

consolidating and strengthening their relations of friendship and good neighborliness, and

Considering:

... That the High Contracting Parties reaffirm their adherence to the principles of inter-American solidarity and cooperation, and especially to those set forth in the preamble and declarations of the Act of Chapultepec, all of which should be understood to be accepted as standards of their mutual relations and as the juridical basis of the Inter-American System...

That the American regional community affirms as a manifest truth that juridical organization is a necessary prerequisite of security and peace, and that peace is founded on justice and moral order and, consequently, on the international recognition and protection of human rights and freedoms, on the indispensable well-being of the people, and on the effectiveness of democracy for the international realization of justice and security,

Have resolved, in conformity with the objectives stated above, to conclude the following Treaty, in order to assure peace, through adequate means, to provide for effective reciprocal assistance to meet armed attacks against any American State, and in order to deal with threats of aggression against any of them:

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. ...[T]he 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 3. The High Contracting Parties agree that an armed attack by any State against an American State shall be considered as an attack against all the American States and, consequently, each one of the said Contracting Parties undertakes to assist in meeting the attack in the exercise of the inherent right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations...

ARTICLE 6. If the inviolability or the integrity of the territory or the sovereignty or political independence of any American State should be affected by an aggression which is not an armed attack or by an extra-continental or intra-continental conflict, or by any other fact or situation that might endanger the peace of America, the Organ of Consultation shall meet immediately in order to agree on the measures which must be taken in case of aggression to assist the victim of the aggression or, in any case, the measures which should be taken for the common defense and for the maintenance of the peace and security of the Continent.

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 *status 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...

ARTICLE 8. For the purposes of this Treaty, the measures on which the Organ of Consultation may agree will comprise one or more of the following: recall of chiefs of diplomatic missions; breaking of diplomatic relations; breaking of consular relations; partial or complete interruption of economic relations or of rail, sea, air, postal, telegraphic, telephonic, and radiotelephonic or radiotelegraphic communications; and use of armed force.

ARTICLE 9. In addition to other acts which the Organ of Consultation may characterize as aggression, the following shall be considered as such:

- a. Unprovoked armed attack by a State against the territory, the people, or the land, sea or air forces of another State;
- b. Invasion, by the armed forces of a State, of the territory of an American State, through the trespassing of boundaries demarcated in accordance with a treaty, judicial decision, or arbitral award, or, in the absence of frontiers thus demarcated, invasion affecting a region which is under the effective jurisdiction of another State...

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1948

The Charter of the Organization of American States

*The Delegates to the Ninth International
Conference of American States*

Delegates to the Chapultepec conference in Mexico City in 1945 approved a resolution directing the Governing Board of the Pan American Union to draft a charter "for the improvement and strengthening of the pan-American system." In compliance with this directive, delegates at the Ninth

Source: U.S. Department of State. *Ninth International Conference of American States, in Bogotá, Colombia, 30 March–2 May 1948, Report of the Delegation of the United States of America with Related Documents*, pp. 166–85. Department of State Publication 3263. Washington, D.C.: GPO, 1948.

International Conference of American States meeting at Bogotá from March to May 1948 approved the charter of the Organization of American States (OAS), which replaced what had been known since 1910 as the Union of American Republics, whose staff organization was the Pan American Union.

In the name of their peoples, the states represented at the Ninth International Conference of American States,

Convinced that the historic mission of America is to offer to man a land of liberty, and a favorable environment for the development of his personality and the realization of his just aspirations;

Conscious that that mission has already inspired numerous agreements, whose essential value lies in the desire of the American peoples to live together in peace, and, through their mutual understanding and respect for the sovereignty of each one, to provide for the betterment of all, in independence, in equality and under law;

Confident that the true significance of American solidarity and good neighborliness can only mean the consolidation on this continent, within the framework of democratic institutions, of a system of individual liberty and social justice based on respect for the essential rights of man;

Persuaded that their welfare and their contribution to the progress and the civilization of the world will increasingly require intensive continental cooperation;

Resolved to persevere in the noble undertaking that humanity has conferred upon the United Nations, whose principles and purposes they solemnly reaffirm;

Convinced that juridical organization is a necessary condition for security and peace founded on moral order and on justice;... have agreed upon the following charter of the Organization of American States.

Part One

Chapter I: Nature and Purposes

ARTICLE 1. The American States establish by this Charter the international organization that they have developed to achieve an order of peace and justice, to promote their solidarity, to strengthen their collaboration, and to defend their sovereignty, their territorial integrity and their independence. Within the United Nations, the Organization of American States is a regional agency.

ARTICLE 2. All American States that ratify the present Charter are Members of the Organization....

ARTICLE 4. The Organization of American States, in order to put into practice the principles on which it is founded and to fulfill its regional obligations under the Charter of the United Nations, proclaims the following essential purposes:

- a) To strengthen the peace and security of the continent;
- b) To prevent possible causes of difficulties and to ensure the pacific settlement of disputes that may arise among the Member States;
- c) To provide for common action on the part of those States in the event of aggression;

- d) To seek the solution of political, juridical and economic problems that may arise among them; and
- e) To promote, by cooperative action, their economic, social and cultural development.

Chapter II: Principles

ARTICLE 5. The American States reaffirm the following principles:

- a) International law is the standard of conduct of States in their reciprocal relations;
- b) International order consists essentially of respect for the personality, sovereignty and independence of States, and the faithful fulfillment of obligations derived from treaties and other sources of international law;
- c) Good faith shall govern the relations between States;
- d) The solidarity of the American States and the high aims which are sought through it require the political organization of those States on the basis of the effective exercise of representative democracy;
- e) The American States condemn war of aggression: victory does not give rights;
- f) An act of aggression against one American State is an act of aggression against all the other American States;
- g) Controversies of an international character arising between two or more American States shall be settled by peaceful procedures;
- h) Social justice and social security are bases of lasting peace;
- i) Economic cooperation is essential to the common welfare and prosperity of the peoples of the continent;
- j) The American States proclaim the fundamental rights of the individual without distinction as to race, nationality, creed or sex;
- k) The spiritual unity of the continent is based on respect for the cultural values of the American countries and requires their close cooperation for the high purposes of civilization;
- l) The education of peoples should be directed toward justice, freedom and peace.

Chapter III: Fundamental Rights And Duties Of States

ARTICLE 6. States are juridically equal, enjoy equal rights and equal capacity to exercise these rights, and have equal duties. The rights of each State depend not upon its power to ensure the exercise thereof, but upon the mere fact of its existence as a person under international law....

ARTICLE 15. No State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. The foregoing principle prohibits not only armed force but also any other form of interference or attempted threat against the personality of the State or against its political, economic and cultural elements.

ARTICLE 16. No State may use or encourage the use of coercive measures of an economic or political character in order to force the sovereign will of another State and obtain from it advantages of any kind.

ARTICLE 17. The territory of a State is inviolable; it may not be the object, even temporarily, of 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.

ARTICLE 18. The American States bind themselves in their international relations not to have recourse to the use of force except in the case of self-defense in accordance with existing treaties or in fulfillment thereof.

ARTICLE 19. Measures adopted for the maintenance of peace and security in accordance with existing treaties do not constitute a violation of the principles set forth in Articles 15 and 17....

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1948

The Menace of Communism

*The Delegates to the Ninth International
Conference of American States*

While the main achievement of the Ninth International Conference of American States in Bogotá in 1948 was the adoption of the charter of the new Organization of American States (Document No. 69), one of the most important documents to emerge from that meeting reflected the growing concern of the United States with the spread of communism. The security threat attributed to Soviet and later Chinese aggression increasingly shaped U.S. foreign policy interests as the Cold War got under way in the late 1940s. Resolution 32, reprinted in full below, was the first official U.S.-Latin American expression of anticommunism. The first, U.S.-sponsored draft was amended by

Source: U.S. Department of State, *Ninth International Conference of American States, in Bogotá, Colombia, 30 March-2 May 1948, Report of the Delegation of the United States of America with Related Documents*. Department of State Publication 3263. Released November 1948.

Latin American delegates to include a condemnation not just of communism but also of "any other totalitarian doctrine."

Resolution 32. The Preservation and Defense of Democracy in America

Whereas:

In order to safeguard peace and maintain mutual respect among states, the present world situation requires that urgent measures be taken, to proscribe the tactics of totalitarian domination that are irreconcilable with the tradition of the American Nations, and to prevent serving international communism or any other totalitarian doctrine from seeking to distort the true and the free will of the peoples of this continent,

The Republics Represented at the Ninth International Conference of American States

Declare:

That, by its anti-democratic nature and its interventionist tendency, the political activity of international communism or any other totalitarian doctrine is incompatible with the concept of American freedom, which rests upon two undeniable postulates: the dignity of man as an individual and the sovereignty of the nation as a state,

Reiterate:

The faith that the peoples of the New World have placed in the ideal and in the reality of democracy, under the protection of which they shall achieve social justice, offering to all increasingly broader opportunities to enjoy the spiritual and material benefits that are the guarantee of civilization and the heritage of mankind;

Condemn:

In the name of international law, interference by any foreign power, or by any political organization serving the interests of a foreign power, in the public life of the nations of the American continent,

And resolve:

1. To reaffirm their decision to maintain and further an effective social and economic policy for the purpose of raising the standard of living of their peoples; and their conviction that only under a system founded upon a guarantee of the essential freedoms and rights of the individual is it possible to attain this goal.
2. To condemn the methods of every system tending to suppress political and civil rights and liberties, and in particular the action of international communism or any other totalitarian doctrine.
3. To adopt, within their respective territories and in accordance with their respective constitutional provisions the measures necessary to eradicate and prevent activities directed, assisted or instigated by foreign governments, organizations or individuals tending to overthrow their institutions by violence, to foment disorder in their domestic political life or to