

ATTACHMENT 1: COMPARISON OF DOCUMENTS

THE NORTH ATLANTIC TREATY

zdroj: http://www.natoaktual.cz/na_zpravy.aspx?y=na_summit/washingtonskaslouva.htm

The Parties to this Treaty reaffirm their faith in the purposes and principles of the Charter of the United Nations and their desire to live in peace with all peoples and all governments.

They are determined to safeguard the freedom, common heritage and civilisation of their peoples, founded on the principles of democracy, individual liberty and the rule of law. They seek to promote stability and well-being in the North Atlantic area.

They are resolved to unite their efforts for collective defence and for the preservation of peace and security. They therefore agree to this North Atlantic Treaty :

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.

Article 2

The Parties will contribute toward the further development of peaceful and friendly international relations by strengthening their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded, and by promoting conditions of stability and well-being. They will seek to eliminate conflict in their international economic policies and will encourage economic collaboration between any or all of them.

Article 3

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.

Article 4

The Parties will consult together whenever, in the opinion of any of them, the territorial integrity, political independence or security of any of the Parties is threatened.

Article 5

The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defence recognised by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.

Any such armed attack and all measures taken as a result thereof shall immediately be reported to the Security Council. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security .

Article 6 ¹

For the purpose of Article 5, an armed attack on one or more of the Parties is deemed to include an armed attack:

on the territory of any of the Parties in Europe or North America, on the Algerian Departments of France², on the territory of Turkey or on the Islands under the jurisdiction of any of the Parties in the North Atlantic area north of the Tropic of Cancer;

on the forces, vessels, or aircraft of any of the Parties, when in or over these territories or any other area in Europe in which occupation forces of any of the Parties were stationed on the date when the Treaty entered into force or the Mediterranean Sea or the North Atlantic area north of the Tropic of Cancer.

SUGGESTION FOR A "LEAGUE" TO PRESERVE PEACE IN EUROPE, AUGUST 1840 (translated from French)

Article I – analogy with Article 1 of The North Atlantic Treaty

The four courts expressly undertake a mutual commitment to not to grant a request for the use of force against any European state in any case without addressing other signatory courts of the present agreement beforehand in order to obtain (if it can be done), with their help, the redress of grievances they might have, by way of conciliation.

Article II – analogy with Article 4 of The North Atlantic Treaty

In case of such request, the four courts undertake to gather together in the town appointed to them by the power that had made the request in order to make a common decision to prevent an outbreak, and, after becoming aware of the facts, they shall hasten to destroy any cause of war using all the moral influence to obtain security or reparation depending on the circumstances for the threatened or prejudiced party.

Article III – analogy with Articles 3 and 5 of The North Atlantic Treaty

If, despite their effort, an aggressive power insists on its encroachment projects towards others and shows itself to be willing to assert them by the use of force, in such and in any other case, they shall feel called to save their common defence. In such case, they shall perceive an attack against one of them as an attack against all powers and they shall make all the effort necessary and use all their means to confront them.

Article IV – this option is not explicitly mentioned in The North Atlantic Treaty

To leave no doubt about the true intention of the courts, they declare that if the peacekeeping were threatened by the act of a signatory power of the present agreement, the others shall be obliged to fulfil the commitments they undertook in the previous articles, and they shall fulfil them in the same manner like if such act were committed by a power that would remain a foreign one.

Article V – analogy with Articles 1, 3, 4 of The North Atlantic Treaty

In case no request had been made but it was common knowledge that peace in Europe was threatened to be disturbed, the signatory powers of the present act reserve the right to gather together in the state capital of one of them to take into consideration the means to preserve the blessings of peace in Europe gathering their advice and, if needed, their effort for a purpose if desirable.

Article VI – analogy with Article 10 of The North Atlantic Treaty

The four courts that wish to offer Europe the same security they aim to assure for themselves agreed to communicate the present agreement to other European courts inviting them to join it, provided that all ruling and all resolutions to be taken in accordance with the provisions of this act shall be reserved exclusively to the powers that were its original signatories.

Article 7

This Treaty does not affect, and shall not be interpreted as affecting in any way the rights and obligations under the Charter of the Parties which are members of the United Nations, or the primary responsibility of the Security Council for the maintenance of international peace and security.

Article 8

Each Party declares that none of the international engagements now in force between it and any other of the Parties or any third State is in conflict with the provisions of this Treaty, and undertakes not to enter into any international engagement in conflict with this Treaty.

Article 9

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 be so organised as to be able to meet promptly at any time. The Council shall set up such subsidiary bodies as may be necessary; in particular it shall establish immediately a defence committee which shall recommend measures for the implementation of Articles 3 and 5.

Article 10

The Parties may, by unanimous agreement, invite any other European State in a position to further the principles of this Treaty and to contribute to the security of the North Atlantic area 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 United States of America. The Government of the United States of America will inform each of the Parties of the deposit of each such instrument of accession.

Article 11

This 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 United States of America, which will notify all the other signatories of each deposit. The Treaty shall enter into force between the States which have ratified it as soon as the ratifications of the majority of the signatories, including the ratifications of Belgium, Canada, France, Luxembourg, the Netherlands, the United Kingdom and the United States, have been deposited and shall come into effect with respect to other States on the date of the deposit of their ratifications. ⁽³⁾

Article 12

After the Treaty has been in force for ten years, or at any time thereafter, the Parties shall, if any of them so requests, consult together for the purpose of reviewing the Treaty, having regard for the factors then affecting peace and security in the North Atlantic area, including the development of universal as well as regional arrangements under the Charter of the United Nations for the maintenance of international peace and security.

Article 13

After the Treaty has been in force for twenty years, any Party may cease to be a Party one year after its notice of denunciation has been given to the Government of the United States of America, which will inform the Governments of the other Parties of the deposit of each notice of denunciation.

Article 14

This Treaty, of which the English and French texts are equally authentic, shall be deposited in the archives of the Government of the United States of America. Duly certified copies will be transmitted by that Government to the Governments of other signatories.

¹The definition of the territories to which Article 5 applies was revised by Article 2 of the Protocol to the North Atlantic Treaty on the accession of Greece and Turkey signed on 22 October 1951.

²On January 16, 1963, the North Atlantic Council noted that insofar as the former Algerian Departments of France were concerned, the relevant clauses of this Treaty had become inapplicable as from July 3, 1962.

³The Treaty came into force on 24 August 1949, after the deposition of the ratifications of all signatory states.