APPENDICES

APPENDIX A

Covenant of the League of Nations

Article 21:

Nothing in this covenant shall be deemed to affect the validity of international arrangements, such as treaties of arbitration or regional understandings like the Monroe Doctrine, for securing the maintenance of peace.

APPENDIX B

The Dumbarton Oak Proposals


Section C. Regional Arrangements.

1. Nothing in the Charter should preclude the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided such arrangements or agencies and their activities are consistent with purposes and principles of the organisation. The Security Council should encourage settlement of local disputes through such regional arrangements or by such regional agencies, either on the initiative of the states concerned or by reference from the Security Council.
2. The Security Council should, where appropriate, utilise such arrangements or agencies for enforcement action under its authority, but no enforcement action should be taken under regional arrangements or by regional agencies without the authorisation of the Security Council.

3. The Security Council should at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

APPENDIX C

Charter of the United Nations

Chapter VII: 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.

2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

Chapter VII: Action with respect to Threats to the Peace, Breaches of the Peace and Acts of Aggression.
Article 51:— Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and Security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and Security.

Chapter VIII:— Regional Arrangements.

Article 52.

1. Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the purposes and principles of the United Nations.

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.
3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.

4. This article in no way impairs the application of Articles 34 and 35.

Article 53:

1. The Security Council shall where appropriate utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exceptions of measures against any enemy state, as defined in paragraph 2 of this article provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organization may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a state.

2. The term enemy state as used in paragraph 1 of this article applies to any state which during the Second World War has been an enemy of any signatory of the present Charter.
Article 54.-

The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

APPENDIX D

Text of the operative clauses of the Pact of Mutual co-operation, signed at Baghdad on February 24, 1935. Article I.

Consistent with Article 51 of the United Nations charter, the high contracting parties will co-operate for their security and defence. Such measures as they agree to take to give effect to this co-operation may form the subject of special agreements with each other. Article 2. In order to ensure the realization and effect application for the co-operation provided for in Article I above, the competent authorities of the high contracting parties will determine the measures to be taken as soon as the present pact enters into force. These measures will become operative as soon as they have been approved by the Governments of the high contracting parties.

1. Article 51 provides, that the Charter shall not impair, "The inherent right of individual or collective self-defence if an armed attack occurs against a member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security."
Article 3:

The high contracting parties undertake to refrain from any interference whatsoever in each other's internal affairs. They will settle any disputes between themselves in a peaceful way in accordance with United Nations Charter.

Article 4:

The high contracting parties declare that the dispositions of the present pact are not in contradiction with any of the international obligations contracted by either of them with any third state or states. They do not derogate from, and cannot be interpreted as derogating from, the said international obligations. The high contracting parties undertake not to enter into any international obligation in compatible with the present pact.

Article 5:

This pact shall be open for accession to any member State of the Arab League or any other State actively concerned with the security and peace in this region and which is fully recognized by both of the high contracting parties. Accession shall come into force from the date on which the instrument of accession of the state concerned is deposited with the Ministry of Foreign Affairs of Iraq. Any acceding State party to the present pact may conclude special agreements in accordance with Article 1, with one or more States parties to the acceding state.
present pact. The competent authorities of any succeeding State may determine measures in accordance with Article 2. These measures will become operative as soon as they have been approved by the Governments of the parties concerned.

Article 6:-

A permanent Council at ministerial level will be set up to function within the frame-work of the purposes of this pact when at least four powers become parties to the pact. The council will draw up its own rules of procedure.

Article 7:-

This pact remains in force for a period of five years renewals for other five year periods. Any contracting party may withdraw from the pact by notifying the other parties in writing of its desire to do so, six months before the expiration of any of the above mentioned periods, in which case the pact remains valid for the other parties.
The Parties to this Treaty,

Recognizing the sovereign equality of all the Parties,

Reiterating their faith in the purposes and principles set forth in the Charter of the United Nations and their desire to live in peace with all peoples and all governments,

Reaffirming that, in accordance with the Charter of the United Nations, they uphold the principle of equal rights and self-determination of peoples, and declaring that they will earnestly strive by every peaceful means to promote self-government and to secure the independence of all countries whose peoples desire it and are able to undertake its responsibilities,

Desiring to strengthen the fabric of peace and freedom and to uphold the principles of democracy, individual liberty and the rule of law, and to promote the economic well-being and development of all peoples in the Treaty area,

Intending to declare publicly and formally their sense of unity, so that any potential aggressor will appreciate that the Parties stand together in the area, and
Desiring further to coordinate their efforts for collective defense for the preservation of peace and security;

Therefore agree as follows:

Article 1. The Parties undertake, as set forth in the Charter of the United Nations, to settle any international disputes 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.

Article 2. In order more effectively to achieve the objectives of this Treaty, the Parties, separately and jointly, by means of continuous and effective self-help and mutual aid will maintain and develop their individual and collective capacity to resist armed attack and to prevent and counter subversive activities directed from without against their territorial integrity and political stability.

Article 3. The Parties undertake to strengthen their free institutions and to cooperate with one another in the further development of economic measures, including technical assistance, designed both to promote economic progress and social well-being and to further the individual and collective efforts of governments toward these ends.
Article 4. 1. Each Party recognizes that aggression by means of armed attack, in the Treaty area against any of the Parties or against any State or territory which the Parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations.

2. If, in the opinion of any of the Parties, the inviolability or the integrity of the territory or the sovereignty or political independence of any Party in the Treaty area or of any other State or territory to which the provisions of paragraph 1 of this Article from time to time apply is threatened in any way other than by armed attack or is effected or threatened by any fact or situation which might endanger the peace of the area, the Parties shall consult immediately in order to agree on the measures which should be taken for the common defense.

3. It is understood that no action on the territory of any state designated by unanimous agreement under paragraph 1 of this Article or on any territory so designated shall be taken except at the invitation or with the consent of the government concerned.
**Article 5.** The Parties hereby establish a Council, on which each of them shall be represented, to consider matters concerning the implementation of this Treaty. The Council shall provide for consultation with regard to military and any other planning as the situation obtaining in the Treaty area may from time to time require. The Council shall be so organized as to be able to meet at any time.

**Article 6.** This Treaty does not affect and shall not be interpreted as affecting in any way the rights and obligations of any of the Parties under the Charter of the United Nations or the responsibility of the United Nations for the maintenance of international peace and security. Each Party declares that none of the international engagements now in force between it and any other of the Parties or any third party is in conflict with the provisions of this Treaty, and undertakes not to enter into any international engagement in conflict with this Treaty.

**Article 7.** Any other state in a position to further the objectives of this treaty and to contribute to the security of the area may, by unanimous agreement of the Parties, be invited to accede to this Treaty. Any state so invited may become a party to the Treaty by depositing its instrument of accession with the Government of the Republic of the Philippines. The Government of the Republic of the Philippines shall inform each of the Parties of the deposit of each such instrument of accession.
Article 3. As used in this Treaty, the "Treaty Area" is the general area of Southeast Asia, including also the entire territories of the Asian Parties, and the general area of the Southwest Pacific not including the Pacific area north of 21° 30' N. lat. The Parties may, by unanimous agreement, amend this Article to include within the Treaty Area the territory of any State acceding to this Treaty in accordance with Article 7 or otherwise to change the Treaty Area.

Article 9. 1. (omitted).

2. The Treaty shall be ratified and its provisions carried out by the Parties in accordance with their respective constitutional processes. The instruments of ratification shall be deposited as soon as possible with the Government of the Republic of the Philippines, which shall notify all of the other signatories of such deposit.

3. The Treaty shall enter into force between the States which have ratified it as soon as the instruments of ratification of a majority of the signatories shall have been deposited, and shall come into effect with respect to each other State on the date of the deposit of its instrument of ratification.

Article 10. This Treaty shall remain in force indefinitely, but any Party may cease to be a Party one year after its notice of denunciation has been given to the Government
of the Republic of the Philippines, which shall inform the
Governments of the other Parties of the deposit of each notice
of denunciation.

**ARTICLE 11.** The English text of this Treaty is binding
on the Parties, but when the Parties have agreed to the French
text thereof and have so notified the Government of the Republic
of the Philippines, the French text shall be equally authentic
and binding on the Parties.

**UNDERSTANDING OF THE UNITED STATES OF AMERICA**

The United States of America in executing the present
Treaty does so with the understanding that its recognition of
the effect of aggression and armed attack and its agreement
with reference thereto in Article 4, paragraph 1, apply only
to Communist aggression but affirms that in the event of other
aggression or armed attack it will consult under the provisions
of Article 4, paragraph 2.

In witness whereof the undersigned Plenipotentiaries
have signed this Treaty.

Done at Manila, this eighth day of September, 1954.
PROTOCOL TO THE
SOUTHEAST ASIA COLLECTIVE DEFENSE TREATY

DESIGNATION OF STATES AND TERRITORY AS TO WHICH PROVISIONS
OF ARTICLES 4 AND ARTICLE 3 ARE TO BE APPLICABLE.

The Parties to the Southeast Asia Collective Defense
Treaty unanimously designate for the purposes of Article 4 of
the Treaty the states of Cambodia and Laos and the free territ-
ory under the jurisdiction of the state of Vietnam.

The Parties further agree that the above mentioned
states and territory shall be eligible in respect of the
economic measures contemplated by Article 3.

This Protocol shall enter into force simultaneously
with the coming into force of the Treaty.

In witness whereof, the undersigned Plenipotentiaries
have signed this Protocol to the Southeast Asia Collective
Defense Treaty.

Done at Tanapa, this eighth day of September, 1954.