

Internet Appendix: Territorial Integrity Provisions in Multilateral Treaties

From Hensel, Allison, and Khanani, "Territorial Integrity Treaties and Armed Conflict over Territory"

Violent Territorial Integrity Obligations (*Rejection of Violent Territorial Challenges*)

League of Nations (1920-1946)

- Article 10 of League Covenant: "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."

Saavedra Lamas Pact / Anti-War Treaty of Non-Aggression and Conciliation (1933-present; partially replaced by 1948 Pact of Bogotá)

- 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."

Montevideo Convention on Rights and Duties of States (1934-present)

- 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."

United Nations (1945-present)

- Article 2 (4) of UN Charter: "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."

Organization of American States (1951-present)

- Article 21 of OAS Charter: "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."

ECOWAS Protocol on Non-Aggression (1978-present, although this will eventually be superseded by the 1999 Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security when that comes into effect)

- Article 1 of 1978 protocol: "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 of 1978 protocol: "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."

- Article 2 of the 1999 protocol: "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."

SADC Protocol on Politics, Defense, and Security Cooperation (2004-present)

- Article 11: " 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."

General Territorial Integrity Obligations (Rejection of All Territorial Challenges)

Locarno Pact / Treaty of Mutual Guarantee (1925-1936)

- 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."

Non-Aligned Movement (1961-present)

- 1955 Principles of Bandung: "2. Respect for the sovereignty and territorial integrity of all nations."

Organization of African Unity / African Union (1963-present)

- Article 2 of OAU Charter: "1. The Organization shall have the following purposes... (c) To defend [the African States'] sovereignty, their territorial integrity, and independence"
- Article 3 of OAU Charter: "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."
- Article 3 of AU Constitutive Act: "The objectives of the Union shall be to... (b) defend the sovereignty, territorial integrity and independence of its Member States"
- Article 4 of AU Constitutive Act: "The Union shall function in accordance with the following principles: (b) respect of borders existing on achievement of independence"

Organization of the Islamic Conference (1973-present)

- Charter of the Islamic Conference, Article II: "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"

Helsinki Final Act (1975-present)

- 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."
- 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."
- But also note Point I - Sovereign equality, respect for the rights inherent in sovereignty: "[all the participating States] consider that their frontiers can be changed, in accordance with international law, by peaceful means and by agreement."

Treaty of Amity and Cooperation in Southeast Asia (1976-present)

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

South Asian Association of Regional Cooperation (1985-present)

- Article II: "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."

Andean Community (1989-present)

- Article 12 of Declaration of Galápagos: "The Presidents of Bolivia, Colombia, Ecuador, Peru, and Venezuela... 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."

Commonwealth of Independent States (1991-present)

- Article 3 of CIS Charter: "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: (...)
--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"

Conference on Interaction and Confidence Building Measures in Asia (1999-present)

- Article III of Declaration of the Principles Guiding Relations among the CICA Member States: "The Member States shall respect the territorial integrity of each other. They recognize the inviolability of state 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."

GUUAM/GUAM Organization for Democracy and Economic Development (2001-present)

- "Principles of GUUAM Cooperation" in Yalta GUUAM Charter: "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."

South-East European Cooperation Process (2000-present)

- "Scope and Principles of the Regional Cooperation" in Bucharest Charter: " 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..."

- "Objectives and Mechanisms of Cooperation" in Bucharest Charter: " 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..."

Shanghai Cooperation Organization (2001-present)

- Article 5 of the Declaration on the Establishment of the SCO: "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."

Collective Security Treaty Organization (2003-present)

- Preamble of CSTO Charter: "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 of CSTO Charter: "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..."

ECCAS Protocol Relating to the Establishment of a Mutual Security Pact in Central Africa / COPAX Protocol (2000-present)

- Article 3: "The member states reaffirm their attachment to the principles of the UN Charter, OAU Charter, Universal Declaration of Human Rights, and ECCAS Treaty, notably:
(d) respect of the sovereignty, territorial integrity, and national unity of states;
(f) inviolability of the borders inherited from colonization"

Notes

- Dates for each treaty reflect the years when the treaty or institution was in legal effect.
- Source: ICOW Multilateral Treaties of Pacific Settlement (MTOPS) data set documentation, available at <<http://data.icow.org>>.