compulsory ipso facto and without special agreement, in relation to any other Member or State accepting the same obligation, the jurisdiction of the Court in all or any of the classes of legal disputes concerning:

(a) the interpretation of a treaty;

(b) any question of international law;

(c) the existence of any fact which, if established, would constitute a breach of an international obligation;

(d) the nature or extent of the reparation to be made for the breach of an international obligation.

The declaration referred to above may be made unconditionally or on condition of reciprocity on the part of several or certain Members or States, or for a certain time. "

References

• Manley O. Hudson (1943). *The Permanent Court of International Justice, 1920-1942*. New York: Macmillan. [used for the list of states that accepted compulsory jurisdiction, including dates of signature and ratification and any reservations that may have been made; pp. 681-703 for official wording of signature/ reservations and pp. 703-705 for a summary list]

• Forest L. Grieves (1969). *Supranationalism and International Adjudication*. Urbana: University of Illinois Press. [used to update Hudson's list to the end of the PCIJ/League era, as Hudson's list ended in 1942; pp. 65-67]

• The PCIJ Statute and membership lists are available in the *Permanent Court of International Justice Annual Report*

• A PCIJ web site at <http://intercourts.virtualave.net/pcij/eng/pcij_main_eng.htm> offers the following information:

--Statute: <http://intercourts.virtualave.net/pcij/eng/laws/pcij_statute_eng.htm>

--Protocol of Signature: <http://intercourts.virtualave.net/pcij/eng/laws/pcij_prot_sign.htm>

--ratifications: <http://intercourts.virtualave.net/pcij/eng/pcij_ratif_list_eng.htm>

--Protocol for the Pacific Settlement of International Disputes:

<http://intercourts.virtualave.net/pcij/eng/laws/league_protocol_eng.htm>

Kellogg-Briand Pact (Pact of Paris)

Dates of Qualification: 7/1929 - 4/1946

• The Pact was signed in Paris on 27 August 1928, and was proclaimed as having entered into force on 24 July 1929 when 15 signatories had deposited their ratifications in Washington, D.C.

• It is unclear when this pact was considered to have ended (or lost its legal status). It was clearly considered to have been in effect at the start of World War II, as some of the charges against the Axis leaders at the Nuremberg trials involved violations of the Pact in 1939 and 1940. For now I have used the estimated date of April 1946, the same time that the League of Nations and PCIJ legally expired, as the Kellogg-Briand Pact is widely viewed as closely associated with the League of Nations.

Pacific Settlement?: Yes

Territorial Integrity?: No

Qualifying Document(s)

Treaty Providing for the Renunciation of War as an Instrument of National Policy

"[the signatories] (...) Persuaded that the time has come when a frank renunciation of war as an instrument of national policy should be made to the end that the peaceful and friendly relations now existing between their peoples may be perpetuated;

Convinced that all changes in their relations with one another should be sought only by pacific means and be the result of a peaceful and orderly process, and that any signatory Power which shall hereafter seek to promote its national interests by resort to war should be denied the benefits furnished by the Treaty; (...) have agree upon the following articles:"

Article I: "The High Contracting Parties solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies, and renounce it as an instrument of national policy in their relations with one another."

Article II: "The High Contracting Parties agree that the settlement of solution of all disputes or conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means."

References

• The Pact of Paris, with a list of signatories, is available online through the Avalon Project at Yale:
<http://www.yale.edu/lawweb/avalon/kbpact/kbpact.htm>

United Nations (UN)

Dates of Qualification: 10/1945 - present
• The UN was established by the Charter of the United Nations, signed 26 June 1945 in San Francisco; the UN officially came into force on 24 October 1945
• Countries reentering after leaving UN: Indonesia, China (PRC)
--Yugoslavia was suspended from the UN General Assembly from 1992 until 2000, but retained overall UN membership during this time; Yugoslavia is coded as a member for this entire time in the MTOPS data, as it is in the official UN membership list
--Somalia remained a UN member during the 1990s according to the official membership list, despite its lack of a central government; the Somali flag was flown in September 2000 for the first time in a decade, when the president of a new provisional Somali government spoke at the UN's Millennium Summit
--Afghanistan remained a UN member during the 1990s, but the official representative who carried the UN vote was from the previous Afghan government that was overthrown by the Taliban in 1996, rather than the Taliban (which controlled Kabul and the vast majority of the country's territory)

Pacific Settlement?: Yes

Territorial Integrity?: Yes (violent only); see Article 2 (4)

Qualifying Document(s)
Charter of the United Nations
Chapter 1: Purposes and Principles
Article 2 (3): "All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered."

Article 2 (4): "All Members shall 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." [territorial integrity]

Chapter 6: Pacific Settlement of Disputes
Article 33 (1): "The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice."

Chapter 8: Regional Arrangements
Article 52 (2): "The Members of the United nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council."

References
• Official web site: <http://www.un.org>
--UN charter: <http://www.un.org/aboutun/charter/>
--member states: <http://www.un.org/Overview/unmember.html>
• Additional information and charter/treaty texts can be located in the *Yearbook of the United Nations* and other UN publications

International Court of Justice (ICJ)

Dates of Qualification: 10/1945 - present

• Note that the ICJ by itself does not qualify for this data set, and membership is included for informational purposes only -- the Optional Clause is the ICJ's key peaceful dispute settlement obligation.

ICJ

• The ICJ was established by the Statute of the International Court of Justice (signed 26 June 1945), which was closely associated with the Charter of the United Nations and entered into force 24 October 1945

• Technically, the ICJ does not directly call for the peaceful settlement of disputes among its members, although it is essentially the judicial body of the United Nations -- which does make such a call in its charter, and which includes most of the same countries. I have included signature/ratification of the ICJ Statute in this data set, although I recommend that users employ the ICJ Optional Clause (see below) rather than simple ratification of the ICJ Statute, as the Optional Clause indicates acceptance of compulsory ICJ jurisdiction over disputes among member states.

• In general, all UN members are considered parties to the ICJ; the ICJ's web site simply provides a list of UN members to show which states are eligible to bring a case to the ICJ. There are several exceptions, though:

--Switzerland, although not originally a UN member, has been a party to the ICJ statute since 7/28/1948 (following a General Assembly resolution of 12/11/1946)

--four other non-UN members have been parties to the statute before joining the UN: Japan (4/2/1954), Liechtenstein (3/29/1950), San Marino (2/18/1954), & Nauru (1/29/1988)

• Note: the ICJ allows participation for states that are not parties to the ICJ statute but that have made declarations recognizing the jurisdiction of the ICJ either for a particular case or for a general class of cases. These states are not coded as being "members" of the ICJ in this data set, but they are listed here for possible use by other scholars:

--Particular: Albania (filed in 1947), Italy (1953)

--General: Cambodia (1952), Ceylon (1952), FRG (1955-1956-1961-1965-1971), Italy (1955), Japan (1951), Laos (1952), Republic of Vietnam (1952)

Optional Clause

• Active for all years in which the ICJ was active (10/1945 - present).

--many states' declarations regarding acceptance of the PCIJ optional clause outlasted the PCIJ, and were automatically extended to the ICJ. Where this happens, I have coded 10/1945 as the start date of acceptance of the ICJ optional clause (due to the entry into force of the ICJ at that time), although the PCIJ clause acceptance continues until 4/1946 (due to the termination of the PCIJ and the larger League of Nations system at that time).

• Many states' declarations under either the PCIJ or ICJ initially covered short periods of time (typically five or ten years), although some were made for more indefinite periods (such as "indefinitely" or "until modified or withdrawn"). When a limited declaration is later renewed, I code the initial declaration as the beginning of acceptance of compulsory jurisdiction, even if there is a slight gap (of several weeks or even months between the announced expiration of the initial declaration and the formal ratification of the revised declaration.

--China/Taiwan raises a difficult question. I have currently coded China (COW state #710) as accepting compulsory jurisdiction from the declaration on 10/26/1946 through 1949 when the Nationalist Chinese moved to Taiwan/Formosa, at which point Taiwan (#713) is coded as accepting compulsory jurisdiction through 1971 when the PRC gets China's seat in the UN. The PRC declared on 12/5/1972 that they did not recognize the Nationalist Chinese government's 1946 declaration, and to this day has not declared its own

acceptance of compulsory jurisdiction.

Optional Clause - Reservations
• These variables reflect the date at which the state (which must be an ICJ member) attached and withdrew reservations to its acceptance of the Optional Clause recognizing the ICJ's compulsory jurisdiction. Between these dates, the state had at least one reservation; these variables do not distinguish based on the number of reservations or their specific content, beyond indicating that the state placed at least one reservation on its acceptance of the Optional Clause.

Pacific Settlement?: Yes (Optional Clause only)

Territorial Integrity?: No

Qualifying Document(s)
ICJ Optional Clause
From Article 36 of the ICJ Statute:
"1. The jurisdiction of the Court comprises all cases which the parties refer to it and all matters specially provided for in the Charter of the United Nations or in treaties and conventions in force.
2. The states parties to the present Statute may at any time declare that they recognize as compulsory ipso facto and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the Court in all legal disputes concerning:

a. the interpretation of a treaty;

b. any question of international law;

c. the existence of any fact which, if established, would constitute a breach of an international obligation;

d. the nature or extent of the reparation to be made for the breach of an international obligation.

3. The declarations referred to above may be made unconditionally or on condition of reciprocity on the part of several or certain states, or for a certain time. " (etc...)

References

• Official web site: <http://www.icj-cij.org>
--ICJ statute: <http://www.icj-cij.org/icjwww/ibasicdocuments/ibasictext/ibasicstatute.htm>
--states entitled to appear before the court:
<http://www.icj-cij.org/icjwww/ibasicdocuments/ibasictext/ibasicUNmembers.html>
<http://www.icj-cij.org/icjwww/ibasicdocuments/ibasictext/ibasicnonmembers.html>
<http://www.icj-cij.org/icjwww/ibasicdocuments/ibasictext/ibasicotherstates.htm>
--declarations accepting compulsory jurisdiction:
<http://www.icj-cij.org/icjwww/ibasicdocuments/ibasictext/ibasicdeclarations.htm>
• The ICJ Statute and membership lists (including declarations accepting compulsory jurisdiction) are also available in the annual *International Court of Justice Yearbook*
• Shabtai Rosenne (1991). *Documents on the International Court of Justice*, third edition. Boston: Martinus Nijhoff. [includes the full text of all declarations related to the Optional Clause, both those that were current as of 1991 and previous declarations that were later modified or expired; also includes the ICJ Statute]

Commonwealth of Nations

Dates of Qualification: 1/1971 - present

• The Commonwealth of Nations -- known until 1946 as the British Commonwealth of Nations -- began as a relatively informal grouping of former British possessions, without any charter or organizing treaty. It is generally regarded as beginning in its modern form with the 1931 Statute of Westminster, which recognized the Dominions (e.g. Canada and Australia) as equal members of the British Commonwealth of Nations, although united by common allegiance to the British Crown. Another milestone was the 1949 London Declaration that allowed independent republics (e.g. India) to remain as members.

• The Commonwealth of Nations did not qualify for this data set until the 22 January 1971 Singapore Declaration of Commonwealth Principles, which was the first explicit statement of the Commonwealth's guiding principles.

• There was no separate process of signature or ratification, because this was a general declaration issued at the 1971 Commonwealth summit; all Commonwealth members are regarded as being bound by this declaration as long as they remain in the organization

• Note that Ireland left the Commonwealth before the 1971 declaration in 4/1949; South Africa left in 5/1961, but rejoined in 6/1994; Pakistan left in 1/1972 and rejoined in 10/1989; Fiji left in 10/1987 and rejoined in 9/1997; and Zimbabwe left in 12/2003.

• Note that several member states were suspended from councils, but remained in the Commonwealth itself (and are thus considered to be bound by this declaration while suspended): Pakistan from 10/1999-5/2005, Nigeria from 11/1995-5/1999, Fiji from 6/2000-12/2001, and Zimbabwe from 3/2002-12/2003 (when it withdrew from the Commonwealth).

Pacific Settlement?: Yes

Territorial Integrity?: No

Qualifying Document(s)

Singapore Declaration of Commonwealth Principles (22 January 1971)

"5. We believe that international peace and order are essential to the security and prosperity of mankind; we therefore support the United Nations and seek to strength its influence for peace in the world, and its efforts to remove the causes of tension between nations."

"11. We believe that international cooperation is essential to remove the causes of war, promote tolerance, combat injustice, and secure development among the peoples of the world; we are convinced that the Commonwealth is one of the most fruitful associations for these purposes."

"12. In pursuing these principles the members of the Commonwealth believe that they can provide a constructive example of the multi-national approach which is vital to peace and progress in the modern world. The association is based on consultation, discussion and cooperation."

"13. In rejecting coercion as an instrument of policy they recognize that the security of each member state from external aggression is a matter of concern to all members. It provides many channels for continuing exchanges of knowledge and views on professionsl, cultural, economic, legal and political issues among the member states."

References

• Official web site: <http://www.thecommonwealth.org/>
--1971 Singapore Declaration of Commonwealth Principles:
<http://www.thecommonwealth.org/document/34293/35468/35775/singapore.htm>
--1991 Harare Declaration:
<http://www.thecommonwealth.org/document/34293/35468/35773/harare.htm>
--List of members:
<http://www.thecommonwealth.org/Internal/142227/members/>
• Specific dates of membership (not given beyond the year in the official site) are available through WorldStatesmen.org:
<http://www.worldstatesmen.org/International_Organizations.html>

Non-Aligned Movement (NAM)

Dates of Qualification: 9/1961 - present

• The NAM was founded at the 1961 Belgrade summit, which lasted from 1-6 September 1961. Although no formal treaty or constitution was created, the group was intended to be based on the ten principles that had been established at the 1955 Bandung Conference, three of which qualify for this data set.

• These principles have been referred to as NAM's founding principles in numerous subsequent NAM meetings and declarations, several of which are noted below. Most important, the 1996 Cartagena Document on Methodology explicitly listed acceptance of these ten principles (which it listed in their entirety) as a primary criterion for admission to the NAM.

Pacific Settlement?: Yes

Territorial Integrity?: Yes (all)

Qualifying Document(s)

1955 Principles of Bandung (Dasa Suka Bandung)

"2. Respect for the sovereignty and territorial integrity of all nations.

7. Refraining from acts or threats of aggression or the use of force against the territorial integrity or political independence of any country.

8. Settlement of all international disputes by peaceful means, such as negotiation, conciliation, arbitration or judicial settlement as well as other peaceful means of the parties' own choice, in conformity with the Charter of the United Nations."

9/1971 Lusaka Declaration on Peace, Independence, Development, Cooperation and Democratization of International Relations

"11. The participants in the Conference of Non-Aligned Countries reaffirm, and attach special importance to, the following principles: ...respect for the sovereignty and territorial integrity of all States... refraining from the threat or use of force, and the principle of peaceful settlement of disputes.

12. The Conference declares that the following continue to be the aims of non-alignment: the pursuit of world peace and peaceful co-existence by strengthening the role of non-aligned countries within the United Nations so that it will be a more effective instrument against all forms of aggressive action and the threat or use of force against the freedom, independence, sovereignty and territorial integrity of any country... the settlement of disputes by peaceful means..."

5/1996 Cartagena Document on Methodology

3. Criteria for Admission

A. Members

"The main criterion the admission of new members should be the adherence to and respect for the principles and objectives of the Movement.

The aspiring country should have adopted an independent policy based on the coexistence of States with different political and social systems, and on Non-Alignment, in line with the Ten Bandung Principles which are the foundation for the movement."

References

• Official web site: <http://www.e-nam.org.my/main.php?pg=2>

--Cartagena Document on Methodology (including the ten Bandung Principles):
<http://www.nam.gov.za/background/methodology.htm>

• Many entry dates taken from COW International Organizations data version 2.1, although with some corrections (most notably, that source lists dozens of states as joining in 1960, when ICOW does not code the organization as beginning until the September 1961 summit. Furthermore, many of the supposed 1960 entrants were not involved in the first summit according to NYT stories at the time, so those listed in the NYT stories are coded as beginning in 9/1961 and the remaining states listed by COW as beginning in 1960 are coded here as entering in 1962.)

Organization of the Islamic Conference (OIC)

Dates of Qualification: 2/1973 - present

• The Charter of the Islamic Conference was signed on 4 March 1972, and went into effect on 28 February 1973.

• Note that Palestine is a charter member of the OIC.

• It is unclear when Southern Yemen (Aden/PDRY) joined. It isn't listed in the UN treaty details, but it is listed in online OIC documents from that era, so I have it listed as a member when the OIC took effect. (Yemen/YAR is clearly a member by this time.)

Pacific Settlement?: Yes

Territorial Integrity?: Yes (all)

Qualifying Document(s)

Charter of the Islamic Conference

Article II: Objectives and Principles

A. Objectives

"The objectives of the Islamic Conference shall be:

1. to promote Islamic solidarity among member States;

4. to take necessary measures to support international peace and security founded on justice;

7. to create a suitable atmosphere for the promotion of cooperation and understanding among member States and other countries."

B. Principles

"The member States decide and undertake that, in order to realize the objectives mentioned in the previous paragraph, they shall be inspired and guided by the following principles:

3. Respect of the sovereignty, independence, and territorial integrity of each member State;

4. Settlement of any conflict that may arise by peaceful means such as negotiation, mediation, reconciliation or arbitration;

5. Abstention from the threat or use of force against the territorial integrity, national unity or political independence of any member State."

References

• Official web site: <http://www.oic-oci.org>

--Charter: <http://www.oic-un.org/about/Charter.htm>

• UN Treaty Series (#13039)

WESTERN HEMISPHERE TREATIES
Treaty on Compulsory Arbitration

Dates of Qualification: 4/1903 - present
• Signed at the Second International Conference of American States in Mexico City on 29 January 1902; entered into force in April 1903.
• This still appears to be in force (and unlike most Latin American peaceful settlement treaties, it was not superseded by the 1948 Pact of Bogotá).

• The treaty was signed but never ratified by Argentina and Paraguay; Venezuela signed the treaty but withdrew from the 1901-2 conference, invalidating its adherence (Scott 1931: 104)
• Several discrepancies are listed in several books:
--Ireland (1938: 308) indicates that Bolivia ratified the treaty, while the OAS and other sources indicate that this never happened
--Carnegie (1940: 501) indicates that Honduras signed, ratified, and deposited this treaty, none of which is mentioned by the OAS or Ireland

Pacific Settlement?: Yes

Territorial Integrity?: No

Qualifying Document(s)
1902 Treaty on Compulsory Arbitration
Article 1: "The High Contracting parties bind themselves to submit to the decision of arbitrators al disputes that exist or may arise between them, which they may not be able to settle by diplomatic means, whenever, in the exclusive judgment of any of the interested nations, such disputes do not affect the national independence or the national honor."

Article 2: "Neither the national independence nor the national honor shall be considered as imperilled by any dispute about diplomatic privileges, rights of navigation, or the validity, interpretation, and fulfillment of treaties."

Article 3: "...the High Contracting Parties agree to submit to the decision of the Permanent Court of Arbitration, established by the said Convention, all the disputes, to which reference is made in this treaty, unless any of the parties should prefer that a special tribunal should be organized."

Article 6: "The High Contracting Parties stipulate that, in case of grave disagreement of conflict between two or more of them, such as to render war imminent, recourse shall be had, so far as circumstances permit, to the good offices or mediation of one or more of the friendly Powers."

References
• Ireland (1938: 308, 1941: 393); Atkins (1989); Scott (1931: 100-104); Inman (1965: 56); Carnegie Endowment (1940: 501)
• Ratifications: <http://www.oas.org/juridico/english/sigs/a-9.html>

1907 General Treaty of Peace and Amity (Central American Court of Justice)

Dates of Qualification: 3/1908 - 3/1918

• This treaty was signed at Washington on 20 December 1907. It apparently took effect in March 1908 after all five signatory states had ratified it.

• This treaty was associated with the formation of the Central American Court of Justice, which was created at the same conference.

• The CACJ and the treaty both ended on 12 March 1918, following Nicaragua's 9 March 1917 notice of intention to terminate the 1907 convention relating to the court with one year's notice. (Hudson 1932: 781)

• This treaty was originally excluded from the MTOPS data set because Costa Rica was not a member of the COW system while it was in effect, leaving there only four system members. Costa Rica was clearly an independent and sovereign actor during this time, though, and it would soon meet the COW threshold for system membership.

Pacific Settlement?: Yes

Territorial Integrity?: No

Qualifying Document(s)

General Treaty of Peace and Amity

Article 1: "The Republics of Central American consider as one of their first duties, in their mutual relations, the maintenance of peace; and they bind themselves to always observe the most complete harmony, and decide every difference or difficulty that may arise amongst them, of whatsoever nature it may be, by means of the Central American Court of Justice, created by the Convention which they have concluded for that purposes on this date."

References

• Ireland (1941: 395).

• "General Treaty of Peace and Amity." *American Journal of International Law* 2, No. 1/2, Supplement: Official Documents (Jan.-Apr. 1908), pp. 219-229.

• Manley O. Hudson (1932). "The Central American Court of Justice." *American Journal of International Law* 26, 4 (Oct.): 759-786.

1923 General Treaty of Peace and Amity (International Central American Tribunal)

Dates of Qualification: 4/1925 - 12/1932

• This treaty was signed at Washington on 7 February 1923, and apparently took effect in April 1925 after the fifth ratification.

• This treaty was associated with the formation of the International Central American Tribunal, which was created at the same conference.

• The treaty apparently ended in December 1932 after it was denounced by both Costa Rica (12/23/1932) and El Salvador (12/26/1932).

Pacific Settlement?: Yes

Territorial Integrity?: No

Qualifying Document(s)

General Treaty of Peace and Amity

Article 1: "The Republics of Central American consider as the first of their duties, in their mutual relations, the maintenance of peace; and they bind themselves to always observe the most complete harmony and to decide any differences or difficulties that may arise amongst them, in conformity with the conventions which they have signed on this date for the establishment of an International Central American Tribunal and for the establishment of international commissions of inquiry."

References

• Ireland (1941: 396).

• "General Treaty of Peace and Amity." *American Journal of International Law* 17, 2, Supplement: Official Documents (Apr. 1923), pp. 117-122.

Gondra Treaty

Dates of Qualification: 5/1923 - present (partially replaced by 1948 Pact of Bogotá)
• Signed on 3 May 1923 in Santiago, Chile, at the Fifth International Conference of American States (named for Paraguayan Foreign Minister Manuel Gondra); the treaty entered effect in May 1923.
--signed but never ratified by Argentina.

• This treaty was supplemented or reinforced by several additional treaties: a 1929 conciliation treaty that reinforces the Gondra treaty but does not qualify as a separate MTOPS treaty, and a 1929 arbitration treaty that does qualify.

• Replaced by the 1948 Pact of Bogotá for relations between two or more states that have each signed and ratified that Pact (upon deposit of ratification). This treaty remains in force for past signatories in their relations with other countries that have signed this treaty but not the subsequent Pact of Bogotá.

Pacific Settlement?: Yes

Territorial Integrity?: No

Qualifying Document(s)
Treaty to Avoid or Prevent Conflicts between the American States
• All controversies which may arise between two or more parties, and which it has been impossible to settle through diplomacy channels or to submit to arbitration in accordance with existing treaties, shall be submitted to a commission of inquiry of five American states.

References
• Ireland (1938: 310, 1941: 397); Atkins (1989); Carnegie (1940: 501)
• Ratifications: <http://www.oas.org/juridico/english/sigs/a-18.html>

General Convention of Inter-American Conciliation

Dates of Qualification: 11/1929 - present (partially replaced by 1948 Pact of Bogotá)
• Signed at the Washington conference on 1/5/1929; in force 11/15/1929.
--Bolivia and Costa Rica signed but never ratified this treaty.
• A 1933 Additional Protocol was signed to extend this convention, although that protocol is not considered to be a separate MTOPS case.
• Replaced by the 1948 Pact of Bogotá for relations between two or more states that have each signed and ratified that Pact (upon deposit of ratification). This treaty remains in force for past signatories in their relations with other countries that have signed this treaty but not the subsequent Pact of Bogotá.

Pacific Settlement?: Yes

Territorial Integrity?: No

Qualifying Document(s)
General Convention of Inter-American Conciliation
Article 1: "The high contracting parties agree to submit to the procedure of conciliation established by this convention all controversies of any kind which have arisen or may arise between them for any reason and which it may not have been possible to settle through diplomatic channels."

References
• Ireland (1938: 313, 1941: 399-400); Atkins (1989); Carnegie (1940: 503)
• Ratifications: <http://www.oas.org/juridico/english/sigs/b-4.html>

General Treaty of Inter-American Arbitration

Dates of Qualification: 10/1929 - present (partially replaced by 1948 Pact of Bogotá)
• Signed at the Washington conference (Conference on Conciliation and Arbitration) on 1/5/1929; in force 10/28/1929.
--this treaty was meant as a supplement to the 1923 Gondra Treaty
--Bolivia and Costa Rica signed but never ratified this treaty.

• Replaced by the 1948 Pact of Bogotá for relations between two or more states that have each signed and ratified that Pact (upon deposit of ratification). This treaty remains in force for past signatories in their relations with other countries that have signed this treaty but not the subsequent Pact of Bogotá.

Pacific Settlement?: Yes

Territorial Integrity?: No

Qualifying Document(s)
General Treaty of Inter-American Arbitration
Article 1: "The high contracting parties bind themselves to submit to arbitration all differences of an international character which have arisen or may arise between them by virtue of a claim of right made by one against the other under treaty or otherwise, which it has not been possible to adjust by diplomacy and which are juridical in their nature of reason of being susceptible of decision by the application of the principles of law..."

References
• Ireland (1938: 313, 1941: 399-400); Atkins (1989); Carnegie (1940: 503)
• Ratifications: <http://www.oas.org/juridico/english/sigs/b-5.html>

Saavedra Lamas Pact

Dates of Qualification: 11/1933 - present (partially replaced by 1948 Pact of Bogotá)
• Signed at Rio de Janeiro on 10/10/1933, after being proposed by Argentine Foreign Minister Carlos Saavedra Lamas in November 1932
--entry into force for each signatory is 30 days after deposit of the instrument of ratification.
--signed but not ratified by Costa Rica, Greece, Italy, Norway, and Turkey.

• Replaced by the 1948 Pact of Bogotá for relations between two or more states that have each signed and ratified that Pact (upon deposit of ratification). This treaty remains in force for past signatories in their relations with other countries that have signed this treaty but not the subsequent Pact of Bogotá.

Pacific Settlement?: Yes

Territorial Integrity?: Yes (violent only); see Article 2

Qualifying Document(s)
Anti-War Treaty of Non-Aggression and Conciliation
Article 1: "The High Contracting Parties solemnly declare that they condemn wars of aggression in their mutual relations or those with other states, and that the settlement of disputes or controversies of any kind that may arise among them shall be effected only by the pacific means which have the sanction of international law."

Article 2: "They declare that as between the High Contracting Parties, territorial questions must not be settled by violence, and that they will not recognize any territorial arrangement which is not obtained by pacific means, nor the validity of the occupation or acquisition of territories that may be brought about by force of arms."

References
• Ireland (1938, 1941); Carnegie (1940: 503)
• Ratifications: <http://www.oas.org/juridico/english/sigs/b-9.html>

Montevideo Convention

Dates of Qualification: 12/1934 - present
• The convention was signed at Montevideo on 26 December 1933, and entered into force on 26 December 1934.
--signed but never ratified or deposited: Argentina, Paraguay, Peru, Uruguay

Pacific Settlement?: Yes

Territorial Integrity?: Yes (violent)

Qualifying Document(s)
Montevideo Convention on Rights and Duties of States
Article 10: "The primary interest of states is the conservation of peace. Differences of any nature which arise between them should be settled by recognized pacific methods."

Article 11: "The contracting states definitely establish as the rule of their conduct the precise obligation not to recognize territorial acquisitions or special advantages which have been obtained by force whether this consists in the employment of arms, in threatening diplomatic representations, or in any other effective coercive measure. The territory of a state is inviolable and may not be the object of military occupation nor of other measures of force imposed by another state directly or indirectly or for any motive whatever even temporarily."

References
• The Montevideo Convention is available online through the Avalon Project at Yale:
<http://www.yale.edu/lawweb/avalon/intdip/interam/intam03.htm>
• Ratifications: <http://www.oas.org/juridico/english/sigs/a-40.html>

1936 Convention to Coordinate, Extend and Assure the Fulfillment of the Existing Treaties between the American States

Dates of Qualification: 7/1937 - present (partially replaced by 1948 Pact of Bogotá)
• Signed at the Inter-American Conference for the Maintenance of Peace at Buenos Aires on 12/23/1936; in force 7/29/1937.
--signed but not ratified by Argentina, Bolivia, Brazil, Paraguay, Peru, Uruguay, and Venezuela.
• Replaced by the 1948 Pact of Bogotá for relations between two or more states that have each signed and ratified that Pact (upon deposit of ratification). This treaty remains in force for past signatories in their relations with other countries that have signed this treaty but not the subsequent Pact of Bogotá.
• Sources: Ireland (1941); Carnegie (1940: 502)

Pacific Settlement?: Yes

Territorial Integrity?: No

Qualifying Document(s)
Convention to Coordinate, Extend and Assure the Fulfillment of the Existing Treaties between the American States
Article 1: "The high contracting parties reaffirm the obligations entered into [in five previous treaties described in this article] to settle, by pacific means, controversies of an international character that may arise between them."

Article 2: "The high contracting parties... agree that in all matters which affect peace on the continent, such consultation and cooperation shall have as their object to assist, through the tender of friendly good offices and of mediation, the fulfillment by the American Republics of existing obligations for pacific settlement, and to take counsel together..."

Article 3: "In case of threat of war, the high contracting parties shall apply the provisions contained in Articles 1 and 2 of the Convention for the Maintenance, Preservation and Reestablishment of peace, above referred to, it being understood that, while such consultation is in progress and for a period of not more than six months, the parties in dispute will not have recourse to hostilities or take any military action whatsoever."

Article 4: "The high contracting parties further agree that, in the event of a dispute between two or more of them, they will seek to settle it in a spirit of mutual regard for their respective rights, having recourse for this purpose to direct diplomatic negotiation or to the alternative procedures of mediation, commissions of inquiry, commissions of conciliation, tribunals of arbitration, and courts of justice, as provided in the treaties to which they may be parties..."

References
• Ireland (1938, 1941)
• Ratifications: <http://www.oas.org/juridico/english/sigs/b-16.html>

Rio Pact

Dates of Qualification: 12/1948 - present

• Established by the Inter-American Treaty of Reciprocal Assistance (Rio Pact), which was signed 2 September 1947 at Rio de Janeiro and entered into force on 3 December 1948 once two-thirds of all signatories has deposited their ratification instruments with the Pan American Union

• Cuba is coded as leaving the Rio Pact in January of 1962, although technically Cuba remains a member. Cuba was excluded from all participation in the inter-American system at this time (during the Eighth Meeting of Consultation of Ministers of Foreign Affairs, held in Punta del Este) for incompatibility with the principles of the OAS Charter, which effectively renders Cuba's membership meaningless.

• Peru denounced the treaty on 22 January 1990, but withdrew the denunciation on 16 December 1991. Peru is not coded as leaving the treaty and returning because Article 25 of the treaty provides that denunciations require two years before they take effect.

• Mexico denounced the treaty on 6 September 2002, but (as of July 2006) has not yet withdrawn from it.

Pacific Settlement?: Yes

Territorial Integrity?: No

Qualifying Document(s)

Inter-American Treaty for Reciprocal Assistance

Article 1: "The High Contracting Parties formally condemn war and undertake in their international relations not to resort to the threat or the use of force in any manner inconsistent with the provisions of the Charter of the United Nations or of this Treaty."

Article 2: "As a consequence of the principle set forth in the preceding Article, the High Contracting Parties undertake to submit every controversy which may arise between them to methods of peaceful settlement and to endeavor to settle any such controversy among themselves by means of the procedures in force in the Inter-American System before referring it to the General Assembly or the Security Council of the United Nations."

Article 7: "In the case of a conflict between two or more American States, without prejudice to the right of self-defense in conformity with Article 51 of the Charter of the United Nations, the High Contracting Parties, meeting in consultation shall call upon the contending States to suspend hostilities and restore matters to the statu quo ante bellum, and shall take in addition all other necessary measures to reestablish or maintain inter-American peace and security and for the solution of the conflict by peaceful means. The rejection of the pacifying action will be considered in the determination of the aggressor and in the application of the measures which the consultative meeting may agree upon."

References

• Official web site: <http://www.oas.org/>

--Rio Pact <http://www.oas.org/juridico/english/treaties/b-29.html>

--signatories <http://www.oas.org/en/prog/juridico/english/Sigs/b-29.html>

--Rio Pact amendment <http://www.oas.org/juridico/english/treaties/b-29(1).htm>

--signatories <http://www.oas.org/juridico/english/sigs/b-29(1).html>

• G. Pope Atkins (1989). *Latin America in the International Political System.* Boulder, CO: Westview Press. [discussion of the evolution of the Interamerican system, chapter 8]

• John Child (1980). *Unequal Alliance: The Inter-American Military System, 1938-1978.* Boulder, CO:

Westview Press. [entire book on the military system, including the Rio Pact]
• Additional signature and ratification of the Rio Pact was obtained from the UN Treaty Series.

OAS

Dates of Qualification: 12/1951 - present
• Established by the Charter of the Organization of American States, signed at Bogota on 30 April 1948; came into force on 13 December 1951, when two-thirds of all signatory states had deposited their ratifications with the Pan American Union
--(the charter has subsequently been amended in 1967, 1985, 1992, and 1993)
• All signatories are coded as members from the organization's official entry into force, including six who would not ratify their OAS signatures for several more years: Argentina (ratified 5/10/56), Chile (6/5/53), Cuba (7/16/52), Guatemala (4/6/55), Peru (2/12/54), and Uruguay (9/1/55).
• Cuba is coded as leaving the OAS in January of 1962, although technically Cuba remains a member. Cuba was excluded from all participation in the inter-American system at this time (during the Eighth Meeting of Consultation of Ministers of Foreign Affairs, held in Punta del Este) for incompatibility with the principles of the OAS Charter, which effectively renders Cuba's membership meaningless.

Pacific Settlement?: Yes

Territorial Integrity?: Yes (all); see Article 21

Qualifying Document(s)
Charter of the Organization of American States (Charter of Bogotá)
Article 3 (g): "Controversies of an international character between two or more American States shall be settled by peaceful procedures."

Article 21: "The territory of a State is inviolable; it may not be the object, even temporarily, or military occupation or of other measures of force taken by another State, directly or indirectly, on any grounds whatever. No territorial acquisitions or special advantages obtained either by force or by other means of coercion shall be recognized." [territorial integrity]

Article 23: "All international disputes that may arise between American States shall be submitted to the peaceful procedures set forth in this Charter, before being referred to the Security Council of the United Nations"

Article 24: "The following are peaceful procedures: direct negotiation, good offices, mediation, investigation and conciliation, judicial settlement, arbitration, and those which the parties to the dispute may especially agree upon at any time."

Article 25: "In the event that a dispute arises between two or more American States which, in the opinion of one of them, cannot be settled through the usual diplomatic channels, the parties shall agree on some other peaceful procedure that will enable them to reach a solution."

Article 26: "A special treaty will establish adequate procedures for the pacific settlement of disputes and will determine the appropriate means for their application, so that no dispute between American States shall fail of definitive settlement within a reasonable period."

References
• Official OAS web site: <http://www.oas.org/>
--OAS charter: <http://www.oas.org/juridico/english/charter.html>

--signatories <http://www.oas.org/juridico/english/Sigs/a-41.html>

• OAS (1981). *The OAS and the Evolution of the Inter-American System*. Washington, D.C.: OAS Department of Public Information. [list of members with dates of deposit of ratification instrument for OAS charter, p. 33]

• Additional information on signature and ratification of the OAS charter was obtained from the UN Treaty Series

Pact of Bogotá

Dates of Qualification: 5/1949 - present
• Signed in Bogotá at the Ninth International Conference of American States on 30 April 1948; entered into effect on 6 May 1949
• The Pact is only considered in force for signatories that have deposited formal instruments of ratification; simply signing the Pact is not enough
--a number of countries have signed but not ratified the Pact: Argentina (signed 4/30/1948), Bolivia (4/30/1948), Cuba (4/30/1948), Ecuador (4/30/1948), Guatemala (4/30/1948), United States (4/30/1948), Venezuela (4/30/1948)
• The date given for each country is the date on which the instrument of ratification was deposited, according to the OAS web site
--this often differs from the date on which the Pact was ratified, usually by one-three months, with two longer exceptions: Chile (8/21/1967 - 4/15/1974) and Haiti (8/21/1950 - 3/28/1951)

• This Pact replaces a number of earlier Inter-American agreements for states that have signed and ratified it. Many of these treaties are also included in the MTOPS data, and are considered to be ongoing for the affected states because they remain valid for relations with other states that have not yet signed and ratified the Pact of Bogotá. Affected treaties include:
--5/3/1923 Treaty to Avoid or Prevent Conflicts between the American States (Gondra)
--1/5/1929 General Convention of Inter-American Conciliation
--1/5/1929 General Treaty of Inter-American Arbitration and Additional Protocol of Progressive Arbitration
--12/26/1933 Additional Protocol to the General Convention of Inter-American Conciliation
--10/10/1933 Anti-War Treaty of Non-Aggression and Conciliation (Saavedra Lamas)
--12/23/1936 Convention to Coordinate, Extend, and Assure the Fulfillment of the Existing Treaties between the American States
--12/23/1936 Inter-American Treaty on Good Offices and Mediation
--12/23/1936 Treaty on the Prevention of Controversies

Pacific Settlement?: Yes

Territorial Integrity?: No

Qualifying Document(s)
American Treaty on Pacific Settlement (Pact of Bogotá)
Chapter 1 (Articles I-VIII): General Obligation to Settle Disputes by Pacific Means
Article I: "The High Contracting Parties, solemnly reaffirming their commitments made in earlier international conventions and declarations, as well as in the Charter of the United Nations, agree to refrain from the threat or the use of force, or from any other means of coercion for the settlement of their controversies, and to have recourse at all times to pacific procedures."

Chapter 2 (Articles IX-XIV): Procedures of Good Offices and Mediation
Chapter 3 (Articles XV-XXX): Procedure of Investigation and Conciliation
Chapter 4 (Articles XXXI-XXXVII): Judicial Procedure
Chapter 5 (Articles XXXVIII-XLIX): Procedure of Arbitration
Chapter 6 (Article L): Fulfillment of Decisions
Chapter 7 (Article LI): Advisory Opinions
Chapter 8 (Articles LII-LX): Final Provisions

References

• Treaty on Pacific Settlement / Pact of Bogota (in Spanish):
<http://www.oas.org/en/prog/juridico/spanish/tratados/a-42.html>
--list of signatories, ratifications, and objections:
<http://www.oas.org/juridico/spanish/firmas/a-42.html>
• The Pact of Bogotá (American Treaty on Pacific Settlement) is also available online (in English) through the Avalon Project at Yale:
<http://www.yale.edu/lawweb/avalon/intdip/interam/intam09.htm>
• G. Pope Atkins (1989). *Latin America in the International Political System*. Boulder, CO: Westview Press. [discussion of the evolution of the Interamerican system, chapter 8]

Andean Community (CAN)

Dates of Qualification: 12/1989 - present
• The Andean Community of Nations (CAN) was first created by the 16 August 1966 Cartagena Agreement, although that agreement did not contain any provisions that qualify for the MTOPS data set.
• The 1989 Galápagos Declaration is the first CAN document that qualifies; it has subsequently been followed by several more detailed efforts along the same lines, notably the 2002 Lima Commitment and 2004 Declaration of San Francisco de Quito.

Pacific Settlement?: Yes

Territorial Integrity?: Yes (all) -- Declaration of Galápagos Article 12. Lima Commitment Article 1

Qualifying Document(s)
Cartagena Agreement / Andean Subregional Integration Agreement (16 August 1966)
• The preamble to this agreement lists peace as one of the founding principles ("Based on the principles of equality, justice, peace, solidarity, and democracy"), but the agreement focuses on economic and social issues. The agreement includes several references to dispute settlement, but it is not clear on whether the provisions for dispute settlement are limited to disputes over the agreement itself; because there is no mention to the use of force or peace in the 139 articles of the treaty, I believe that these provisions are indeed limited in this way. One example of this is Article 36 ("In proceedings where the interests of two or more Member Countries are in dispute, the Secretary General shall enjoy the technical assistance of special experts, whose appointment and method of participation shall be determined according to the General Secretariat Regulations.") The other is in Chapter XX ("Temporary Provisions"): "Third. The Andean Community Commission may establish an arbitrational mechanism to settle disputes among Member Countries that extend beyond the General Secretariat's decision."
• *Sucre Protocol* (25 June 1997): This protocol modifies the Cartagena Agreement, but it does not appear to add any new provisions that would qualify for MTOPS. The only potentially relevant change is to the wording of the third temporary provision in the original agreement, which now reads "Third: The Andean Community Commission may set up an arbitration mechanism for settling disputes between member Countries that continue to exist after the General Secretariat has handed down its judgment."

Declaration of Galápagos: Andean Commitment to Peace, Security, and Cooperation (18 December 1989)
"The Presidents of Bolivia, Colombia, Ecuador, Peru, and Venezuela...
12. Recognizing the singular and decisive importance of all the principles set forth in the United Nations Charter and the Charter of the Organization of American States, including the following:
a. Abstention from the use or threat of force against the territorial integrity or political independence of states
b. Pacific settlement of disputes (...)
Agree in the following declaration to...
2. Reaffirm their commitment to secure peace and cooperation in the Subregion and observe in their relations the principles on the prohibition of the use or threat of force, on the pacific settlement of conflicts, respect for national sovereignty, and compliance with the obligations arising from international legal instruments, as well as to abstain from actions against the territorial integrity, political independence, or unity of any of the states."

Lima Commitment / Andean Charter for Peace and Security (17 June 2002)
I. Principles for Formulating an Andean Community Security Policy

"The Member States of the Andean Community reaffirm their commitment and adherence to the purposes and principles of the United Nations Charter and the Charter of the Organization of American States and to the formulation of a Community policy on security and confidence-building based on the following principles: (...)
4. Abstention from the use or threatened use of force in their reciprocal relations
5. Peaceful settlement of disputes
6. Respect for the territorial integrity and sovereignty of each Member State."

II. Commitment to the Formulation of an Andean Community Security Policy
"The Member States of the Andean Community agree to:
1. Reaffirm their commitment to peace, security, renunciation of the use of threatened use of force, the peaceful settlement of disputes and respect for international law."

III. Commitment to Establish a Peace Zone in the Andean Community
"The Andean Community Member States agree to:
1. Establish the mechanisms and criteria for instituting a Peace Zone in the Andean Community in conformity with the agreement adopted by the Heads of State in the Act of Carabobo, as a guarantee of the peace and security of which the Andean governments assure their nations.
2. The Andean Community Peace Zone covers the area comprising the territories, airspaces and waters under the sovereignty and jurisdiction of Bolivia, Colombia, Ecuador, Peru and Venezuela.
3. In the Andean Community Peace Zone:
- The use or threatened use of force between Member States is prohibited, pursuant to the applicable provisions of the United Nations Charter and the Charter of the Organization of American States."

Declaration of San Francisco de Quito on the Establishment and Development of an Andean Peace Area (12 July 2004)
The Presidents... do hereby agree as follows:
"1. To establish a Peace Area in the Andean Community, within the geographical space comprising the territories, air space and waters under the sovereignty and jurisdiction of Bolivia, Colombia, Ecuador, Peru and Venezuela, as a nuclear, chemical, and biological weapons-free area, in which the necessary conditions will be developed to enable a peaceful and agreeable solution of conflicts of any nature whatsoever, as well as the causes thereof."

Objectives
"2. Ensure compliance with the prohibition to use or threaten to use force among the Member Countries.
3. Encourage, within the Andean Community, the prevention and peaceful solution of conflicts of any nature whatsoever."

References
• Official CAN web site: <http://www.comunidadandina.org/>
--Members: <http://www.comunidadandina.org/INGLES/who.htm>
--Cartagena Agreement:
<http://www.comunidadandina.org/INGLES/normativa/ande_trie1.htm>
--Lima Commitment:
<http://www.comunidadandina.org/INGLES/documentos/documents/compromiso_lima.htm>
--Declaration of Galápagos:
<http://www.oas.org/csh/english/documents/cp09144e09.doc>

EUROPEAN TREATIES
German Confederation

Dates of Qualification: 1/1816 - 8/1866
• Established by an Act of Confederation that was signed on 8 June 1815 and was attached to the Final Act of the Congress of Vienna (coded in this data set as beginning on 1 January 1816, the date on which the COW interstate system began).
--dissolved following the Seven Weeks War (Austro-Prussian War).
• A number of other entities were members of the confederation. Several of these later joined the COW system, long after the end of the confederation (Luxembourg and Liechtenstein). Several dozen others were small entities that did not qualify for system membership (e.g. Mecklenburg-Strelitz, Anhalt-Dessau, Brunswick-Lüneburg, and the free cities of Lübeck, Frankfurt am Main, Bremen, and Hamburg).
• The ATOP codesheet for this alliance notes that it was suspended on 3/31/1848 due to the 1848 revolutions and Austro-Prussian conflict, although reinstated on 11/29/1850; it was terminated for good due to the Seven Weeks War between Austria, Prussia, and their respective allies. Hanover and Mecklenburg-Schwerin were original members but didn't join the COW system until 1838 and 1843. The terms changed a bit on 5/15/1820 with the Final Act of the Congress of Vienna, but that doesn't affect the confederation's qualification for MTOPS.

Pacific Settlement?: Yes

Territorial Integrity?: No

Qualifying Document(s)
Congress of Vienna
Article LXIII, Congress of Vienna (Article XI of 1820 Final Act): "The Confederated States engage, in the same manner, not to make war against each other, on any pretext, nor to pursue their differences by force of arms, but to submit them to the Diet, which will attempt a mediation by means of a commission. If this should not succeed, and a juridical sentence becomes necessary, recourse shall be had to a well organized *Austregal* court, to the decision of which the parties are to submit without appeal."

Article XVIII, 1820 Final Act: "As concord and peace are to be maintained and undisturbed among the members of the Confederation, if the internal tranquility and security of the Confederation be in any way threatened or disturbed, the Diet has to take counsel upon the measures of preserving or re-establishing them, and to pass the resolutions adopted thereto."

Article XXI, 1820 Final Act: "In all differences between Members of the Confederation submitted to the Diet by virtue of the Federal Act, the Diet shall first try the way of conciliation by means of a Committee. If the differences cannot be settled in this way the Diet has to produce the decision of it by an Arbitration Court (...)"

References
• *Consolidated Treaty Series*
• ATOP alliance data

Locarno

Dates of Qualification: 10/1925 - 3/1936

• This is one of five related treaties that were signed at Locarno in October 1925 (formally signed in London in December) to settle borders, renounce the offensive use of force, and call for arbitration of differences. While seven states were involved in the Locarno treaties (France, Germany, Belgium, Britain, Italy, Poland, and Czechoslovakia), they were divided across five treaties, only one of which had enough signatories to qualify for this data set:

--(1) Treaty of Mutual Guarantee (signed by France, Germany, Belgium, Britain, Italy)
--(2) a bilateral Germany-France Arbitration Convention
--(3) a bilateral Germany-Belgium Arbitration Convention
--(4) a bilateral Germany-Czechoslovakia Arbitration Treaty
--(5) a bilateral Germany-Poland Arbitration Treaty.

• This treaty is coded as ending on 7 March 1936, when Germany denounced the treaty after remilitarizing the Rhineland. After Germany pulled out, the remaining four member states reaffirmed their obligations on 3/19/1936, but at that point the pact could only be described as a military alliance protecting Belgium; the provisions for territorial integrity and for peaceful dispute settlement all involved Germany, which was no longer a member state.

Pacific Settlement?: Yes

Territorial Integrity?: Yes (all)

Qualifying Document(s)

Treaty of Mutual Guarantee between Germany, Belgium, France, Great Britain and Italy; ("Locarno Pact," signed October 16, 1925)

Article 1

"The High Contracting Parties collectively and severally guarantee, in the manner provided in the following Articles, the maintenance of the territorial status quo resulting from the frontiers between Germany and Belgium and between Germany and France, and the inviolability of the said frontiers as fixed by or in pursuance of the Treaty of Peace signed at Versailles on June 28, 1919, and also the observance of the stipulations of Articles 42 and 43 of the said treaty concerning the demilitarized zone."

Article 2

"Germany and Belgium, and also Germany and France, mutually undertake that they will in no case attack or invade each other or resort to war against each other.

This stipulation shall not, however, apply in the case of:

(1) The exercise of the right of legitimate defense, that is to say, resistance to a violation of the undertaking contained in the previous paragraph or to a flagrant breach of Articles 42 or 43 of the said Treaty of Versailles, if such breach constitutes an unprovoked act of aggression and by reason of the assembly of armed forces in the demilitarized zone immediate action is necessary;

(2) Action in pursuance of Article 16 of the Covenant of the League of Nations;

(3) Action as the result of a decision taken by the Assembly or by the Council of the League of Nations or in pursuance of Article 15, paragraph 7, of the Covenant of the League of Nations, provided that in this last event the action is directed against a State which was the first to attack."

Article 3

"In view of the undertakings entered into in Article 2 of the present treaty, Germany and Belgium, and

Germany and France, undertake to settle by peaceful means and in the manner laid down herein all questions of every kind which may arise between them and which it may not be possible to settle by the normal methods of diplomacy:

Any question with regard to which the Parties are in conflict as to it respective rights shall be submitted to judicial decision, and the parties undertake to comply with such decision.

All other questions shall be submitted to a conciliation commission. If the proposals of this commission are not accepted by the two Parties, question shall be brought before the Council of the League of Nations, which will deal with it in accordance with Article 15 of the covenant of the League.

The detailed arrangements for effecting such peaceful settlement are the subject of special Agreements signed this day."

Article 4

"(1) If one of the High Contracting Parties alleges that a violation of Article 2 of the present Treaty or a breach of Articles 42 or 43 of the treaty of Versailles has been or is being committed, it shall bring the question at once before the Council of the League of Nations.

(2) As soon as the Council of the League of Nations is satisfied that violation or breach has been committed, it will notify its finding without delay to the Powers signatory of the present Treaty, who severally agree that in such case they will each of them come immediately to the assistance of the Power against whom the act complained of is directed.

(3) In case of a flagrant violation of Article 2 of the present Treaty or of a flagrant breach of Articles 42 or 43 of the Treaty of Versailles by one of the High Contracting Parties, each of the other Contracting Parties hereby undertakes immediately to come to the help of the Party against whom such a violation or breach has been directed as soon as the said Power has been able to satisfy itself that this violation constitutes an unprovoked act of aggression and that by reason either of the crossing of the frontier or of the outbreak of hostilities or of the assembly of armed forces in the demilitarized zone immediate action is necessary. Nevertheless, the Council of the League of Nations, which will be seized of the question in accordance with the first paragraph of this Article, will issue its findings, and the High Contracting Parties undertake to act in accordance with the recommendations of the Council, provided that they are concurred in by all the Members other than the representatives of the Parties which have engaged in hostilities."

Article 5

"The provisions of Article 3 of the present Treaty are placed under the guarantee of the High Contracting Parties as provided by the following stipulations:

If one of the Powers referred to in Article 3 refuses to submit a dispute to peaceful settlement or to comply with an arbitral or judicial decision and commits a violation of Article 2 of the present Treaty or a breach of Articles 42 or 43 of the Treaty of Versailles, the provisions of Article 4 of the present Treaty shall apply.

Where one of the Powers referred to in Article 3, without committing a violation of Article 2 of the present Treaty or a breach of Articles 42 or 43 of the Treaty of Versailles, refuses to submit a dispute to peaceful settlement or to comply with an arbitral or judicial decision, the other Party shall bring the matter before the Council of the League of Nations, and the Council shall propose what steps shall be taken; the High Contracting Parties shall comply with these proposals."

References

• The treaty is available online through the Avalon Project at Yale:
<http://www.yale.edu/lawweb/avalon/intdip/formulti/locarno_001.htm>

Litvinov Protocol

Dates of Qualification: 2/1929 - 9/1939

• Established by the Treaty of the Renunciation of War, signed by Russia, Poland, Estonia, Latvia, and Romania on 9 February 1929. Turkey subsequently joined on 27 February 1929, Persia did on 3 April 1929, and Lithuania did on 5 April 1929.

--It is unclear when this treaty ends. The ATOP alliance data codes the associated alliance (a non-aggression pact) as ending 17 September 1939 with the Russian invasion of Poland, which appears to be the most reasonable date.

• This treaty was essentially an early application of the Kellogg-Briand Pact discussed above.

Pacific Settlement?: Yes

Territorial Integrity?: No

Qualifying Document(s)

Treaty of the Renunciation of War

Article I: "The parties solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies, and renounce it as an instrument of national policy in their relations with one another."

Article II: "The parties agree that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means."

References

• Time magazine (2/18/1929). "Litvinov's Protocol" *Time* 18 February 1929.

• New York Times, various.

• Alfonsas Eidintas, Vytautas Zalys, and Alfred Erich Senn (1997). *Lithuania in European Politics: The Years of the First Republic, 1918-1940*, ed. Edvardas Tuskenis. New York: St. Martin's Press. [p.148: confirmation of Lithuanian signature.]

• "Chronology 1929." League of Nations Archive, Center for the Study of Global Change, Indiana University. <http://www.indiana.edu/~league.1929.htm> (accessed 19 July 2006). [date of Persian signature]

• ATOP alliance data codesheet, alliance #2240.

WEU

Dates of Qualification: 8/1948 - present

• Established by the Treaty of Economic, Social, and Cultural Collaboration and Collective Self-Defense (Brussels Treaty), which was signed on 17 March 1948 at Brussels and came into effect on 25 August 1948 (this treaty was subsequently modified by the 23 October 1954 "Protocol Modifying and Completing the Brussels Treaty").

Pacific Settlement?: Yes

Territorial Integrity?: No

Qualifying Document(s)

Brussels Treaty (1948 "Treaty of Economic, Social, and Cultural Collaboration and Collective Self-Defense", following 1954 modifications)

Article 8 (3): "At the request of any of the High Contracting Parties the Council shall be immediately convened in order to permit Them to consult with regard to any situation which may constitute a threat to peace, in whatever area this threat should arise, or a danger to economic stability." [Article 7 in original 1948 treaty]

Article 10: "In pursuance of their determination to settle disputes only be peaceful means, the High Contracting Parties will apply to disputes between themselves the following provisions:..." [includes referral to International Court of Justice for all disputes within the ICJ Statute, conciliation for all disputes outside of the Statute, and priority for judicial settlement over conciliation for mixed disputes; these provisions are not to affect the application of relevant provisions or agreements prescribing other means of peaceful settlement] [Article 8 in original 1948 treaty]

References

• The WEU web site at <http://www.weu.int/eng/index.html> provides:

--list of members: <http://www.weu.int/Delegations.htm>
--1948 Brussels Treaty: <http://www.weu.int/eng/docu/brussels.htm>
--1954 protocol modifying treaty: <http://www.weu.int/eng/docu/d541023b.htm>
--modified Brussels Treaty: <http://www.weu.int/eng/docu/d541023a.htm>
--history: <http://www.weu.int/eng/info/history.htm>
and <http://www.weu.int/eng/50yrsbook/index.html>

• Additional information on signature and ratification of the Brussels Treaty was obtained from the UN Treaty Series

NATO

Dates of Qualification: 8/1949 - present

• Established by the 4 April 1949 North Atlantic Treaty, signed in Washington, D.C., which entered into effect on 24 August 1949

• Note that Russia signed a treaty in May 2002 for a special relationship with NATO, but that this treaty does not qualify Russia for membership in the organization.

Pacific Settlement?: Yes

Territorial Integrity?: No

Qualifying Document(s)

North Atlantic Treaty (signed 4/4/1949 at Washington, D.C.)

Article 1: "The Parties undertake, as set forth in the Charter of the United Nations, to settle any international dispute in which they may be involved by peaceful means in such a manner that international peace and security and justice are not endangered, and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations."

References

• The NATO web site at <http://www.nato.int/> provides:

--North Atlantic Treaty: <http://www.nato.int/docu/basictxt/treaty.htm>

--list of members: <http://www.nato.int/structur/countries.htm>

--ratification of membership protocol: <http://www.nato.int/docu/facts/rati.htm>

• Another list of members, including the months and dates of joining, is online at Wikipedia:

<http://en.wikipedia.org/wiki/Nato#Membership>

• Additional information on signature and ratification of the North Atlantic Treaty was obtained from the UN Treaty Series

Warsaw Pact

Dates of Qualification: 6/1955 - 7/1991

• Established by the "Treaty of Friendship, Cooperation, and Mutual Assistance between the People's Republic of Albania, the People's Republic of Bulgaria, the Hungarian People's Republic, the German Democratic Republic, the Polish People's Republic, the Rumanian People's Republic, the Union of Soviet Socialist Republics, and the Czechoslovak Republic" (or Warsaw Security Pact),which was signed on 14 May 1955 and entered into force on 6 June 1955

--the end date of July 1991 reflects an agreement by the remaining members to dissolve the Pact; all joint military functions had already ceased in March 1991

Pacific Settlement?: Yes

Territorial Integrity?: No

Qualifying Document(s)

Warsaw Treaty (signed 5/14/1955)

Article 1: "The Contracting Parties undertake, in accordance with the Charter of the United Nations Organization, to refrain in their international relations from the threat or use of force, and to settle their international disputes peacefully and in such manner as will not jeopardize international peace and security."

References

The Warsaw Pact is available online through the Avalon Project at Yale:
<http://www.yale.edu/lawweb/avalon/intdip/soviet/warsaw.htm>

Council of Europe / Strasbourg Treaty

Dates of Qualification: 4/1958 - present

COE (General)

• Established by the Statute of the Council of Europe, which was signed on 5 May 1949 at London and entered into effect on 3 August 1949 once seven of ten signatories had deposited their instruments of ratification

• Note: the COE technically doesn't qualify for this data set because of its lack of calls for the pacific settlement of political disputes. It is included here, though, because many COE members have signed & ratified the 1957 Strasbourg treaty (immediately following); it is up to the user of this data set to decide whether to use the COE, the Strasbourg treaty, or both.

• Members reentering after leaving:

--Greece

--Russia: in April 2000, the COE parliamentary council called on the council of ministers to suspend Russia unless Russia immediately halted human rights abuses in the Chechnya war. The threat was not carried out, though, beyond suspending Russian voting rights; a May 2000 meeting of COE foreign ministers did not mention any specific penalties such as suspension of membership, and welcomed Russia's efforts to respond to Western criticism of the Chechnya situation. Russia's voting rights were restored by an overwhelming vote in January 2001.

--Ukraine: the Parliamentary Assembly of the Council of Europe (PACE) in April 20001 called for the Ukraine to be expelled on the basis of performance in human and democratic rights. Ukraine was not suspended or expelled, though, and subsequent meetings with the Ukrainian government diminished the criticism as the government was seen as complying with most COE requests.

• Special membership status

--"special guests" to the Parliamentary Assembly: Armenia (from 1/26/1996), Azerbaijan (from 6/28/1996), Bosnia and Herzegovina (from 1/28/1994)

--observers to the Committee of Ministers: Canada (from 5/29/1996), Holy See (from 3/7/1970), Japan (from 11/20/1996), Mexico (from 12/1/1999), USA (from 1/10/1996)

--observers to the Parliamentary Assembly: Canada (from 5/28/1997), Israel (from 12/2/1957), Mexico (from 11/4/1999)

Strasbourg Treaty

• Signed 4/29/1957; entered into force 30 April 1958

• The Strasbourg Treaty was signed under the Council of Europe, although not all COE members have signed or ratified it.

Pacific Settlement?: Yes (Strasbourg Treaty only)

Territorial Integrity?: No

Qualifying Document(s)

Statute of the Council of Europe

Chapter I – Aim of the Council of Europe

Article 1

"1. The aim of the Council of Europe is to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and facilitating their economic and social progress.

2. This aim shall be pursued through the organs of the Council by discussion of questions of common

concern and by agreements and common action in economic, social, cultural, scientific, legal and administrative matters and in the maintenance and further realization of human rights and fundamental freedoms.
3. Participation in the Council of Europe shall not affect the collaboration of its members in the work of the United Nations and of other international organizations or unions to which they are parties.
4. Matters relating to national defense do not fall within the scope of the Council of Europe."

Strasbourg Convention ("European Convention for the Peaceful Settlement of Disputes")
Preamble: "The governments signatory hereto, being members of the Council of Europe, ...Resolved to settle by peaceful means any disputes which may arise between them, Have agreed as follows:"

Chapter 1 (Articles 1-3): Judicial Settlement
Chapter 2 (Articles 4-18): Conciliation
Chapter 3 (Articles 19-26): Arbitration
Chapter 4 (Articles 27-41): General Provisions

References
• The Council of Europe web site at <http://www.coe.int/> provides:
--COE statute: <http://conventions.coe.int/Treaty/en/Treaties/Html/001.htm>
--members: <http://www.coe.int/T/E/Com/About_Coe/Member_states/default.asp>
--signatures and ratifications: <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=001&CM=10&DF=7/20/2006&CL=ENG>
• The COE web site also provides details on the Strasbourg Treaty:
--treaty: <http://conventions.coe.int/Treaty/en/Treaties/Html/023.htm>
--signatures and ratifications: <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=023&CM=8&DF=7/20/2006&CL=ENG>
--reservations: <http://conventions.coe.int/Treaty/Commun/ListeDeclarations.asp?NT=023&CM=8&DF=7/20/2006&CL=ENG&VL=1>

OSCE / CSCE / Helsinki Final Act

Dates of Qualification: 8/1975 - present (Helsinki Final Act)

CSCE/OSCE (general)

• The CSCE was first established with the 8 June 1973 "Final Recommendations of the Helsinki Consultations" (or "Blue Book") which addressed the scope and rules of procedure for the Conference; the membership list on the official OSCE web site dates admission of the original members to 25 June 1973

--the CSCE formally opened with a meeting of 35 foreign ministers in Helsinki from 3-9 July 1973, where the Blue Book was formally adopted

• Yugoslavia (Serbia and Montenegro) was excluded from OSCE participation in July 1992

• Note: the CSCE/OSCE technically doesn't qualify for this data set because of its lack of calls for the pacific settlement of political disputes. It is included here, though, because most (but not all) members have signed & ratified the 1975 Helsinki Final Act (see below); it is up to the user of this data set to decide whether to use the OSCE, the Helsinki Final Act, or both.

Helsinki Final Act

• The Helsinki Final Act was signed 1 August 1975 under the CSCE; the official OSCE web site lists original signatures to 1 August

• Yugoslavia (Serbia and Montenegro) was excluded from OSCE participation in July 1992

• The Helsinki Final Act was signed under the CSCE, although not all CSCE/OSCE members have signed or ratified it.

--a few states have joined the OSCE without signing or ratifying the Helsinki Final Act: Andorra (joined April 1996), Czech Republic (January 1993), Macedonia (December 1995), and Slovakia (January 1993)

• The 1990 Charter of Paris for a New Europe formalizes or extends a number of elements from the Helsinki Final Act, but it is not given a separate entry here because of the close overlap in purpose and signatory states.

Pacific Settlement?: Yes (Helsinki Final Act only)

Territorial Integrity?: Yes (all) -- Helsinki Final Act only

Qualifying Document(s)

Helsinki Final Act

"Declaration on Principles Guiding Relations between Participating States" (section 1a under "Questions relating to Security in Europe")

Point II - Refraining from the threat or use of force: "The participating states will refrain in their mutual relations, as well as in their international relations in general, from the threat or use of force against the the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations and with the present Declaration. No consideration may be invoked to serve to warrant resort to the threat or use of force in contravention of this principle.

Accordingly, the participating States will refrain from any acts constituting a threat of force or direct or indirect use of force against another participating State. Likewise they will refrain from any manifestation of force for the purpose of inducing another participating State to renounce the full exercise of its sovereign rights. Likewise they will also refrain in their mutual relations from any act of reprisal by force.

No such threat or use of force will be employed as a means of settling disputes, or questions likely to give rise to disputes, between them."

Point III - Inviolability of frontiers: "The participating states regard as inviolable all one another's frontiers

as well as the frontiers of all States in Europe and therefore they will refrain now and in the future from assaulting these frontiers.

Accordingly, they will also refrain from any demand for, or act of, seizure and usurpation of part or all of the territory of any participating State." [territorial integrity]

Point IV - Territorial integrity of states: "The participating States will respect the territorial integrity of each of the participating States.

Accordingly, they will refrain from any action inconsistent with the purposes and principles of the Charter of the United Nations against the territorial integrity, political independence or the unity of any participating State, and in particular from any such action constituting a threat or use of force.

The participating States will likewise refrain from making each other's territory the object of military occupation or other direct or indirect measures of force in contravention of international law, or the object of acquisition by means of such measures or the threat of them. No such occupation or acquisition will be recognized as legal." [territorial integrity]

Point V - Peaceful settlement of disputes: "The participating States will settle disputes among them by peaceful means in such a manner as not to endanger international peace and security, and justice.

They will endeavor in good faith and a spirit of cooperation to reach a rapid and equitable solution on the basis of international law.

For this purpose they will use such means as negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement or other peaceful means of their own choice including any settlement procedure agreed to in advance of disputes to which they are parties.

In the event of failure to reach a solution by any of the above peaceful means, the parties to a dispute will continued to seek a mutually agreed way to settle the dispute peacefully.

Participating States, parties to a dispute among them, as well as other participating States, will refrain from any action which might aggravate the situation to such a degree as to endanger the maintenance of international peace and security and thereby make a peaceful settlement of the dispute more difficult."

References

• The OSCE web site at <http://www.osce.org/> provides the following:

--list of members: <http://www.osce.org/about/13131.html>

--Helsinki Final Act: <http://www.osce.org/e/docs/summits/helfa75e.htm>

--history: <http://www.osce.org/publications/handbook/2.htm>

Commonwealth of Independent States (CIS)

Dates of Qualification: 12/1991 - present

• The CIS was initially created by the 12/8/1991 Minsk "Declaration by the Heads of State of the Republic of Belarus, the Russian Soviet Federative Socialist Republic, and Ukraine" and "Agreement Establishing the Commonwealth of Independent States", and initially included Belarus, Russia, & Ukraine. The creation of the CIS was finalized at the 12/21/1991 Alma-Ata summit with the "Protocol Establishing the CIS.".

• The Alma-Ata Declaration's peaceful settlement provisions were elaborated in the Declaration on the Non-Use of Force or the Threat of Force in Relations between the CIS Member States (signed 3/201992) and the Charter of the Commonwealth of Independent States (signed 1/22/1993 at Minsk, and entered into force in January 1994). Because they cover the same basic provisions as the Alma-Ata Declaration and include almost all of the same states, though, those two documents are regarded as supplementary to the original document rather than as new MTOPS treaties or institutions.

• CIS Collective Security Treaty (1992): Nine members of the former Soviet Union signed this treaty in 1992. Six of them (Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia and Tajikistan) signed a renewal of the treaty in 2002 that created the Collective Security Organization as a separate entity, while the other three (Azerbaijan, Georgia and Uzbekistan) declined to do so, and thus left the organization. This treaty does not qualify for MTOPS because it only addresses the peaceful settlement of issues related to the treaty itself. Article 9: "Any questions which may arise among the (parties) regarding their interpretation or implementation of this treaty shall be settled jointly in the spirit of friendship, mutual respect and mutual understanding..."

Pacific Settlement?: Yes

Territorial Integrity?: Yes (all)

Qualifying Document(s)

Alma-Ata Declaration (signed 12/21/1991)

Preamble: "The independent states... seeking to build democratic, law-governed states, the relations between which will develop on the basis of... the rejection of the use of force, the threat of force and economic and any other means of pressure, a peaceful settlement of disputes...; recognizing and respecting each other's territorial integrity and the inviolability of the existing borders; ...are making the following statement..."

Declaration on the Non-Use of Force or the Threat of Force in Relations between the CIS Member States (signed 3/23/1992)

"The Commonwealth member states:

--noting that rejection of using force or threatening its use, which is enshrined in the UN Charter and the CSCE Final Act, is an obligation which all states must observe,

--confirming their obligations to tackle all contentious problems by exclusively peaceful means, as was stated by the CIS heads of state in Alma-Ata on 21 December 1991 and in Minsk on 14 February 1992,

--with the aim of ending bloodshed and localizing and averting tension,

--and guided by the desire of the peoples of the Commonwealth for peace, security, and good-neighborliness, declare as follows:

Member states

1. Do not permit the use of force of the threat of its use

6. In the event of disputes arising between them, they will apply their efforts conscientiously and in a spirit of cooperation to reach a fair decision based on international law, within a short period of time.

To these ends, they will use such means for the peaceful settlement of disputes as talks, investigation, mediation, reconciliation, arbitration, court examination, or other peaceful means of their own choosing, including any procedure for settlement that was agreed before the disputes occurred and to which they may have been party, and apply the principles, tenets, and norms for the peaceful settlement of disputes that have been developed within the framework of the UN Organization and the CSCE.
7. Encourage the use of various forms of people's diplomacy and public initiative with the aim or averting the threat of inter-state conflicts.
8. Support the efforts of the international community and its instruments to settle conflicts on the territory of the Commonwealth states."

Charter of the Commonwealth of Independent States (signed 1/22/1993)
Article 2: "The objectives of the Commonwealth shall be: (...)
--peaceful settlement of disputes and conflicts among the States of the Commonwealth."

Article 3: "For the achievement of the Commonwealth's objectives, the Member States shall, proceeding from the universally recognized norms of international law and the Helsinki Final Act, organize their relationships in accordance with the following interconnected principles of equal value: (...)
--respect for the sovereignty of member states, for the inalienable right of peoples to self-determination, and for the right to determine their future without external interference;
--inviolability of state borders, recognition of existing borders, and rejection of unlawful territorial acquisitions;
--territorial integrity of states and rejection of any actions aimed at dismembering another state's territory;
--the settlement of disputes by peaceful means, in order to avoid threatening international peace, security, and justice;
--the supremacy of international law in interstate relations; (...)" [territorial integrity]

Article 17: "The Member States of the Commonwealth shall refrain from actions liable to injure other Member States or lead to aggravation of latent disputes.

The Member States shall make efforts, in a spirit of good faith and cooperation, towards the just and peaceful resolution of their disagreements by means of negotiations, or the reaching of an understanding on a proper alternative procedure for dispute settlement.

Should the Member States fail to resolve a dispute through the means mentioned in the second paragraph of this Article, they may refer the matter to the Council of Heads of State."

Article 18: "The Council of Heads of State shall be empowered to recommend to the parties an appropriate procedure or methods for settling, at any stage of its evolution, a dispute whose continuation could threaten the maintenance of peace or security within the Commonwealth."

References

• Zbigniew Brzezinski and Paige Sullivan, eds. (1997). *Russia and the Commonwealth of Independent States: Documents, Data, and Analysis*. Armonk, NY: M. E. Sharpe.
• Official web site: <http://www.cis.minsk.by/main.aspx?uid=74>
--members: <http://www.cis.minsk.by/main.aspx?uid=3390>
• For more detailed information see Wikipedia:
<http://en.wikipedia.org/wiki/Commonwealth_of_independent_states>

GUAM Organization for Democracy and Economic Development

Dates of Qualification: 6/2001 - present (Yalta GUUAM Charter)
• This organization's name is an acronym for the names of the members (Georgia, Ukraine, Azerbaijan, and Moldova, all of which joined at the beginning in 1997). It was briefly known as GUUAM while Uzbekistan was a member, joining in 1999 but then leaving in May 2005.
• When the organization was founded in 1997, it did not yet qualify because it did not have an explicit treaty or agreement listing the group's principles or obligations. It qualified with the signature of the 2001 GUUAM Charter at Yalta; numerous subsequent agreements and declarations reinforce the same principles.
• Note that while Uzbekistan's departure leaves the group with only four members after 2005, the group can stay in the data set (as long as the other members keep it active) because it previously qualified.

Pacific Settlement?: Yes

Territorial Integrity?: Yes (all)

Qualifying Document(s)
Yalta GUUAM Charter (7 June 2001)
"Guided by the provisions of the United Nations Charter, the Helsinki Final Act, the Paris Charter for New Europe and the Charter for European Security of the Organization for Security and Cooperation in Europe,
(...)
Acknowledging that regional cooperation is a part of globalization processes, and may contribute to consolidation of sovereignty, independence and territorial integrity of the GUUAM member states, promote peaceful settlement of conflicts and improve well-being of their peoples..."

Principles of Cooperation of the GUUAM
"Cooperation within the GUUAM is based on the universally recognized principles and norms of international law, in particular, on the respect for sovereignty, independence, territorial integrity and non-interference in domestic affairs of the Member States."

Chisinau Declaration "In the Name of Democracy, Stability, and Development" (22 April 2005)
"The Heads of States...
Emphasizing the fact the unresolved conflicts in some of the GUUAM states undermine their sovereignty, territorial integrity and independence, complicate the full-scale implementation of democratic reforms and the economic development of the region, impact adversely on European integration process, and pose a challenge to the international community,
(...)
4. Stress the futility and destructiveness of separatism and disintegration, incompatibility of the use of force, ethnic cleansing and territorial seizures with the European experience and values, which, in particular, include ethnical and cultural diversity...
6. Pledge to support the peaceful initiatives and processes aiming at the resolution of the existing conflicts..."

Kyiv [Kiev] Declaration / Joint Declaration on the Issue of Conflict Settlement (23 May 2006)
"Guided by the purposes and principles, enshrined in the Charter of the United Nations, universally recognized norms and principles of international law, provisions of the fundamental documents of the Organization for Security and Cooperation in Europe, the Yalta Charter and the Chisinau and the Kyiv Declarations of GUAM,
(...)

Reaffirming the necessity to respect the sovereignty, territorial integrity and internationally recognized borders of states as one of the pillars of maintenance of international security,
(...)
Acknowledging the necessity to intensity conflict settlement efforts and calling upon the states and international and regional arrangements and institutions to further facilitate, within their competence, the processes of settlement of conflicts in the GUAM area,
1. Declare that settlement of conflicts on the territories of the GUAM States shall be carried out exclusively on the basis of respect to sovereignty, territorial integrity and inviolability of internationally recognized borders of these states, and is one of the priority objectives of cooperation within GUAM.
2. Stress that the territory of a state may not be a subject of acquisition or military occupation, resulting from the threat or use of force in breach of the relevant norms of international law. No territorial acquisitions and the resulting self-declared entities may be recognized as legal under any circumstances whatsoever.
3. Remind in this regard about the obligation of states of non-interference with the affairs of any other state and non-exertion of military, political, economic or any other pressure thereupon.
4. Underscore the lack of prospects and malignancy of separatism and disintegration, the incompatibility of the use of force and the practice of ethnic cleansing and territorial seizures with the universal and European values, the principles and ideals of peace, democracy, stability and regional cooperation..."

References

• Official web site: <http://www.guam.org.ua/en.phtml>
--Charter: <http://www.guam.org.ua/224.472.0.0.1.0.phtml>
--Members: <http://www.guam.org.ua/212.0.0.1.0.0.phtml>
--History: <http://www.guam.org.ua/211.0.0.1.0.0.phtml>

Stability Pact for South Eastern Europe (Balkan Stability Pact)

Dates of Qualification: 6/1999 - present

• According to the Pact's official web site, only nine of the roughly forty signatory entities are considered "countries of the region": six original signatories (Albania, Bosnia-Herzegovina, Bulgaria, Croatia, Macedonia, and Romania) as well as Serbia/Yugoslavia (10/2000), Moldova (6/2001), and Montenegro (6/2006). The Pact was co-signed by a number of other powers and institutions, including the United States, Russia, Hungary, Turkey, Canada, Japan, EU, OSCE, Council of Europe, UN, NATO, OECD, WEU, IMF, World Bank, European Investment Bank, and European Bank for Reconstruction and Development. These additional actors are not recorded by MTOPS as being bound by the treaty, because they had specific roles in the treaty (defined in Articles 17-32) and are intended more as partners, observers, or guarantors.

Pacific Settlement?: Yes

Territorial Integrity?: No

Qualifying Document(s)

Cologne Document / Stability Pact for South Eastern Europe (10 June 1999)

I. Participants, Description of Situation

"3. We will strive to achieve the objective of lasting peace, prosperity and stability for South Eastern Europe.
4. A settlement of the Kosovo conflict is critical to our ability to reach fully the objectives of the Stability Pact and to work towards permanent, long term measures for a future of peace and inter-ethnic harmony without fear of the resurgence of war."

II. Principles and Norms

"5. We solemnly reaffirm our commitment to all the principles and norms enshrined in the UN Charter, the Helsinki Final Act, the Charter of Paris, the 1990 Copenhagen Document and other OSCE documents... with a view to promoting good neighborly relations.
6. In our endeavors, we will build upon bilateral and multilateral agreements on good neighborly relations concluded by States in the region participating in the Pact, and will seek the conclusion of such agreements where they do not exist. They will form an essential element of the Stability Pact."

III. Objectives

"10. To that end we pledge to cooperate towards:
--preventing and putting an end to tensions and crises as a prerequisite for lasting stability. This includes concluding and implementing among ourselves multilateral and bilateral agreements and taking domestic measures to overcome the existing potential for conflict; (...)
--creating peaceful and good-neighborly relations in the region through strict observance of the principles of the Helsinki Final Act, confidence building and reconciliation, encouraging work in the OSCE and other fora on regional confidence building measures and mechanisms for security cooperation..."

V. Roles of and Cooperation between Participants

"23. We will rely on the OSCE institutions and instruments and their expertise... We express out intention, in cases requiring OSCE involvement with regard to the observance of OSCE principles in the implementation of the Stability Pact, to resort, where appropriate, to the instruments and procedures of the OSCE, including those concerning conflict prevention, the peaceful settlement of disputes and the human dimension. States parties to the Convention establishing the Court of Conciliation and Arbitration may also refer to the Court possible disputes and ask for the non-binding opinion of the Court."

References

• Official web site: <http://www.stabilitypact.org>

--Cologne Document: <http://www.stabilitypact.org/constituent/990610-cologne.asp>

South-East European Cooperation Process (SEECP)

Dates of Qualification: 2/2000 - present
•

Pacific Settlement?: Yes

Territorial Integrity?: Yes (all)

Qualifying Document(s)
Bucharest Charter / Charter on Good Neighborly Relations, Stability, Security, and Cooperation in Southeastern Europe (signed on 12 February 2000)
Preamble
"We, the Heads of State.
--solemnly reaffirming our unreserved commitments to the principles and the norms enshrined in the UN Charter, as well as in the Helsinki Final Act and the subsequent OSCE documents and in the relevant instruments of the Council of Europe, aiming at promoting good neighborly relations,
--determined to further work together to create in our region conditions for the prosperity of our nations in an environment of peace, security, good neighborliness and stability,
--strongly determined to overcome divisions and conflicts in our area through a comprehensive and coherent approach of regional cooperation and in close contacts with the other Euro-Atlantic countries and structures,
(...)
--stressing the crucial importance of turning the South-Eastern Europe into a region free from violence and instability and building security, prosperity, and democratic civil societies, thus integrating our countries into the Euro-Atlantic family of free and democratic nations,
--expressing our political will to pursue the South-East European Cooperation Process on mutually beneficial and equal basis, in a spirit of solidarity and in full respect for the territorial integrity and sovereignty of all the states in the region..."

I. Scope and Principles of the Regional Cooperation
"The primary objective of the South-East European Cooperation Process - SEECP - is to strengthen the good-neighborly relations among all states in this region, for transforming this region into an area of peace, security, stability and cooperation. We commit ourselves to firmly act to reach this objective in a spirit of solidarity and cooperation, to the benefit of our countries and peoples, of Europe as a whole.
(...)
The cooperation among our countries shall be founded on the UN Charter, on the principle of full observance of the territorial integrity and sovereignty of all the states in our region, on the principles of the OSCE and the relevant documents of the Council of Europe..."

II. Objectives and Mechanisms of Cooperation
II.1. Enhancement of political and security cooperation
"We believe that the security of South-Eastern Europe is essential for achieving lasting stability throughout the Euro-Atlantic area and that all the states and the peoples in the South-Eastern Europe should enjoy peace and stability and establish normal relations with one another. Our political and security cooperation serving this purpose shall be focused on:
--Creating peaceful and good-neighborly relations in the region through reconciliation, recognition of the inviolability of the existing international borders and the peaceful resolution of disputes, on the basis of international law...

--Preventing and putting an end to tensions and crisis as a prerequisite for lasting stability...
--Conclusion between the participating countries of multilateral and bilateral cooperation agreements, as well as the promotion of domestic measures to overcome the existing potential for conflict..."

References

• Note that there is no single official web site for this organization. The chairmanship-in-office rotates annually, and the new chair is expected to maintain the relevant information for that year. The Romanian site is used for the links below, because it is more complete than most others; it is not updated for events since Romania's term as chair (2004-2005), though, so it does not include such updates as Moldova's entry into the organization in May 2006.
--Main web site: <http://www.mae.ro/seecp/>
--Charter: <http://www.mae.ro/seecp/main1.html>
--Members/History: <http://www.mae.ro/seecp/history.html>

Collective Security Treaty Organization (CSTO)

Dates of Qualification: 9/2003 - present

• This organization was founded in 2002 by the six remaining members of the CIS Collective Security Treaty (Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia, and Tajikistan). Uzbekistan subsequently joined in June 2006.

• This is primarily a military alliance / defense pact, which includes territorial integrity provisions but does not call for the peaceful settlement of disputes between member states.

• The treaty was signed at Chisinau on 7 October 2002, and the organization officially began on 18 September 2003.

Pacific Settlement?: No

Territorial Integrity?: Yes (all)

Qualifying Document(s)

2002 Charter of the Collective Security Treaty Organization

Preamble

"Seeking to establish favorable and stable conditions for the full development of the States Parties to the Treaty and to ensure their security, sovereignty and territorial integrity."

Article 3: "The purposes of the Organization are to strengthen peace and international and regional security and stability and to ensure the collective defense of the independence, territorial integrity and sovereignty of the member States, in the attainment of which the member States shall give priority to political measures."

Article 9: "The member States shall agree upon and coordinate their foreign policy positions regarding international and regional security problems, using, inter alia, the consultation mechanisms and procedures of the Organization."

References

• The official CSTO web site is not available in English, so information was taken from sites like Wikipedia and the Central Asian Gateway:

<http://en.wikipedia.org/wiki/Collective_Security_Treaty_Organization>

<http://www.cagateway.org/index.php?lng=1&topic=23&subtopic=84>

AFRICAN TREATIES
OAU/African Union

Dates of Qualification: 9/1963 - present (OAU 9/1963-7/2002, AU 5/2001 - present)
OAU
• Established by the Charter of the Organization of African Unity, signed at Addis Adaba on 25 May 1963; entered into force on 13 September 1963.
--the OAU was disbanded on 9 July 2002, about a year after its successor (the AU) officially entered into force.
• Three members' entry dates are listed differently in Appendix G of C.O.C. Amate's *Inside the OAU: Pan-Africanism in Practice*, although the author notes that he doesn't have complete records and in some cases estimated the official entry date: Angola (he lists 2/23/76), Kenya (2/24/64), and Zambia (2/26/65).

African Union
• Established by the AU Constitutive Act, signed at Lome, Togo on 11 July 2000; entered into force on 26 May 2001

Pacific Settlement?: Yes

Territorial Integrity?: Yes (all); see Articles 2 and 3 of the OAU Charter, and Articles 3 and 4 of the AU Constitutive Treaty

Qualifying Document(s)
1963 OAU Charter (signed 5/25/1963)
Article 2: "1. The Organization shall have the following purposes:
(c) To defend [the African States'] sovereignty, their territorial integrity, and independence"

Article 3: "The Member States, in pursuit of the purposes stated in Article 2, solemnly affirm and declare their adherence to the following principles: (...)
3. Respect for the sovereignty and territorial integrity of each State and for its inalienable right to independent existence.
4. Peaceful settlement of disputes by negotiation, mediation, conciliation, or arbitration." [territorial integrity]

See also the July 1964 Cairo Declaration on Border Disputes among African States, which was passed by the OAU's Assembly of Heads of State and Government in its first annual meeting (but which doesn't qualify for the MTOPS data set by itself because it was a legislative resolution rather than a separate treaty):
"Considering that border disputes constitute a grave and permanent factor of dissension;

Conscious of the existence of extra-African maneuvers aimed at dividing African states;

Considering further that the borders of African States, on the day of their independence, constitute a tangible reality;

Recalling the establishment in the course of the Second Ordinary Session of the Council of the Committee of Eleven charged with studying further measures for strengthening African Unity;

Recognizing the imperious necessity of settling, by peaceful means and within a strictly African framework, all disputes between African States;

Recalling further that all African States have pledged, under Article IV of the Charter of African Unity, to respect scrupulously all principles laid down in paragraph 3 of Article III of the Charter of the Organization of African Unity:

I. SOLEMNLY REAFFIRMS the strict respect by all member states of the Organization for the principles laid down in paragraph 3 of Article III of the Charter of the Organization of African Unity;

II. SOLEMNLY DECLARES that all Member States pledge themselves to respect the borders existing on their achievement of national independence."

AU Constitutive Act
Article 3: Objectives
"The objectives of the Union shall be to:
(b) defend the sovereignty, territorial integrity and independence of its Member States;
(e) encourage international cooperation, taking due account of the Charter of the United Nations and the Universal Declaration of Human Rights;
(f) promote peace, security, and stability on the continent;"

Article 4: Principles
"The Union shall function in accordance with the following principles:
(b) respect of borders existing on achievement of independence;
(e) peaceful resolution of conflicts among Member States of the Union through such appropriate means as may be decided upon by the Assembly;
(f) prohibition of the use of force or threat to use force among Member States of the Union;
(g) non-interference by any Member State in the internal affairs of another;
(i) peaceful co-existence of Member States and their right to live in peace and security;"

References

OAU
• The OAU web site (my original source for the OAU charter and membership) has unfortunately been removed after the organization was replaced by the Africa Union. Copies of the OAU charter and membership still exist elsewhere on the Internet, though.
• C. O. C. Amate (1986). Inside the OAU: Pan-Africanism in Practice. London: Macmillan Publishers. [Appendix G contains a list of members with dates of joining, although some of the dates appear to differ from other published sources]
• Additional information on signature and ratification of the OAU charter was obtained from the UN Treaty Series
• Hard-to-find membership dates were determined by consulting the New York Times, Times of London, Facts on File, and Keesing's Contemporary Archives

African Union
• The AU web site at <http://www.africa-union.org/root/au/index/index.htm> provides:
--Treaties (links to the full text and signature/ratification dates for major AU treaties):
<http://www.africa-union.org/root/au/Documents/Treaties/treaties.htm>

African and Malagasy Union for Defense (UAMD)

Dates of Qualification: 12/1961 - 3/1964

• The African and Malagasy Union (UAM), or African-Malagasy/Afro-Malagasy Union, was known more informally as the Brazzaville Group. This group of (mostly) former French colonies initially included Benin (then Dahomey), Burkina Faso (Upper Volta), Cameroon, the CAR, Chad, Congo, Gabon, Ivory Coast, Madagascar, Mauritania, Niger, Senegal. They were later joined by Rwanda (March 1963) and Togo (July 1963).

• The UAM's charter was signed at Tananarive in September 1961. The charter doesn't qualify for MTOPS, as the charter is too vague ("in order to... maintain peace in Africa, in Malagasy, and in the world.").

• The union's defense pact -- the African and Malagasy Union for Defense (UAMD) -- does qualify. This was signed in December 1961.

• UAM was dissolved on 10 March 1964 and replaced by the African and Malagasy Union for Economic Cooperation (UAMCE). The UAMCE was intended to focus exclusively on economic, technical, and cultural problems; UAM's defense union ceased to exist in its previous form; the ATOP alliance data set's codesheet for this case notes that UAMCE did not have an alliance component that was comparable.

• UAMCE was then replaced by the African and Malagasy Common Organization (OCAM), which was established by a 27 June 1966 treaty signed at Tananarive ("Charter of the African and Malagasy Common Organization" -- UN Treaty Series #9121). No dispute settlement or territorial integrity provisions appear in this charter.

Pacific Settlement?: Yes

Territorial Integrity?: No

• Article 4 of the defense pact only talks about discussing how to defend each others' territorial integrity, presumably against an outside threat.

Qualifying Document(s)

Charter of the African and Malagasy Union: Doesn't qualify

• Article 2: "The UAM is founded on the solidarity uniting its members.

Its goal is to organize the cooperation of its members in all domains of foreign policy, in order to reinforce their solidarity, to assure their collective security, to foster their economic development, to maintain peace in Africa, in Malagasy, and in the world."

Defense Pact

• Article 1: "The parties undertake, in accordance with the Charter of the United Nations, to settle by peaceful means all international disputes in which they may be involved in such manner as not to jeopardize international peace and security, as well as justice, and to refrain in their international relations from resorting to threats and any form of aggression."

• Various articles the following provisions, inter alia: "parties to the pact would settle by peaceful means, in conformity with the UN Charter, all international differences in which they might become involved" and "the parties would consult each other on appropriate measures whenever the territorial integrity, political independence, or security of one of them was threatened" (IO 1962: 436)

References

• Louis B. Sohn, ed. (1972). *Basic Documents of African Regional Organizations*. Dobbs Ferry, NY: Oceana Publications. (UAM: vol. I p. 352; UAMD: vol. II pp. 395-399)

• "Brazzaville Powers." *International Organization* 16, 2 (Spring 1962): 434-437.

• "African and Malagasy Union for Economic Cooperation." *International Organization* 18, 4 (Autumn 1964): 871.

Economic Community of West African States (ECOWAS)

Dates of Qualification: 4/1978 - present (Protocol on Non-Aggression), 7/1993 - present (charter)
• The original ECOWAS Treaty (Treaty of Lagos) -- signed on 28 May 1975 -- does not qualify for MTOPS. It focused on economic and social matters, as reflected in Article 2 (Aims of the Community): "It shall be the aim of the Community to promote cooperation and development in all fields of economic activity particularly in the fields of industry, transport, telecommunications, energy, agriculture, natural resources, commerce, monetary and financial questions and in social and cultural matters for the purpose of raising the standard of living of its peoples, of increasing and maintaining economic stability, of fostering closer relations among its members and of contributing to the progress and development of the African continent."
• The 1978 Protocol on Non-aggression qualifies, with provisions for territorial integrity but not peaceful settlement (since non-aggression by itself does not qualify without a specific obligation to settle disputes peacefully). This has been supplemented (and all conflicting items replaced) by the 1999 Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security, but that protocol has not yet come into effect; I have been unable to find a definitive list of ratification status so far, but several 2005 or 2006 sources note that it had not yet received the needed nine ratifications.
• The revised charter of 1993 qualifies, with provisions for peaceful dispute settlement but not territorial integrity.

Pacific Settlement?: No (Protocol) / Yes (Charter)

Territorial Integrity?: Yes/violent (Protocol) / No (Charter)

Qualifying Document(s)
Protocol on Non-Aggression (signed 22 April 1978)
Article 1: "Member States shall, in their relations with one another, refrain from the threat or use of force or aggression or from employing any other means inconsistent with the Charters of the United Nations and the Organization of African Unity against the territorial integrity or political independence of other Member States."

Article 2: "Each Member State shall refrain from committing, encouraging or condoning acts of subversion, hostility or aggression against the territorial integrity or political independence of the other Member States."

Treaty of ECOWAS (revised version of 24 July 1993)
Article 4: Fundamental Principles
"The High Contracting Parties, in pursuit of the objectives stated in Article 3 of this Treaty, solemnly affirm and declare their adherence to the following principles:
(d) non-aggression between Member States;
(e) maintenance of regional peace, stability and security through the promotion and strengthening of good neighborliness;
(f) peaceful settlement of disputes among Member States, active Cooperation between neighboring countries and promotion of a peaceful environment as a prerequisite for economic development..."

Article 58: Regional Security
"1. Member States undertake to work to safeguard and consolidate relations conducive to the maintenance of peace, stability and security within the region.
2. In pursuit of these objectives, Member States undertake to cooperate with the Community in establishing and strengthening appropriate mechanisms for the timely prevention and resolution of intra-State and inter-

State conflicts, paying particular regard to the need to:
(b) establish local or national joint commissions to examine any problems encountered in relations between neighboring states;
(e) employ where appropriate, good offices, conciliation, mediation and other methods of peaceful settlement of disputes;
(f) establish a regional peace and security observation system and peace-keeping forces where appropriate;"

Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace-keeping and Security (signed 10 December 1999)
Article 2: Principles
"Member States reaffirm their commitment to the principles contained in the Charters of the United Nations Organization (UNO) and the Organization of African Unity (OAU) and to the Universal Declaration of Human Rights, as well as to the African Charter on Human and People's Rights, particularly the following fundamental principles: (...)
territorial integrity and political independence of Member States."

Article 3: Objectives of the Mechanism
"The objectives of the Mechanism shall be as follows:
- prevent, manage and resolve internal and inter-State conflicts...;
- implement the relevant provisions of Article 58 of the Revised Treaty;
- implement the relevant provisions of the Protocols on Non-Aggression, Mutual Assistance in Defense, Free Movement of Persons, the Right of Residence and Establishment;
- strengthen cooperation in the areas of conflict prevention, early-warning, peace-keeping operations...;
- maintain and consolidate peace, security and stability within the Community...;"

Article 25: Conditions for Application
"The Mechanism shall be applied in any of the following circumstances:
- In cases of aggression or conflict in any Member State or threat thereof;
- In case of conflict between two or several Member States; (...)
- Any other situation as may be decided by the Mediation and Security Council."

References
• Official web site: <http://www.sec.ecowas.int/index.html>
--Treaty: <http://www.sec.ecowas.int/index.html>

Southern African Development Community

Dates of Qualification: September 1993 - present
SADC (general)
• The 1992 Declaration and Treaty of SADC qualifies for MTOPS. This treaty was signed on 17 August 1992, but did not enter into effect until 30 September 1993.

Defense-Security Protocol
• The 2001 Protocol on Politics, Defense, and Security Cooperation was signed on 14 August 2001, and entered into effect on 2 March 2004 (although five of the 14 member states had not yet ratified it).

Pacific Settlement?: Yes

Territorial Integrity?: SADC=no / Protocol=yes (violent)

Qualifying Document(s)
1992 "Declaration and Treaty of SADC"
Article 4: Principles
"SADC and its Member States shall act in accordance with the following principles:
b) solidarity, peace and security;
e) peaceful settlement of disputes."

Article 21: Areas of Cooperation
"3. In accordance with the provisions of this Treaty, Member States agree to co-operate in the areas of:
g) politics, diplomacy, international relations, peace and security."

2001 "Consolidated Text of the Treaty of the Southern African Development Community, as amended"
Article 4: Principles
"SADC and its Member States shall act in accordance with the following principles:
2. solidarity, peace and security;
5. peaceful settlement of disputes."

Article 10A: Organ on Politics, Defense, and Security Cooperation
"5. The structure, functions, powers and procedures of the Organ and other related matters shall be prescribed in a Protocol."

Article 21: Areas of Cooperation
"In accordance with the provisions of this Treaty, Member States agree to cooperate in the areas of:
8. politics, diplomacy, international relations, peace and security."

2001 "Protocol on Politics, Defense, and Security Cooperation"
Article 2: Objectives
"1. The general objective of the Organ shall be to promote peace and security in the Region.
2. The specific objectives of the Organ shall be to:
e) prevent, contain and resolve inter-and intra-state conflict by peaceful means;
f) consider enforcement action in accordance with international law and as a matter of last resort where peaceful means have failed;"

Article 11: Conflict Prevention, Management, and Resolution
"1. Obligation of the Organ under International Law
a) In accordance with the Charter of the United Nations, State Parties shall refrain from the threat or use of force against the territorial integrity or political independence of any state, other than for the legitimate purpose of individual or collective self-defense against an armed attack.
b) State Parties shall manage and seek to resolve any dispute between two or more of them by peaceful means.
c) The Organ shall seek to manage and resolve inter- and intra-state conflict by peaceful means.
2. Jurisdiction of the Organ
a) The Organ may seek to resolve any significant inter-state conflict between State Parties or between a State Party and non- State Party and a 'significant inter-state conflict' shall include:
(i) a conflict over territorial boundaries or natural resources;
(ii) a conflict in which an act of aggression or other form of military force has occurred or been threatened; and
(iii) a conflict which threatens peace and security in the Region or in the territory of a State Party which is not a party to the conflict.
(c) In consultation with the United Nations Security Council and the Central Organ of the Organization of African Unity Mechanism for Conflict Prevention, Management and Resolution, the Organ may offer to mediate in a significant inter-or intra-state conflict that occurs outside the Region.
3. Methods
a) The methods employed by the Organ to prevent, manage and resolve conflict by peaceful means shall include preventive diplomacy, negotiations, conciliation, mediation, good offices, arbitration and adjudication by an international tribunal.
b) The Organ shall establish an early warning system in order to facilitate timeous action to prevent the outbreak and escalation of conflict.
c) Where peaceful means of resolving a conflict are unsuccessful, the Chairperson acting on the advice of the Ministerial Committee may recommend to the Summit that enforcement action be taken against one or more of the disputant parties.
d) The Summit shall resort to enforcement action only as a matter of last resort and, in accordance with Article 53 of the United Nations Charter, only with the authorization of the United Nations Security Council.
4. Procedures
a) In respect of both inter- and intra-state conflict, the Organ shall seek to obtain the consent of the disputant parties to its peacemaking efforts.
b) The Chairperson, in consultation with the other members of the Troika, may table any significant conflict for discussion in the Organ.
c) Any State Party may request the Chairperson to table any significant conflict for discussion in the Organ and in consultation with the other members of the Troika of the Organ, the Chairperson shall meet such request expeditiously.
d) The Organ shall respond to a request by a State Party to mediate in a conflict within the territory of that State and the Organ shall endeavor by diplomatic means to obtain such request where it is not forthcoming."

Article 15: Relationship with Other International Agreements
"1. This Protocol in no way detracts from the rights and obligations of State Parties under the Charters of the United Nations and the Organization of African Unity.
2. This Protocol in no way detracts from the responsibility of the United Nations Security Council to maintain international peace and security.
3. This Protocol shall not derogate from existing agreements between a State Party and another State Party or a non-State Party and an international organization, other than SADC, provided that such agreements are

consistent with the principles and objectives of this Protocol.
4. Where an existing agreement is inconsistent with the principles and objectives of this Protocol, the Member State shall take steps to amend the agreement accordingly."

References

• Official SADC web site: <http://www.sadc.int/>
--Treaties: <http://www.sadc.int/english/documents/legal/treaties/index.php>
--Ratification: <http://www.sadc.int/english/documents/legal/protocols/status.php>

Common Market for Eastern and Southern Africa (COMESA)

Dates of Qualification: 12/1994 - present
• The COMESA Treaty was signed on 11/5/1993 in Kampala, Uganda. It entered into effect on 12/8/1994 following the 11th ratification.

Pacific Settlement?: Yes

Territorial Integrity?: No

Qualifying Document(s)
COMESA Treaty
Chapter Three: Aims and Objectives
Article 3: Aims and Objectives of the Common Market
"The aims and objectives of the Common Market shall be:
(d) to cooperate in the promotion of peace, security and stability among the Member States in order to enhance economic development in the region;"

Article 6: Fundamental Principles
"The Member States, in pursuit of the aims and objectives stated in Article 3 of this Treaty, and in conformity with the Treaty for the Establishment of the African Economic Community signed at Abuja, Nigeria on 3rd June, 1991, agree to adhere to the following principles:
(d) non-aggression between the Member States;
(i) the maintenance of regional peace and stability through the promotion and strengthening of good neighborliness; and
(j) the peaceful settlement of disputes among the Member States, the active cooperation between neighboring countries and the promotion of a peaceful environment as a prerequisite for their economic development."

Chapter Twenty Seven: Regional Peace and Security
Article 163: Scope of Cooperation
"1. The Member States agree that regional peace and security are pre-requisites to social and economic development and vital to the achievement of regional economic integration objectives of the Common Market. In this regard, the Member States agree to foster and maintain an atmosphere that is conducive to peace and security through cooperation and consultations on issues pertaining to peace and security of the Member States with a view to preventing, better managing and resolving inter-State or intra-State conflicts.
2. The Member States undertake to promote and maintain good neighborliness as a basis for promoting regional peace and security within the Common Market."

References
• Official web site: <http://www.comesa.int>

Economic Community of Central African States (ECCAS)

Dates of Qualification: February 2000 - present (COPAX Protocol)
• The initial 1983 treaty establishing the community did not qualify for MTOPS, because while it called for the non-use of force to settle disputes it did not explicitly obligate the members to pursue peaceful methods of dispute settlement. The 2000 COPAX Protocol qualified, though.

Pacific Settlement?: Yes

Territorial Integrity?: Yes (all)

Qualifying Document(s)
Treaty Establishing the Economic Community of Central African States - signed 18 October 1983
Article 3: Principles
"By this Treaty, the High Contractive Parties undertake to observer the principles of international law governing relations between States, in particular the principles of sovereignty, equality, and independence of all States, good neighborliness, non-interference in their internal affairs, non-use of force to settle disputes and the respect of the rule of law in their mutual relations."

Protocol Relating to the Establishment of a Mutual Security Pact in Central Africa (COPAX) - signed 24 Feb. 2000
Article 3: Principles [Rough translation from French]
The member states reaffirm their attachment to the principles of the UN Charter, OAU Charter, Universal Declaration of Human Rights, and ECCAS Treaty, notably:
(c) the non-use of force to settle differences;
(d) respect of the sovereignty, territorial integrity, and national unity of states;
(f) inviolability of the borders inherited from colonization

Article 4: Objectives [Rough translation from French]
Without prejudice to the actions of the UN Security Council and the OAU Mechanism for Conflict Prevention, Management, and Resolution, the objectives of COPAX are:
(a) to prevent, manage, and settle conflicts;
(d) to reduce the sources of tension and to prevent their escalation to armed conflict;
(f) to promote the peaceful settlement of differences;
(g) to put into action the pertinent clauses relative to non-aggression, and to mutual defense assistance;
(i) to facilitate the mediation efforts at the time of conflicts between member states or with third parties

References
• Official web site: <http://www.ceeac-eccas.org/>

Community of Sahel-Saharan States (Cen-Sad / COMESSA)

Dates of Qualification: 2/2000 - present

• This community was formed on 4 February 1998, with the signing of the Treaty on the Establishment of the Community of Sahel-Saharan States at the Conference of Leaders and Heads of State in Libya. The initial signatories were Libya, Burkina Faso, Mali, Niger, Chad, and Sudan. CAR and Eritrea joined during the community's first summit (April 1999); Senegal, Djibouti, and Gambia joined in February 2000; Egypt, Morocco, Nigeria, Somalia, and Tunisia joined in February 2001; Togo and Benin joined in March 2002; Cote d'Ivoire, Guinea-Bissau, and Liberia joined in May 2004; and Ghana and Sierra Leone joined in June 2005.

• I do not have a copy of the actual founding charter, but I have found numerous references to them. The charter does not seem to have any political dispute settlement provisions; this charter seems to have focused entirely on economic and social matters, including transportation infrastructure and education. One news story described the organization as being created "with the main aim of establishing an economic union based on a development plan that would be complementary to the national development plans of member countries. its aims include eliminating all restrictions to the free movement of persons, gods and capital, and freedom for nationals of member states to own property and carry out economic activity anywhere in the community."

• The community's February 2000 summit signed a security charter (which I've never seen) that relates to the settlement of conflicts. This probably qualifies for MTOPS, but the news stories varied quite a bit. By most descriptions, this charter prohibits the threat or use of force, requires member states to settle their problems peacefully, and commits members to try to stop hostile activities from its territory aimed at other member states.

• At the 15 March 2003 summit in Niamey, Niger, the community also signed the Protocol Establishing a Mechanism for Prevention, Management, and Resolution of Conflicts. According to one news story, the Mechanism's mandate is to contribute to the establishment of a peaceful Africa through collaboration with the UN and the AU's Peace and Security Council. Another story indicates that at this meeting, the participants "expressed their commitment to seeking peaceful solutions to existing or future conflicts between member states or with third-party state," "said they would promote conflict prevention and the culture of peace dialogue as a means of managing internal conflicts," and "agreed to develop those approaches and mechanisms for conflict prevention and the promotion of a culture of peace that already exist within their respective societies and to create a framework for exchanging experiences in that sphere." it is not clear whether all three of these items refer to contents of the Protocol, though.

Pacific Settlement?: Yes

Territorial Integrity?: No?

Qualifying Document(s)

• I haven't been able to find a copy of the actual treaties yet. It appears that both the 2000 and 2003 documents qualify for MTOPS, though.

References

• Official web site: <http://www.cen-sad.org/>
--Members: <http://www.cen-sad.org/aboutcensad.htm>

International Conference on the Great Lakes Region (ICGLR)

Dates of Qualification: 11/2004- present

Pacific Settlement?: Yes

Territorial Integrity?: No

Qualifying Document(s)
Dar-Es-Salaam Declaration on Peace, Security, Democracy, and Development in the Great Lakes Region
Preamble
"4. Aware of the need to respect... the fundamental principles enshrined in the UN Charter and the Constitutive Act of the AU such as territorial integrity, sovereignty, non-interference and non-aggression, prohibition of any Member State from allowing the use of its territory as a base for aggression and subversion against another Member State, as well as the need for effective and sustained political will to jointly seek peaceful solutions and especially to honor our commitments in a spirit of mutual trust..."

II. Vision
"14. Declare our collective determination to transform the Great Lakes region into a space of sustainable peace and security for States and peoples..."

III. Priority Policy Options and Guiding Principles
Peace and Security
"Commit ourselves to:
18. Strengthen bilateral and regional cooperation, through the adoption and effective implementation of Non-Aggression and Common Defense Pacts,
19. Establish an effective regional security framework for the prevention, management, and peaceful settlement of conflicts and, to this end, evaluate regularly relevant sub-regional initiatives and mechanisms and adapt them while encouraging appropriate traditional structures."

References
• Official web site: <http://www.icglr.org/>

MIDDLE EASTERN TREATIES
Arab League

Dates of Qualification: 5/1945 - present

• Established by the Pact of the League of Arab States, which was signed on 22 March 1945, and entered into effect on 10 May 1945 for Jordan, Egypt, Saudi Arabia, and Iraq; later effective dates include Lebanon (1 June 1945), Syria (2 June 1945), Yemen (24 February 1946), and Libya (28 March 1953)

• Members reentering after leaving: Egypt (membership suspended 3/31/1979 following the Camp David Accords with Israel, readmitted 5/26/1989)

• South Yemen's (Yemen Peoples' Republic) entry date is estimated as January 1968, following independence in November 1967. Several sources report 1968 entry, but none of them give dates.

• After the overthrow of Saddam Hussein, Iraq's Arab League seat was empty from April-September 2003 while the rest of the League decided whether to deal with the U.S.-imposed interim government, but Iraq was never ousted from the League and ultimately reoccupied its seat.

Pacific Settlement?: Yes

Territorial Integrity?: No

Qualifying Document(s)

Pact of the League of Arab States (signed 3/22/1945)

Article 5: "The recourse to force for the settlement of disputes between two or more member States shall not be allowed. Should there arise among them a dispute that does not involve the independence of a State, its sovereignty, or its territorial integrity, and should the two contending parties apply to the Council for the settlement of this dispute, the decision of the Council shall then be effective and obligatory.

In this case, the States among whom the dispute has arisen shall not participate in the deliberations and decisions of the Council.

The Council shall mediate in a dispute which may lead to war between two member States or between a member State and another State in order to conciliate them.

The decisions relating to arbitration and mediation shall be taken by a majority vote."

References

• The Pact of the League of Arab States is available through the Avalon Project at Yale:
<http://www.yale.edu/lawweb/avalon/mideast/arableag.htm>

• Official web site (not yet functional in July 2006):
<http://www.arableagueonline.org/las/index_en.jsp>

• Membership dates and other information are available on Wikipedia:
<http://en.wikipedia.org/wiki/Arab_League>

• Hard-to-find membership dates were determined by consulting the New York Times, Times of London, Facts on File, and Keesing's Contemporary Archives

Baghdad Pact / Central Treaty Organization (CENTO)

Dates of Qualification: 4/1955 - 3/1979

• What became the Baghdad Pact began as a Pact of Mutual Cooperation between Pakistan and Turkey in February 1954. It became known as the Baghdad Pact when the "Pact of Mutual Cooperation between the Kingdom of Iraq, the Republic of Turkey, the United Kingdom, the Dominion of Pakistan, and the Kingdom of Iran" was signed on 24 February 1955. It took effect for the UK on 5 April 1955, Iraq and Turkey on 15 April 1955, Pakistan on 23 September 1955, and Iran on 23 October 1955.

--Iraq left the organization on 24 March 1959. Iran and Pakistan left on 12 March 1979, at which point it contains too few members to be coded as continuing.

Pacific Settlement?: Yes

Territorial Integrity?: No

Qualifying Document(s)

Pact of Mutual Cooperation Between the Kingdom of Iraq, the Republic of Turkey, the United Kingdom, the Dominion of Pakistan, and the Kingdom of Iran ("Baghdad Pact")

Article 3: "The High Contracting Parties undertake to refrain from any interference whatsoever in each other's internal affairs. They will settle any dispute between themselves in a peaceful way in accordance with the United Nations Charter."

References

• The Baghdad Pact is available through the Avalon Project at Yale:
<http://www.yale.edu/lawweb/avalon/mideast/baghdad.htm>

ASIAN AND OCEANIAN TREATIES
ASEAN / Treaty of Amity and Cooperation

Dates of Qualification: 2/1976 - present (ASEAN), 2/1976 - present (Treaty of Amity & Cooperation)
ASEAN (general)
• The Declaration of ASEAN Concord was signed 24 February 1976; ASEAN has not kept records of ratification of the Concord because it is an integral part of the organization, which came into effect on 5/21/1976 with the entry into force of the 2/24/1976 Agreement on Establishment of the ASEAN Secretariat).
• ASEAN was initially established by the ASEAN Declaration (Bangkok Declaration) of 8 August 1967, by Indonesia, Malaysia, the Philippines, Singapore, and Thailand
--qualification for this data set is based on the Declaration of ASEAN Concord of 24 February 1976 and subsequent states joining ASEAN
--acceptance of this is automatic for all new states joining ASEAN

Treaty of Amity and Cooperation
• The Treaty of Amity and Cooperation in Southeast Asia was signed at Denpasar, Bali on 24 February 1976 and entered into force on 21 June 1976 according to the ratification list on the ASEAN Secretariat web site).
• I have created a separate listing for the Treaty of Amity and Cooperation distinct from ASEAN more generally because this treaty is open to signature by states outside of ASEAN (as of July 2006 it has 18 state parties, including eight non-ASEAN states).

Pacific Settlement?: Yes

Territorial Integrity?: ASEAN=no/Treaty of Amity & Cooperation=yes (all)

Qualifying Document(s)
Declaration of ASEAN Concord
The Presidents... Do hereby declare:
ASEAN cooperation shall take into account, among others, the following objectives and principles in the pursuit of political stability :
2. Member states, individually and collectively, shall take active steps for the early establishment of the Zone of Peace, Freedom and Neutrality.
6. Member states, in the spirit of ASEAN solidarity, shall rely exclusively on peaceful processes in the settlement of intra-regional differences.

And do hereby adopt the following program of action as a framework for ASEAN cooperation.
A. Political
2. Signing of the Treaty of Amity and Cooperation in Southeast Asia.
3. Settlement of intra-regional disputes by peaceful means as soon as possible.
4. Immediate consideration of initial steps towards recognition of and respect for the Zone of Peace, Freedom and Neutrality wherever possible.

Treaty of Amity & Cooperation in Southeast Asia (signed 2/24/1976)
Chapter 1: Purpose and Principles
Article 2: "In their relations with one another, the High Contracting Parties shall be guided by the following fundamental principles: (...)

a. Mutual respect for the independence, sovereignty, equality, territorial integrity and national

identity of all nations; (...)

d. Settlement of differences or disputes by peaceful means
e. Renunciation of the threat or use of force." [territorial integrity]

Chapter 3: Cooperation
Article 10: "Each High Contracting Party shall not in any manner or form participate in any activity which shall constitute a treat to the political and economic stability, sovereignty, or territorial integrity of another High Contracting Party." [territorial integrity]

Chapter 4: Pacific Settlement of Disputes
Article 13: "The High Contracting Parties shall have the determination and good faith to prevent disputes from arising. In case disputes or matters directly affecting them shall refrain from the threat or use of force and shall at all times settle such disputes among themselves through friendly negotiations."

Article 14: Creation of High Council "to take cognizance of the existence of disputes or situations likely to disturb regional peace and harmony."

Article 15: "In the event no solution is reached through direct negotiations, the High Council shall take cognizance of the dispute or the situation and shall recommend to the parties in dispute appropriate means of settlement such as good offices, mediation, inquiry or conciliation. The High Council may however offer its good offices, or upon agreement of the parties in dispute, constitute itself into a committee of mediation, inquiry, or conciliation. When deemed necessary, the High Council shall recommend appropriate measures for the prevention of a deterioration of the dispute or the situation."

Article 16: "The foregoing provision of this Chapter shall not apply to a dispute unless all the parties to the dispute agree to their application to that dispute. However, this shall not preclude the other High Contracting Parties not party to the dispute from offering all possible assistance to settle the said dispute. Parties to the dispute should be well disposed towards such offers of assistance."

Article 17: "Nothing in this Treaty shall preclude recourse to the models of peaceful settlement contained in Article 33(1) of the Charter of the United Nations. The High Contracting Parties which are parties to a dispute should be encouraged to take initiatives to solve it by friendly negotiations before resorting to the other procedures provided for in the Charter of the United Nations."

References

• The ASEAN web site at <http://www.aseansec.org/> provides:

--history and membership changes: <http://www.asean.or.id/history/asn_his2.htm>
--1976 Declaration of ASEAN Concord: <http://www.aseansec.org/5049.htm>
--1976 Treaty of Amity and Cooperation in Southeast Asia :
<http://www.aseansec.org/5047.htm>
--Ratification of treaties: <http://www.aseansec.org/Ratification.pdf>

• Additional information on signature and ratification of the Treaty of Amity and Cooperation in Southeast Asia was obtained from the UN Treaty Series

South Asian Association for Regional Cooperation (SAARC)

Dates of Qualification: 12/1985 - present

• The SAARC Charter was signed on 8 December 1985 by Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri Lanka. Afghanistan is expected to join in 2006 or 2007, but as of July 2006 it has not been listed as a member on the official web site (http://www.saarc-sec.org/).

• *2004 Agreement on South Asian Free Trade Area (SAFTA)*: This agreement does not call for peaceful dispute settlement of political issues. The only dispute-related provisions in the agreement are for the settlement of disputes related to the treaty itself or the FTA that it is intended to create.

Pacific Settlement?: Yes

• Pacific settlement is mentioned in the charter's preamble, but there is no corresponding obligation in the actual text of the document.

Territorial Integrity?: Yes (all)

Qualifying Document(s)

1985 Charter of the South Asian Association for Regional Cooperation

Preamble

"Desirous of promoting peace, stability, amity and progress in the region through strict adherence to the principles of the United Nations Charter and Non-Alignment, particularly respect for the principles of sovereign equality, territorial integrity, national independence, non-use of force and non-interference in the internal affairs of other States and peaceful settlement of all disputes..."

Article II (Principles)

"1. Cooperation within the framework of the Association shall be based on respect for the principles of sovereign equality, territorial integrity, political independence, non-interference in the internal affairs of other States and mutual benefit." The notion of peaceful dispute settlement has been dropped since it was first mentioned in the preamble. Most observers consider this omission unsurprising; SAARC has widely been regarded as a failure for being both unwilling and unable to do anything to settle the numerous disputes between India and Pakistan (the two largest economies in the organization), but attempting to include such an obligation in the charter would likely have prevented the organization's creation in the first place.

References

• Official SAARC web site: <http://www.saarc-sec.org/main.php?t=1>

--Charter: <http://www.saarc-sec.org/main.php?id=10&t=4>

Conference on Interaction and Confidence Building Measures in Asia (CICA)

Dates of Qualification: 9/1999 - present

• While the groundwork for this organization was being laid by Kazakh President Nazarbayev as earlier as 1992, we date the organization as qualifying for this data set from September 1999, when the Declaration of Principles (the first formal document laying out member states' obligations) was signed.

• The original member states were Afghanistan, Azerbaijan, China, Egypt, India, Israel, Iran, Kazakhstan, Kyrgyzstan, Pakistan, "State of Palestine," Russia, Tajikistan, Turkey, and Uzbekistan. Mongolia joined in June 2001, and South Korea joined in June 2006.

Pacific Settlement?: Yes

Territorial Integrity?: Yes (all)

Qualifying Document(s)

Declaration of the Principles Guiding Relations among the CICA Member States (signed 14 September 1999)

Preamble: "Giving due attention to the prevention of disputes and conflicts and to their peaceful settlement; (...) Reaffirming their commitment to achieve full, just and lasting relations of peace, openness, mutual confidence, security, stability and cooperation in Asia by eliminating tensions, seeking peaceful settlement of disputes..."

II. Refraining from the Threat or Use of Force

"The Member States shall refrain in their relations from the direct or indirect threat or use of force against the sovereignty, territorial integrity and political independence of the states, or any other manner inconsistent with the Charter of the United Nations and with the present Declaration. No considerations may be invoked to warrant resort to the threat of use of force in contravention of this principle.

No such threat or use of force will be employed as a means of settling disputes, or questions likely to give rise to disputes, between them."

III. Territorial Integrity of the Member States

"The Member States shall respect the territorial integrity of each other. They recognize the inviolability of staet boundaries and therefore they shall refrain at present and in the future from any attempt to violate these boundaries.

The Member States shall likewise refrain from making each other's territory the subject of military occupation or other direct or indirect use of force in contravention of international law, or an object of acquisition by means of such measures or the threat of their implementation. No such occupation or acquisition will be recognized as legitimate."

IV. Peaceful Settlement of Disputes

"The Member States reaffirm their commitment to uphold and defend the principles of the UN Charter and international law as well as the means envisaged in the UN Charter for the peaceful settlement of disputes.

Parties to any dispute shall immediately establish a contact and negotiate to prevent the outbreak of a conflict and to settle the dispute in accordance with the principles enshrined in this Declaration as well as in the UN Charter and international law. The Member States parties to a dispute as well as the other Member States shall refrain from any actions which might aggravate the situation."

References

• CICA does not appear to have an official web site, but key documents can be found at various Kazakh government sites (including embassies abroad), such as:

<http://missions.itu.int/~kazaks/eng/cica/cica01.htm>

<http://www.kazakhembus.com>

Shanghai Cooperation Organization

Dates of Qualification: 6/2001 - present

• The precursor to the SCO, the "Shanghai Five" regional grouping (China, Russia, Kazakhstan. Kyrgyzstan, and Tajikistan), was created in 1996. This grouping was renamed the Shanghai Forum in July 2000, and was broadened to the SCO in June 2001 with the addition of Uzbekistan. This organization appears to have been focused primarily on military cooperation, confidence building measures, and fighting terrorism and internal conflicts, at least initially. None of its treaties or declarations before 2001 appear to contain explicit calls for the pacific settlement of disputes among members, and indeed most news stories about the Five or the Forum refer to it as either a military alliance or an economic integration association.

• SCO was initially established as the "Shanghai Five" grouping (China, Russia, Kazakhstan. Kyrgyzstan, and Tajikistan) in April 1996, with the signing of the 4/25/96 "Agreement on Mutual Military Confidence-Building Measures." Treaties and declarations in the first five years of the grouping dealt with military confidence building measures and with cooperation against cross-border threats such as terrorism and crime, and did not qualify for inclusion in the MTOPS data. More details on these early treaties and declarations are provided in the documentation for the 2001 declaration.
--this organization qualified for the MTOPS data set on the basis of the 6/25/01 Declaration on the Establishment of the Shanghai Cooperation Organization, which also added Uzbekistan as a member.
• It does not appear that this document needed to be ratified, so for now it has been coded as entering into force for all six member states from the date of signature in June 2001.

Pacific Settlement?: Yes

Territorial Integrity?: Yes (all) -- see Article 5

Qualifying Document(s)

Declaration on the Establishment of the Shanghai Cooperation Organization (signed 6/15/2001)
Article 2: "The goals of the Shanghai Cooperation Organization are: to strengthen mutual trust, friendship, and good-neighborliness between the member states... and to undertake joint efforts for the maintenance of peace, security, and stability in the region..." [this appears to be aimed more at military confidence building and at fighting extremism]

Article 5: "The States members of the Shanghai Cooperation Organization firmly adhere to the purposes and principles of the Charter of the United Nations, the principles of mutual respect for independence, sovereignty and territorial integrity, equal rights and mutual advantage, resolution of all issues through joint consultations, non-interference in internal affairs, non-use or threat of use of military force, and renunciation of unilateral military advantage in contiguous areas."

Article 10: "The States members of the Shanghai Cooperation Organization shall strengthen the consultation mechanism and coordinate action on regional issues and international problems, provide mutual support and develop close cooperation on major international and regional issues, and jointly facilitate the consolidation of peace and stability in the region and throughout the world, believing that the preservation of global strategic balance and stability in the current international situation is of particular importance." [this appears to be aimed more at fighting extremism and at opposing U.S. goals such as the termination of the ABM Treaty]

Earlier (Non-Qualifying) Agreements

• 4/25/1996 “Agreement on Mutual Military Confidence-Building Measures”: meant to create a buffer zone along international borders, patrolled only by frontier guards. This agreement also called for the annual exchange of “military data of mutual interest” such as troop movements and exercises, and required that the other signatories be notified and allowed to send observers to any military exercises near the border area.
• 4/24/1997 “Agreement on the Mutual Reduction of Military Forces in Border Areas”: meant to supplement the 1996 agreement by setting specific limits on troops and military hardware within 100 km from international borders.
• 7/3/1998 Joint statement from Alma-Ata meeting: meant to continue the development of cooperation among the Shanghai Five. The preamble mentions “Upholding the universally-accepted norms of mutual respect for sovereignty and territorial integrity... and in favor of solving the disputes and differences among the countries through friendly consultation,” but none of the actual statements in the document explicitly mentions peaceful settlement of disputes.
• 8/25/1999 Bishkek Declaration: makes general statements about cooperation, but intended primarily to address joint measures against international terrorism, drug trafficking, arms smuggling, illegal emigration, and cross-border criminal activities. This document comes closer than the others to qualifying for inclusion in the MTOPS data, based on the following two of four general principles to be observed in relations among the members and in international affairs: (1) “to be guided by mutual respect for sovereignty and territorial integrity...” and (3) “to help consolidate the role of the United Nations as the key mechanism for maintaining international peace and security, in a peaceful settlement of modern international regional problems and to oppose the use or threat of force, unsanctioned by the UN Security Council, in international relations.”
• 3/30/2000 Joint communiqué from Astana meeting: focused more on confidence building measures and cooperation against cross-border threats, but includes a statement that the five member states’ defense ministers “reiterate that the five countries have given consideration to... resolving disputes through friendly consultations.” This is not explicit enough to qualify for the MTOPS data set, but helped to set the stage for the following year’s creation of the SCO.

References

• Official web site: <http://www.sectsco.org/home.asp?LanguageID=2>
• See also the information on Wikipedia:
<http://en.wikipedia.org/wiki/Shanghai_Cooperation_Organization>