Article 52

Resolution relating to the Declaration on the prohibition of military, political or economic coercion in the conclusion of treaties

The United Nations Conference on the Law of Treaties,

Having adopted the Declaration on the prohibition of military, political or economic coercion in the conclusion of treaties as part of the Final Act of the Conference,

1. Requests the Secretary-General of the United Nations to bring the Declaration to the attention of all Member States and other States participating in the conference, and of the principle organs of the United Nations;

2. Requests Member States to give the Declaration the widest possible publicity and dissemination.

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Materials:

Proposal by Afghanistan: OR 1969 Plenary 100, para. 3.
Minutes: OR 1968 CoW; OR 1969 Plenary 93, para. 5 f, 100 f, para. 1 ff, 168 f, para. 1 ff.

Vienna Conference Vote: 99:0:4

Selected Literature: see the literature mentioned in Article 52.

The basis of this commentary was prepared by Alison Wiebalck.
## A. History

At the 1968/1969 Vienna Conference debate arose on the definition of “force” in Article 52 (q.v., N. 3), in particular as to whether it included political and economic pressure. By way of compromise, the Conference adopted the *Declaration on the Prohibition of Military, Political or Economic Coercion in the Conclusion of Treaties* (Article 52—Declaration, q.v., N. 1). The draft resolution was submitted in Plenary by Afghanistan in order to ensure the dissemination of the Declaration. Generally favourably received, the resolution was adopted by 99 votes to none, with four abstentions and annexed, together with the Declaration which it accompanied, to the *Final Act of the Vienna Conference* (q.v.).

## B. Interpretation of Resolution

In its Preamble to the Resolution, the *United Nations Conference on the Law of Treaties* refers to its adoption of the Declaration on the prohibition of military, political or economic coercion in the conclusion of treaties as part of the *Final Act of the Conference*. Thereby, the link is established with the Declaration (Article 52—Declaration, q.v.) and also, indirectly, with Article 52 (q.v.).

“[O]f a procedural nature”, the purpose of the Resolution is to ensure dissemination of the Declaration (N. 1). Accordingly, in para. 1 of the

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1. OR 1969 Plenary 100, para. 2 (“the purpose of which was to provide an organic link for the draft declaration”); statement by the delegation of Japan, *ibid.* 101, para. 10 (“designed to secure wider publicity and dissemination for the declaration”).
2. *E.g.*, the statements by the delegations of Brazil, *ibid.* 101, para. 11; then Czechoslovakia, *ibid.* para. 13; and the Netherlands, *ibid.* 101 f, para. 18. The vote is at *ibid.* 101, para. 13.
3. Statement in Vienna by the delegation of Afghanistan, *ibid.* 100, para. 2.