

# ARTICLES 1(1), 1(3), 1(4), 2(1), 2(2), 2(3) AND 2(5)

## CONTENTS

### *Paragraphs*

Text of Article 1(1), 1(3) and 1(4)	
Text of Article 2(1), 2(2), 2(3) and 2(5)	
Introductory note . . . . .	1-3
Summary of practice . . . . .	4-15
The practice of the General Assembly . . . . .	5-15
1. The Purposes and Principles as a whole . . . . .	5-6
2. Article 1(1) . . . . .	7-8
3. Article 1(3) . . . . .	9-10
4. Article 1(4) . . . . .	11
5. Article 2(1) . . . . .	12
6. Article 2(2) . . . . .	13
7. Article 2(3) . . . . .	14
8. Article 2(5) . . . . .	15
Annexes	
I. Tabulation of decisions of the General Assembly referring to the Purposes and Principles of the Charter as a whole	
II. Tabulation of decisions of the General Assembly referring to specific Purposes and Principles of the Charter	

## ARTICLES 1(1), 1(3), 1(4), 2(1), 2(2), 2(3) AND 2(5)

### TEXT OF ARTICLE 1(1), 1(3) AND 1(4)

The Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;

...

3. To achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion; and

4. To be a centre for harmonizing the actions of nations in the attainment of these common ends.

### TEXT OF ARTICLE 2(1), 2(2), 2(3) AND 2(5)

The Organization and its Members, in pursuit of the Purposes stated in Article 1, shall act in accordance with the following Principles.

1. The Organization is based on the principle of the sovereign equality of all its Members.

2. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfil in good faith the obligations assumed by them in accordance with the present Charter.

3. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.

...

5. All Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any State against which the United Nations is taking preventive or enforcement action.

### INTRODUCTORY NOTE

1. The present *Supplement*, as in *Supplements Nos. 2 to 5*, Article 1(2) as well as paragraphs 4, 6 and 7 of Article 2 are treated in separate studies. The present study is therefore confined to the practice of the United Nations organs relating to paragraphs 1, 3 and 4 of Article 1 and to paragraphs 1, 2, 3 and 5 of Article 2.

2. As before, the decisions of United Nations organs taken under other Articles of the Charter are dealt with under those Articles to which they are directly related. Consequently, the present study is confined, for the reasons

stated in *Supplement No. 2*, to an examination: (a) of the general features of the practice of the General Assembly in making reference to the Purposes and Principles of the Charter; and (b) of certain decisions of the General Assembly as the organ with the widest-ranging functions and responsibilities under the Charter.

3. The relevant provisions of the resolutions adopted by the General Assembly during the period under review are tabulated in two annexes to the present study.

## SUMMARY OF PRACTICE

4. During the period under review, United Nations organs continued their practice of relying on the Purposes and Principles of the Charter as a whole, or on a particular provision of Article 1 and Article 2, as a basis for dealing with varied subject matters. The main features of that practice were summarized in paragraphs 7 to 15 of the *Repertory* study of Articles 1 and 2 (1-5).

### The practice of the General Assembly

#### 1. The Purposes and Principles as a whole

5. During the period under review, the General Assembly adopted a number of resolutions stressing the duty of all Member States to observe and support the Purposes and Principles of the Charter of the United Nations. In its resolutions 34/44, 35/35, 36/9, 37/43, 38/17 and 39/17 on the "Importance of the universal realization of the right of peoples to self-determination and the speedy granting of independence to colonial countries and peoples for the effective guarantee and the observance of human rights", the General Assembly reaffirmed "the obligation of all Member States to comply with the principles of the Charter and the resolutions of the United Nations". In its resolution 34/100 on the implementation of the Declaration on the Strengthening of International Security, the General Assembly called upon all States to "adhere fully to the purposes and principles of the Charter". In its resolution 34/103 on the inadmissibility of the policy of hegemonism in international relations, the General Assembly called upon all States, "in the conduct of international relations, to observe strictly the principles of the Charter of the United Nations". In its resolutions 35/6, 36/5, 37/6, 38/3 and 39/5 on the situation in Kampuchea, the General Assembly reaffirmed "the need for all States to adhere strictly to the principles of the Charter of the United Nations which call for respect for the national independence, sovereignty and territorial integrity of all States, non-intervention and non-interference in the internal affairs of States, non-recourse to the threat or use of force and peaceful settlement of disputes". In the Declaration of the 1980s as the Second Disarmament Decade, adopted by the General Assembly in its resolution 35/46, the Assembly recalled the Final Document of the Tenth Special Session, in which it had "emphasized that ... peace and security must be based on strict respect for the principles of the Charter of the United Nations". In its resolution 35/156 on "General and complete disarmament", the Assembly recognized that "compliance with the purposes and principles of the Charter would promote world order and security, so necessary in these demanding times". In the Manila Declaration on the Peaceful Settlement of International Disputes, approved by the General Assembly in its resolution 37/10, the General Assembly solemnly declared that: "All States shall act in good faith and in conformity with the purposes and principles enshrined in the Charter of the United Nations with a view to avoiding disputes among themselves likely to affect friendly relations among States."

6. Other General Assembly resolutions invoking the Purposes and Principles of the Charter dealt with the

following matters: (a) status of the International Convention on the Suppression and Punishment of the Crime of apartheid;<sup>1</sup> (b) question of Western Sahara;<sup>2</sup> (c) question of Guam;<sup>3</sup> (d) activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Southern Rhodesia and Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa;<sup>4</sup> (e) question of Palestine;<sup>5</sup> (f) the situation in the Middle East;<sup>6</sup> (g) review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session;<sup>7</sup> (h) general and complete disarmament;<sup>8</sup> (i) report of the Special Committee to investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories;<sup>9</sup> (j) question of Namibia;<sup>10</sup> (k) policies of apartheid of the Government of South Africa;<sup>11</sup> (l) report of the International Law Commission;<sup>12</sup> (m) International Convention against the Taking of Hostages;<sup>13</sup> (n) question of East Timor;<sup>14</sup> (o) the situation in Afghanistan and its implications for international peace and security;<sup>15</sup> (p) drafting of an international convention against the recruitment, use, financing and training of mercenaries;<sup>16</sup> (q) Draft Code of Offences against the Peace and Security of Mankind;<sup>17</sup> (r) implementation of the Declaration of the Indian Ocean as a Zone of Peace;<sup>18</sup> (s) implementation of the Declaration on the Strengthening of International Security;<sup>19</sup> (t) consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives;<sup>20</sup> (u) situation of human rights and fundamental freedoms in El Salvador;<sup>21</sup> (v) measures to be taken against Nazi, Fascist and neo-Fascist activities and all other forms of totalitarian ideologies and practices based on racial intolerance, hatred and terror;<sup>22</sup> (w) Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States;<sup>23</sup> (x) United Nations Conference of Plenipotentiaries

<sup>1</sup> G A resolutions 34/27, 35/39, 36/13, 37/47, 38/19 and 39/19.

<sup>2</sup> G A resolutions 34/37, 35/19, 36/46, 37/28 and 39/40.

<sup>3</sup> G A resolutions 34/39, 35/22, 36/63, 37/21, 38/42 and 39/32.

<sup>4</sup> G A resolutions 34/41, 35/28, 36/51, 37/31, 38/50 and 39/42.

<sup>5</sup> G A resolutions 34/65, 35/169, 36/120 and 37/86.

<sup>6</sup> G A resolutions 34/70, 37/123, 38/180 and 39/146.

<sup>7</sup> G A resolutions 34/83 and 37/78.

<sup>8</sup> G A resolutions 34/87, 35/156 and 37/99.

<sup>9</sup> G A resolutions 34/90, 35/122, 36/147, 37/88, 38/79 and 39/95.

<sup>10</sup> G A resolutions 34/92 and 36/121.

<sup>11</sup> G A resolutions 34/93, 35/206, 37/69 and 39/72.

<sup>12</sup> G A resolutions 34/141, 36/114, 35/163, 37/111, 38/138 and 39/85.

<sup>13</sup> G A resolution 34/146.

<sup>14</sup> G A resolutions 34/40, 35/27, 36/50 and 37/30.

<sup>15</sup> G A resolutions 35/37, 36/34, 37/37, 38/29 and 39/13.

<sup>16</sup> G A resolutions 35/48, 37/109, 38/137 and 39/84.

<sup>17</sup> G A resolutions 35/49, 36/106, 37/102, 38/132 and 39/80.

<sup>18</sup> G A resolutions 35/150, 36/90, 37/96, 38/185 and 39/149.

<sup>19</sup> G A resolutions 35/158, 36/102, 37/118 and 39/155.

<sup>20</sup> G A resolutions 35/168, 38/136 and 39/83.

<sup>21</sup> G A resolutions 35/192, 36/155, 37/185, 38/101 and 39/119.

<sup>22</sup> G A resolutions 35/200, 36/162, 37/179, 38/99 and 39/114.

<sup>23</sup> G A resolution 36/103.

on Succession of States in respect of State Property, Archives and Debts;<sup>24</sup> (y) international cooperation to avert new flows of refugees;<sup>25</sup> (z) question of the Falkland Islands (Malvinas);<sup>26</sup> (aa) Principles Governing the Use by States of Artificial Earth Satellites for International Direct Television Broadcasting;<sup>27</sup> (bb) review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session;<sup>28</sup> (cc) human rights and scientific and technological developments;<sup>29</sup> (dd) cooperation between the United Nations and the League of Arab States;<sup>30</sup> (ee) proposed new racial constitution of South Africa;<sup>31</sup> (ff) measures to prevent international terrorism which endangers or takes innocent human lives or jeopardizes fundamental freedoms and study of the underlying causes of those forms of terrorism and acts of violence which lie in misery, frustration, grievance and despair and which cause some people to sacrifice human lives, including their own, in an attempt to effect radical changes;<sup>32</sup> and (gg) strengthening of security and cooperation in the Mediterranean region.<sup>33</sup>

## 2. Article 1 (1)

7. During the period under review, the General Assembly referred explicitly to Article 1 (1) in its resolution 35/156 on general and complete disarmament. By that resolution, the Assembly, "*recalling* that, according to Article 1, paragraph 1, of the Charter of the United Nations, the primary purpose of the United Nations is to maintain international peace and security and, to that end, to take effective collective measures for the prevention and removal of threats to peace and for the suppression of acts of aggression or other breaches of peace", called upon all States to proceed in a positive spirit towards measures under the Charter of the United Nations for a system of international security and order concurrently with efforts at effective disarmament.

8. Other resolutions referring to Article 1 (1), but making no specific reference to it, related to the following agenda items: (a) International Convention against the Taking of Hostages;<sup>34</sup> (b) measures to be taken against Nazi, Fascist and neo-Fascist activities and all other forms of totalitarian ideologies and practices based on racial intolerance, hatred and terror;<sup>35</sup> (c) World Charter for

Nature;<sup>36</sup> (d) peaceful settlement of disputes between States;<sup>37</sup> and (e) right of peoples to peace.<sup>38</sup>

## 3. Article 1 (3)

9. Explicit reference to Article 1 (3) was made in General Assembly resolution 34/150, entitled "Consolidation and progressive development of the principles and norms of international economic law relating to the legal aspects of the new international economic order".

10. Other General Assembly resolutions bearing on Article 1 (3), but making no specific reference to it, concerned the following agenda items: (a) elimination of all forms of religious intolerance;<sup>39</sup> (b) alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms;<sup>40</sup> (c) Convention on the Elimination of All Forms of Discrimination against Women;<sup>41</sup> (d) situation of human rights and fundamental freedoms in El Salvador;<sup>42</sup> (e) measures to improve the situation and ensure the human rights and dignity of all migrant workers;<sup>43</sup> (f) measures to be taken against Nazi, Fascist and neo-Fascist activities and all other forms of totalitarian ideologies and practices based on racial intolerance, hatred and terror;<sup>44</sup> (g) Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief;<sup>45</sup> (h) World Charter for Nature;<sup>46</sup> (i) situation of human rights and fundamental freedoms in Chile;<sup>47</sup> (j) human rights and scientific and technological developments;<sup>48</sup> (k) Second Decade to Combat Racism and Racial Discrimination;<sup>49</sup> (l) further promotion and protection of human rights and fundamental freedoms;<sup>50</sup> and (m) right of peoples to peace.<sup>51</sup>

## 4. Article 1 (4)

11. No explicit reference was made to Article 1 (4) in resolutions of the General Assembly during the period under review. However, resolution 34/182 on questions relating to information can be said to have a bearing on Article 1 (4).<sup>52</sup>

<sup>24</sup>G A resolutions 36/113 and 37/11.

<sup>25</sup>G A resolution 36/148.

<sup>26</sup>G A resolutions 37/9, 38/12 and 39/6.

<sup>27</sup>G A resolution 37/92.

<sup>28</sup>G A resolution 37/78.

<sup>29</sup>G A resolutions 37/189, 38/113 and 39/134.

<sup>30</sup>G A resolutions 36/24, 37/17, 38/6 and 39/9.

<sup>31</sup>G A resolution 38/11.

<sup>32</sup>G A resolutions 36/109 and 38/130.

<sup>33</sup>G A resolution 39/153.

<sup>34</sup>G A resolution 34/146.

<sup>35</sup>G A resolutions 35/200, 36/162, 37/179, 38/99 and 39/114.

<sup>36</sup>G A resolution 37/7, annex.

<sup>37</sup>G A resolution 37/10, annex.

<sup>38</sup>G A resolution 39/11, annex.

<sup>39</sup>G A resolutions 34/43, 35/125, 37/187, 38/109 and 39/131.

<sup>40</sup>G A resolutions 34/46, 34/48, 35/174, 36/133, 37/199, 38/124 and 39/145.

<sup>41</sup>G A resolutions 34/180, 35/140, 38/109 and 39/130.

<sup>42</sup>G A resolutions 35/192, 36/155, 37/185, 38/101 and 39/119.

<sup>43</sup>G A resolution 35/198.

<sup>44</sup>G A resolutions 35/200, 36/162, 37/179, 38/99 and 39/114.

<sup>45</sup>G A resolution 36/55.

<sup>46</sup>G A resolution 37/7, annex.

<sup>47</sup>G A resolutions 37/183, 38/102 and 39/121.

<sup>48</sup>G A resolutions 37/189 A, 38/113 and 39/134.

<sup>49</sup>G A resolutions 38/14 and 39/16.

<sup>50</sup>G A resolution 37/200.

<sup>51</sup>G A resolution 39/11, annex.

<sup>52</sup>See also G A resolutions 35/201, 36/149, 37/94, 38/82 and 39/98.

### 5. Article 2 (1)

12. The General Assembly referred to the principle of sovereign equality in several resolutions on the following agenda items: (a) implementation of the Declaration on the Strengthening of International Security;<sup>53</sup> (b) inadmissibility of the policy of hegemonism in international relations;<sup>54</sup> (c) Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States;<sup>55</sup> and (d) peaceful settlement of disputes between States.<sup>56</sup>

### 6. Article 2 (2)

13. The principle embodied in Article 2 (2) was referred to by the General Assembly in its resolutions which dealt with the following matters: (a) activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Southern Rhodesia and Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa;<sup>57</sup> (b) report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the

Occupied Territories;<sup>58</sup> (c) report of the International Atomic Energy Agency;<sup>59</sup> (d) general and complete disarmament;<sup>60</sup> (e) peaceful settlement of disputes between States;<sup>61</sup> (f) the situation in the Middle East;<sup>62</sup> and (g) implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security.<sup>63</sup>

### 7. Article 2 (3)

14. The principle of peaceful settlement of international disputes was invoked by the General Assembly in the Manila Declaration on the Peaceful Settlement of International Disputes, which is annexed to General Assembly resolution 37/10.<sup>64</sup>

### 8. Article 2 (5)

15. No explicit reference was made to Article 2 (5) in resolutions of the General Assembly during the period under review.

<sup>53</sup>G A resolutions 34/100 and 36/102.

<sup>54</sup>G A resolution 34/103.

<sup>55</sup>G A resolution 36/103.

<sup>56</sup>G A resolution 37/10, annex.

<sup>57</sup>G A resolutions 34/41, 35/28, 36/51, 37/31, 38/50 and 39/42.

<sup>58</sup>G A resolutions 34/90 B, 35/122 A, 36/147 A, 37/88 A, 38/79 B and 39/95 B.

<sup>59</sup>G A resolution 36/25.

<sup>60</sup>G A resolution 36/97 K.

<sup>61</sup>G A resolution 37/10, annex.

<sup>62</sup>G A resolutions 37/123 A, 38/180 A and 39/146 B.

<sup>63</sup>G A resolution 38/191.

<sup>64</sup>See also G A resolutions 34/102 and 35/160.

## ANNEX I

**Tabulation of decisions of the General Assembly referring to the Purposes and Principles of the Charter as a whole**

**(1 January 1979-31 December 1984)**

<i>Resolution No.</i>	<i>Title</i>	<i>Charter reference</i>
34/27 <sup>a</sup>	Status of the International Convention on the Suppression and Punishment of the Crime of Apartheid	The General Assembly reaffirms its conviction that apartheid constituted "a total negation of the purposes and principles of the Charter of the United Nations" and was a gross violation of human rights and a crime against humanity seriously disturbing and threatening international peace and security.
34/37 <sup>b</sup>	Question of Western Sahara	The General Assembly recalled the inalienable right of all peoples to self-determination and independence "in accordance with the principles set forth in the Charter of the United Nations" and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples.
34/39 <sup>c</sup>	Question of Guam	The General Assembly recalled its relevant resolutions concerning military bases in colonial and Non-Self-Governing Territories, recognized that the presence of military bases could constitute a factor impeding the implementation of the Declaration, and reaffirmed its strong conviction that the presence of military bases in Guam should not prevent the people of the Territory from exercising their inalienable right to self-determination and independence in accordance with the Declaration and "the purposes and the principles of the Charter".
34/41 <sup>d</sup>	Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Southern Rhodesia and Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa	The General Assembly reaffirmed that any economic or other activity which impeded the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and obstructed efforts aimed at the elimination of colonialism, apartheid and racial discrimination in southern African and other colonial Territories violated the political, economic and social rights and interests of the peoples of the Territories and was therefore "incompatible with the purposes and the principles of the Charter".

<sup>a</sup>See also G A resolutions 35/39, 36/13, 37/47, 38/19 and 39/19.

<sup>b</sup>See also G A resolutions 35/19, 36/46, 37/28 and 39/40.

<sup>c</sup>See also G A resolutions 35/22, 36/63; see also "Question of the Turks and Caicos Islands", G A resolution 35/25.

<sup>d</sup>See also G A resolutions 35/28, 36/51, 37/31, 38/50 and 39/42.

<i>Resolution No.</i>	<i>Title</i>	<i>Charter reference</i>
34/44 <sup>e</sup>	Importance of the universal realization of the right of peoples to self-determination and the speedy granting of independence to colonial countries and peoples for the effective guarantee and the observance of human rights	The General Assembly reaffirmed the obligation of all Member States “to comply with the principles of the Charter” and the resolutions of the United Nations regarding the exercise of the right to self-determination by peoples under colonial and alien domination.
34/87 B <sup>f</sup>	General and complete disarmament: confidence-building measures	The General Assembly stressed once again the importance of the statement contained in paragraph 93 of the Final Document of the Tenth Special Session of the General Assembly, that it was necessary, in order to facilitate the process of disarmament, to take measures and to pursue policies to strengthen international peace and security and to build confidence among States, in accordance “with the purposes and principles of the Charter of the United Nations”.
34/90 A <sup>g</sup>	Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories	The General Assembly was guided by the “purposes and principles of the Charter of the United Nations” as well as the principles and provisions of the Universal Declaration of Human Rights.
34/92 G	Question of Namibia: situation in Namibia resulting from the illegal occupation of the Territory by South Africa	The General Assembly reaffirmed that the natural resources of Namibia were the birthright of the Namibian people and that the exploitation of those resources by foreign economic interests under the protection of the repressive racist colonial administration, “in violation of the Charter of the United Nations” and of the pertinent resolutions of the General Assembly and the Security Council, was illegal.
34/93 A	Policies of apartheid of the Government of South Africa: situation in South Africa	The General Assembly declared that any collaboration with the racist regime and apartheid institutions was a “hostile act against the purposes and principles of the United Nations” and constituted a threat to international peace and security.
34/100	Implementation of the Declaration on the Strengthening of International Security	The General Assembly called upon all States to “adhere fully to the purposes and principles of the Charter” and to observe strictly, in international relations, the principles of national independence, sovereignty, territorial integrity, sovereign equality, non-intervention and non-interference in the internal or external affairs of other States, the right of all States and peoples to determine their political systems and to pursue economic, social and cultural development without intimidation, hindrance or pressure, sovereignty over natural resources, inviolability of international frontiers, non-use of force or threat of force and non-recognition of situations brought about by the threat or

<sup>e</sup>See also G A resolutions 35/35, 36/9, 37/43, 38/17 and 39/17.

<sup>f</sup>See also G A resolution 37/99.

<sup>g</sup>See also G A resolutions 35/122 C, 36/147 A, 37/88, 38/79 B and 39/95 D.

<i>Resolution No.</i>	<i>Title</i>	<i>Charter reference</i>
		use of force, and the principle of peaceful settlement of disputes.
34/103	Inadmissibility of the policy of hegemonism in international relations	The General Assembly called upon all States, in the conduct of international relations, "to observe strictly the principles of the Charter of the United Nations" and those regarding respect for the sovereignty, sovereign equality, national independence, unity and territorial integrity of States, non-interference in their internal affairs, non-aggression, peaceful settlement of disputes and cooperation, as well as of the right of peoples under colonial and alien domination to self-determination.
34/141 <sup>h</sup>	Report of the International Law Commission	The General Assembly emphasized the need for the progressive development of international law and its codification in order to make it "a more effective means of implementing the purposes and principles set forth in the Charter of the United Nations" and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations and to give increased importance to its role in relations among States.
35/27 <sup>i</sup>	Question of East Timor	The General Assembly recognized the inalienable right of all peoples to self-determination and independence "in accordance with the principles of the Charter of the United Nations" and of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 1514 (XV) of 14 December 1960.
35/37 <sup>j</sup>	The situation in Afghanistan and its implications for international peace and security	The General Assembly reaffirmed "the purposes and principles of the Charter of the United Nations" and the obligation of all States to refrain in their international relations from the threat or use of force against the sovereignty, territorial integrity and political independence of any State.
35/46, annex	Declaration of the 1980s as the Second Disarmament Decade	The Declaration stated that, in the Final Document of the Tenth Special Session, the first special session devoted to disarmament, the General Assembly had emphasized that, on the one hand, the arms race in all its aspects ran counter to efforts to achieve further relaxation of international tension to establish a viable system of international peace and security and, on the other, that peace and security must be based on strict respect for "the principles of the Charter of the United Nations".

<sup>h</sup>See also G A resolutions 36/114, 35/163, 37/111, 38/138, ES-8/2 (para. 4) and 39/85.

<sup>i</sup>See also G A resolutions 34/40, 36/50 and 37/30.

<sup>j</sup>See also G A resolutions 36/34, 37/37, 38/29 and 39/13.



<i>Resolution No.</i>	<i>Title</i>	<i>Charter reference</i>
35/48 <sup>k</sup>	Drafting of an international convention against the recruitment, use, financing and training of mercenaries	The General Assembly considered that the progressive development and codification of the rules of international law on mercenaries would contribute immensely to the implementation of the “purposes and the principles of the Charter”.
35/49 <sup>l</sup>	Draft Code of Offences against the Peace and Security of Mankind	The General Assembly recalled the belief that the elaboration of a Code of Offences against the Peace and Security of Mankind could contribute to strengthening international peace and security and thus to promoting and implementing the “purposes and principles set forth in the Charter of the United Nations”.
35/150 <sup>m</sup>	Implementation of the Declaration of the Indian Ocean as a Zone of Peace	The General Assembly considered that the creation of a zone of peace in the Indian Ocean required the participation of and cooperation among the littoral and hinterland States, the permanent members of the Security Council and major maritime users, to ensure conditions of peace and security based on “the purposes and principles of the Charter” as well as the general principles of international law.
35/156 J	General and complete disarmament: disarmament and international security	The General Assembly recognized that “compliance with the purposes and principles of the Charter” would promote world order and security, so necessary in these demanding times.
35/158	Implementation of the Declaration on the Strengthening of International Security	The General Assembly solemnly reaffirmed, on the occasion of the thirty-fifth anniversary of the adoption of the Declaration on the Strengthening of International Security, “the universal and unconditional validity of purposes and principles of the Charter of the United Nations” as the basis of relations among States, irrespective of their size, geographic location, level of development or their political, economic, social or ideological systems, as a basic way to ensure international peace and security.
35/168 <sup>n</sup>	Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives	The General Assembly declared itself convinced that respect for the principles and rules of international law governing diplomatic and consular relations, in particular those aimed at ensuring the inviolability of diplomatic and consular missions and representatives, was a basic prerequisite for the normal conduct of relations among States and “for the fulfilment of the purposes and principles of the Charter of the United Nations”.
35/169 A, annex	Question of Palestine	The General Assembly strongly reaffirmed its repeated endorsement of the recommendations of the Committee on the Exercise of the Inalienable Rights of the

<sup>k</sup>See also G A resolutions 35/48, 37/109, 38/137 and 39/84.

<sup>l</sup>See also G A resolutions 36/106, 37/102, 38/132 and 39/80.

<sup>m</sup>See also G A resolutions 36/90, 37/96, 38/185 and 39/149.

<sup>n</sup>See also G A resolutions 38/136 and 39/83.

Resolution No.	Title	Charter reference
		Palestinian People, which considered that the evacuation of the territories occupied by force and “in violation of the principles of the Charter of the United Nations and relevant resolutions of the United Nations” was a <i>conditio sine qua non</i> for the exercise by the Palestinian people of its inalienable rights in Palestine.
35/192 <sup>o</sup>	Situation of human rights and fundamental freedoms in El Salvador	The General Assembly was guided by the “principles embodied in the Charter of the United Nations” and the Universal Declaration of Human Rights.
35/206 K	Policies of apartheid of the Government of South Africa: campaign for the release of political prisoners in South Africa	The General Assembly recognized the great contribution made by the struggle for national liberation in South Africa towards the fulfilment of “the purposes and principles of the United Nations”.
36/102	Implementation of the Declaration on the Strengthening of International Security	The General Assembly emphasized that, in its 20 years of existence, the Movement of Non-Aligned Countries had significantly contributed to the efforts of the United Nations towards the promotion of international peace and security and towards democratization of international relations, the development of international cooperation and the establishment of a system of international relations based on justice, sovereign equality and equal security of all States and peoples, “in accordance with the principles and purposes of the Charter of the United Nations”.
36/103	Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States	The General Assembly recognized that full observance of the principles of non-intervention and non-interference in the internal and external affairs of sovereign States and peoples, either directly or indirectly, overtly or covertly, was “essential to the fulfilment of the purposes and principles of the Charter of the United Nations”.
36/113	United Nations Conference of Plenipotentiaries on Succession of States in respect of State Property, Archives and Debts	The General Assembly believed that the successful codification and progressive development of the rules of international law governing succession of States in respect of State property, archives and debts would contribute to the development of friendly relations and cooperation among States, irrespective of their differing constitutional and social systems, and would assist in promoting and implementing the “purposes and principles set forth in Articles 1 and 2 of the Charter”.
36/121 B	Question of Namibia: action by Member States in support of Namibia	The General Assembly, having regard to the “principles stated in Article 2 of the Charter”, urged States not members of the United Nations to act in accordance with the provisions of the resolution.
36/148	International cooperation to avert new flows of refugees	The General Assembly declared itself conscious of the importance of developing, in order to avert new

<sup>o</sup>See also G A resolutions 37/185, 38/101 and 39/119.

<i>Resolution No.</i>	<i>Title</i>	<i>Charter reference</i>
		massive flows of refugees, appropriate means of international cooperation “in accordance with the principles of the Charter of the United Nations” and, in particular, with the principle of non-intervention in the internal affairs of sovereign States and also of the principle that nothing in the Charter shall authorize the United Nations to intervene in matters that are essentially within the domestic jurisdiction of any State.
36/155	Situation of human rights and fundamental freedoms in El Salvador	The General Assembly recognized “the permanent validity of the principles enshrined in the Charter of the United Nations” and in the Universal Declaration of Human Rights.
36/162	Measures to be taken against Nazi, Fascist and neo-Fascist activities and all other forms of totalitarian ideologies and practices based on racial intolerance, hatred and terror	The General Assembly reaffirmed that all totalitarian or other ideologies and practices, in particular Nazi, Fascist and neo-Fascist, based on racial or ethnic exclusiveness or intolerance, hatred, terror, systematic denial of human rights and fundamental freedoms, or which had such consequences, were “incompatible with the purposes and principles of the Charter of the United Nations”, the Universal Declaration of Human Rights, the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, the International Convention on the Suppression and Punishment of the Crime of Apartheid, the Convention on the Prevention and Punishment of the Crime of Genocide and other relevant international instruments.
37/9 <sup>P</sup>	Question of the Falkland Islands (Malvinas)	The General Assembly reaffirmed the “principles of the Charter of the United Nations” on the non-use of force or the threat of force in international relations and the peaceful settlement of international disputes.
37/10, annex <sup>q</sup>	Manila Declaration on the Peaceful Settlement of Disputes between States	The General Assembly solemnly declared that all States shall act in good faith and “in conformity with the purposes and principles enshrined in the Charter of the United Nations” with a view to avoiding disputes among themselves likely to affect friendly relations among States, thus contributing to the maintenance of international peace and security.

<sup>P</sup>See also G A resolution 38/12.

<sup>q</sup>Manila Declaration on the Peaceful Settlement of International Disputes.

<i>Resolution No.</i>	<i>Title</i>	<i>Charter reference</i>
37/21 <sup>r</sup>	Question of Guam	The General Assembly reaffirmed its strong conviction that the administering Power must ensure that military bases and installations did not hinder the population of the Territory from exercising its right to self-determination and independence "in conformity with the purposes and principles of the Charter".
37/69	Policies of apartheid of the Government of South Africa: situation in South Africa	The General Assembly was convinced that it was incumbent on the international community to provide all necessary assistance to the oppressed people of South Africa and their national liberation movement in their legitimate struggle for the establishment of a democratic society pursuant to their inalienable rights, "in conformity with the principles contained in the Charter of the United Nations and the Universal Declaration of Human Rights".
37/78 F	Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session: implementation of the recommendations of the tenth special session	The General Assembly noted with deep concern that the recommendations and decisions of the tenth special session, the first special session devoted to disarmament, had not been implemented, that, between the two special sessions on disarmament, the arms race, particularly in its nuclear aspect, had gained in intensity, that urgent measures to prevent nuclear war and for disarmament had not been adopted and that open threats, pressures and military intervention against independent States and "violations of the fundamental principles of the Charter of the United Nations" had taken place, posing the most serious threat to international peace and security.
37/86 D	Question of Palestine	The General Assembly reaffirmed that a comprehensive, just and lasting peace in the Middle East could not be established without the unconditional withdrawal of Israel from the Palestinian and the other Arab territories occupied since 1967, including Jerusalem, and without the exercise and attainment by the Palestinian people of its inalienable rights in Palestine "in accordance with the principles of the Charter" and the relevant resolutions of the United Nations.
37/92	Principles Governing the Use by States of Artificial Earth Satellites for International Direct Television Broadcasting	The General Assembly believed that the establishment of principles for international direct television broadcasting would contribute to the strengthening of international cooperation in that field and "further the purposes and principles of the Charter of the United Nations".

<sup>r</sup>See also G A resolutions 38/42 and 39/32.

<i>Resolution No.</i>	<i>Title</i>	<i>Charter reference</i>
37/118	Review of the implementation of the Declaration on the Strengthening of International Security	The General Assembly emphasized that the Movement of Non-Aligned Countries had contributed significantly to the struggle for national liberation and to the efforts of the United Nations for the promotion of international peace and security, the democratization of international relations, the development of international cooperation and the establishment of a system of international relations based on justice, sovereign equality and security for all States and peoples, "in accordance with the purposes and principles of the Charter of the United Nations" and the principles and policy of non-alignment.
37/189 A <sup>s</sup>	Human rights and scientific and technological developments	The General Assembly expressed deep concern that international peace and security continued to be threatened by the arms race, particularly the nuclear arms race, as well as by "violations of the principles of the Charter of the United Nations" regarding the sovereignty and territorial integrity of States and self-determination of peoples.
38/6 <sup>t</sup>	Cooperation between the United Nations and the League of Arab States	The General Assembly declared itself convinced that the strengthening and furtherance of cooperation between the United Nations and the organizations of the United Nations system and the League of Arab States contributed to the work of the United Nations system and to the promotion of the "purposes and principles of the United Nations".
38/11	Proposed new racial constitution of South Africa	The General Assembly declared that the so-called "constitutional proposals" were contrary to the principles of the Charter of the United Nations, that the results of the referendum were of no validity whatsoever and that the enforcement of the proposed "constitution" would inevitably aggravate tension and conflict in South Africa and in southern Africa as a whole.
38/130	Measures to prevent international terrorism which endangers or takes innocent human lives or jeopardizes fundamental freedoms and study of the underlying causes of those forms of terrorism and acts of violence which lie in misery, frustration, grievance and despair and which cause some people to sacrifice human lives, including their own, in an attempt to effect radical changes	The General Assembly reaffirmed the inalienable right to self-determination and independence of all peoples under colonial and racist regimes and other forms of alien domination, and upholding the legitimacy of their struggle, in particular the struggle of national liberation movements, "in accordance with the purposes and principles of the Charter" and of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations.
39/6	Question of the Falkland Islands (Malvinas)	The General Assembly reaffirmed "the principles of the Charter of the United Nations" on the non-use of force or the threat of force in international relations and the

<sup>s</sup>See also G A resolutions 38/113 and 39/134.

<sup>t</sup>See also G A resolution 39/9.

<i>Resolution No.</i>	<i>Title</i>	<i>Charter reference</i>
		obligation of States to settle their international disputes by peaceful means.
39/72 A	Policies of apartheid of the Government of South Africa: comprehensive sanctions against the apartheid regime and support to the liberation struggle in South Africa	The General Assembly recalled its many resolutions and those of the Security Council calling upon the authorities in South Africa to abandon apartheid, dismantle bantustans, end repression of the black majority and all other opponents of apartheid and seek a peaceful, just and lasting solution "in accordance with the principles of the Charter of the United Nations" and the Universal Declaration of Human Rights.
39/153	Strengthening of security and cooperation in the Mediterranean region	The General Assembly urged all States to cooperate with the Mediterranean States in the further efforts required to reduce tension and promote peace, security and cooperation in the region "in accordance with the purposes and principles of the Charter of the United Nations" and with the provisions of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations.
39/155	Implementation of the Declaration on the Strengthening of International Security	The General Assembly recalled the duty of States not to intervene in the internal or external affairs of any State, "in accordance with the purposes and principles of the Charter of the United Nations".

## ANNEX II

**Tabulation of decisions of the General Assembly referring to specific Purposes  
and Principles of the Charter**

**(1 January 1979-31 December 1984)**

<i>Resolution No.</i>	<i>Title</i>	<i>Extract of provisions</i>	<i>Charter Article</i>
34/41 <sup>a</sup>	Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Southern Rhodesia and Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination	<p><i>"The General Assembly</i></p> <p><i>"...</i></p> <p><i>"3. Reiterates that any administering or occupying Power which deprives the colonial peoples of the exercise of their legitimate rights and interest of those peoples to foreign economic and financial interest violates the solemn obligations it has assumed under the Charter of the United Nations;"</i></p>	2 (2)
34/43 <sup>b</sup>	Elimination of all forms of religious intolerance	<p><i>"The General Assembly,</i></p> <p><i>"Recognizing the need to achieve international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion, as provided in the Charter of the United Nations,</i></p> <p><i>"...</i></p> <p><i>"1. Requests the Commission on Human Rights to continue to give high priority to the drafting of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief;"</i></p>	1 (3)
34/46 <sup>c</sup>	Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms	<p><i>"The General Assembly,</i></p> <p><i>"Guided by the purposes and principles of the Charter of the United Nations to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,</i></p> <p><i>"...</i></p> <p><i>"5. Reaffirms also that it is of paramount importance for the promotion of human rights and fundamental freedoms that Member States should undertake specific obligations through accession to</i></p>	1 (3)

<sup>a</sup>See also G A resolutions 35/28, 36/51, 37/31, 38/50 and 39/42.

<sup>b</sup>See also G A resolutions 35/125 and 38/109.

<sup>c</sup>See also G A resolutions 35/174, 36/133, 37/199, 38/124 and 39/145.

<i>Resolution No.</i>	<i>Title</i>	<i>Extract of provisions</i>	<i>Charter Article</i>
		or ratification of international instruments in this field and that, consequently the standard-setting work within the United Nations system in the field of human rights and the universal acceptance and implementation of the relevant international instruments should be encouraged;”.	
34/48	Alternative approaches and ways and means within the United Nations system for the improvement of the effective enjoyment of human rights and fundamental freedoms	<p>“<i>The General Assembly,</i></p> <p>“<i>Recalling</i> that one of the purposes of the United Nations under Article 1 of the Charter is to promote and encourage respect for human rights and fundamental freedoms as embodied in the Universal Declaration of Human Rights,</p> <p>“...  “<i>Decides</i> to consider at its thirty-fifth session the question of the creation of a post of United Nations High Commissioner for Human Rights under the item entitled “Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms”.</p>	1 (3)
34/90 B <sup>d</sup>	Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories	<p>“<i>The General Assembly,</i></p> <p>“...  “<i>Considering</i> that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,</p> <p>“...  “1. <i>Reaffirms</i> that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to Palestinian and other Arab territories occupied by Israel since 1967;”.</p>	2 (2)
34/146	International Convention against the Taking of Hostages	<p>“<i>The General Assembly</i></p> <p>“...  “<i>Adopts</i> and opens for signature and ratification or for accession the International Convention against the Taking of Hostages, the text of which is annexed to the present resolution.</p>	1 (1)

<sup>d</sup>See also G A resolutions 35/122 A and 39/95 B.



Resolution No.	Title	Extract of provisions	Charter Article
Annex			
International Convention against the Taking of Hostages			
<i>"The States Parties to this Convention,</i>			
<i>"Having in mind the purposes and principles of the Charter of the United Nations concerning the maintenance of international peace and security and the promotion of friendly relations and cooperation among States".</i>			
34/150	Consolidation and progressive development of the principles and norms of international economic law relating in particular to the legal aspects of the new international economic order	<i>"The General Assembly,</i> <i>"...</i> <i>"Noting the relevant provisions of the Charter relating to international economic relations, in particular the promotion of social progress and better standards of life in larger freedom in the Preamble, the achievement of international cooperation in solving international problems of an economic, social, cultural or humanitarian character in Article 1, paragraph 3, and the promotion of higher standards of living, full employment and conditions of economic and social progress and development in Article 55".</i>	1 (3)
34/180 <sup>e</sup>	Convention on the Elimination of All Forms of Discrimination against Women	<i>"The General Assembly,</i> <i>"Considering that one of the purposes of the United Nations, as stated in Articles 1 and 55 of the Charter, is to promote universal respect for human rights and fundamental freedoms without distinction of any kind, including any distinction as to sex,"</i> <i>"...</i> <i>"1. Adopts and opens for signature, ratification and accession the Convention on the Elimination of All Forms of Discrimination against Women, the text of which is annexed to the present resolution;"</i>	1 (3)
34/182 I <sup>f</sup>	Questions relating to information	<i>"The General Assembly,</i> <i>"...</i> <div style="text-align: center;">I</div> <i>"4. Affirming the primary role which the General Assembly is to play in elaborating, coordinating and harmonizing United Nations policies and activities in the field of information</i>	1 (4)

<sup>e</sup>See also G A resolutions 38/109 and 39/130.

<sup>f</sup>See also G A resolutions 35/201, 36/149, 37/94, 38/82 and 39/98.

<i>Resolution No.</i>	<i>Title</i>	<i>Extract of provisions</i>	<i>Charter Article</i>
35/156 J	General and complete disarmament: disarmament and international security	<p>towards the establishment of a new, more just and more effective world information and communication order ...”</p> <p>“<i>The General Assembly</i>,</p> <p>“...</p> <p>“<i>Recalling</i> that, according to Article 1, paragraph 1, of the Charter of the United Nations, the primary purpose of the United Nations is to maintain international peace and security and, to that end, to take effective collective measures for the prevention and removal of threats to peace and for the suppression of acts of aggression or other breaches of peace,</p> <p>“...</p> <p>“3. <i>Recommends</i> that the main organs of the United Nations responsible for the maintenance of international peace and security should give early consideration to the requirements for halting the arms race, particularly the nuclear arms race, and developing the modalities for the effective application of the system of international security provided for in the Charter”.</p>	1 (1)
35/192 <sup>a</sup>	Situation of human and fundamental freedoms in El Salvador	<p>“<i>The General Assembly</i>,</p> <p>“...</p> <p>“<i>Conscious</i> of its responsibility to promote and encourage respect for human rights and fundamental freedoms for all”</p> <p>“...</p> <p>“1. <i>Expresses its deep concern</i> at the grave violations of human rights and fundamental freedoms in El Salvador”.</p>	1 (3)
35/198	Measures to improve the situation and ensure the human rights and dignity of all migrant workers	<p>“<i>The General Assembly</i>,</p> <p>“<i>Affirming</i> the need to establish international cooperation by resolving international problems of an economic, social, intellectual or humanitarian nature and by developing and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,</p> <p>“...</p>	1 (3)

<sup>a</sup>See also G A resolutions 37/185, 38/101 and 39/119.

Resolution No.	Title	Extract of provisions	Charter Article
35/200 <sup>h</sup>	Measures to be taken against Nazi, Fascist and neo-Fascist activities and all other forms of totalitarian ideologies and practices based on racial intolerance, hatred and terror	<p>"1. <i>Welcomes</i> the fact that at the current session the Working Group [on the Drafting of an International Convention on the Protection of the Rights of All Migrant Workers and Their Families] has begun its work with a view to the elaboration of a draft convention on the protection of the rights of all migrant workers and their families".</p> <p>"<i>The General Assembly,</i></p> <p>"...</p> <p>"<i>Reaffirming</i> the purposes and principles laid down in the Charter, which are aimed at maintaining international peace and security, developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and achieving international cooperation,</p> <p>"...</p> <p>"1. <i>Condemns</i> all forms of totalitarian ideologies and practices based on racial intolerance, hatred and terror, including Nazi, Fascist and neo-Fascist activities, and those based on systematic denial of human rights and fundamental freedoms".</p>	<p>1 (1)</p> <p>1 (3)</p>
36/25	Report of the International Atomic Energy Agency	<p>"<i>The General Assembly</i></p> <p>"...</p> <p>"7. <i>Calls upon</i> all States to respect fully their obligations under the Charter of the United Nations and to refrain from the threat or use of force against the territorial integrity or political independence of any State, including in particular any armed attack on its nuclear installations".</p>	2 (2)
36/55	Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief	<p>"<i>The General Assembly,</i></p> <p>"<i>Considering</i> that one of the basic principles of the Charter of the United Nations is that of the dignity and equality inherent in all human beings, and that all Member States have pledged themselves to take joint and separate action in cooperation with the United Nations to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,</p> <p>"...</p>	1 (3)

<sup>h</sup>See also G A resolutions 36/162, 37/179, 38/99 and 39/114.

Resolution No.	Title	Extract of provisions	Charter Article
		<i>"Proclaims this Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief".</i>	
36/97 K	General and complete disarmament: disarmament and international security	<p><i>"The General Assembly,</i></p> <p><i>"...</i></p> <p><i>"Considering that it is of essential importance to create a climate of confidence in the United Nations which will open the way to cooperation among Member States, in fulfilling the common and basic obligations under the Charter,</i></p> <p><i>"...</i></p> <p><i>"2. Deems it necessary, as a first step in this direction, that the Security Council take the required measures towards the implementation of Chapter VII of the Charter, which would reinforce the foundations of peace, security and order through the United Nations and avert the growing threat of nuclear conflagration".</i></p>	2 (2)
36/103, annex	Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States	<p><i>"The General Assembly,</i></p> <p><i>"...</i></p> <p><i>"Stressing that the purposes of the United Nations can be achieved only under conditions where peoples enjoy freedom and States enjoy sovereign equality and comply fully with the requirements of these principles in their international relations,</i></p> <p><i>"...</i></p> <p><i>"Solemnly declares that:</i></p> <p><i>"...</i></p> <p><i>"2. The principle of non-intervention and non-interference in the internal and external affairs of States comprehends the following rights and duties:</i></p> <p><i>"...</i></p> <p style="text-align: center;"><i>"III</i></p> <p><i>"(a) The right and duty of States to participate actively on the basis of equality in solving outstanding international issues, thus actively contributing to the removal of causes of conflicts and interference;</i></p> <p><i>"...</i></p>	2 (1) 1 (2)

<i>Resolution No.</i>	<i>Title</i>	<i>Extract of provisions</i>	<i>Charter Article</i>
		“(c) The right and duty of States to observe, promote and defend all human rights and fundamental freedoms within their own national territories and to work for the elimination of massive and flagrant violations of the rights of nations and peoples, and, in particular, for the elimination of apartheid and all forms of racism and racial discrimination”.	
37/7, annex	World Charter for Nature	“ <i>The General Assembly,</i>	1 (1)
		“ <i>Reaffirming</i> the fundamental purposes of the United Nations, in particular the maintenance of international peace and security, the development of friendly relations among nations and the achievement of international cooperation in solving international problems of an economic, social, cultural, technical, intellectual or humanitarian character,	1 (3)
		“ ...	
		“ <i>Adopts</i> , to these ends, the present World Charter for Nature, which proclaims the following principles of conservation by which all human conduct affecting nature is to be guided and judged.”	
37/10, annex <sup>i</sup>	Manila Declaration on the Peaceful Settlement of Disputes between States	“ <i>The General Assembly,</i>	1 (1)
		“ ...	2 (1)
		“ <i>Recognizing</i> the important role of the United Nations and the need to enhance its effectiveness in the peaceful settlement of international disputes and the maintenance of international peace and security, in accordance with the principles of justice and international law, in conformity with the Charter of the United Nations,	2 (2)
		“ ...	2 (3)
		“ <i>Solemnly declares that:</i>	
		“ ...	
		“2. Every State shall settle its international disputes exclusively by peaceful means in such a manner that international peace and security, and justice, are not endangered;	
		“3. International disputes shall be settled on the basis of the sovereign equality of States and in accordance with the principle of free choice of means in conformity with obligations under the	

<sup>i</sup>Manila Declaration on the Peaceful Settlement of International Disputes. See also G A resolutions 35/160 and 36/10.

<i>Resolution No.</i>	<i>Title</i>	<i>Extract of provisions</i>	<i>Charter Article</i>
		<p>Charter of the United Nations and with the principles of justice and international law. Recourse to, or acceptance of, a settlement procedure freely agreed to by States with regard to existing or future disputes to which they are parties shall not be regarded as incompatible with the sovereign equality of States;</p> <p>“...  “5. States shall seek in good faith and in a spirit of cooperation an early and equitable settlement of their international disputes by any of the following means: negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional arrangements or agencies or other peaceful means of their own choice, including good offices. In seeking such a settlement, the parties shall agree on such peaceful means as may be appropriate to the circumstances and the nature of their dispute.”</p>	
37/123 A <sup>j</sup>	The situation in the Middle East	<p>“<i>The General Assembly</i></p> <p>“...  “12. <i>Determines once more</i> that Israel’s record and actions confirm that it is not a peace-loving Member State, that it has persistently violated the principles contained in the Charter and that it has carried out neither its obligations under the Charter nor its commitment under General Assembly resolution 273 (III) of 11 May 1949”.</p>	2 (2)
37/183 <sup>k</sup>	Situation of human rights and fundamental freedoms in Chile	<p>“<i>The General Assembly,</i></p> <p>“<i>Aware</i> of its responsibility to promote and encourage respect for human rights and fundamental freedoms for all and determined to remain vigilant with regard to violations of human rights wherever they occur,  “...  “1. <i>Commends</i> the Special Rapporteur [of the Commission on Human Rights] on the human rights situation in Chile for his report, submitted in accordance with resolution 1982/25 of the Commission on Human Rights;”.</p>	1 (3)

<sup>j</sup>See also G A resolutions 38/180 A and 39/146 B.

<sup>k</sup>See also G A resolutions 38/102 and 39/121.

<i>Resolution No.</i>	<i>Title</i>	<i>Extract of provisions</i>	<i>Charter Article</i>
37/189 A <sup>1</sup>	Human rights and scientific and technological developments	<p><i>"The General Assembly</i></p> <p><i>"...</i></p> <p><i>"5. Again calls upon all States, appropriate organs of the United Nations, specialized agencies, and intergovernmental and non-governmental organizations concerned to take the necessary measures to ensure that the results of scientific and technological progress are used exclusively in the interests of international peace, for the benefit of mankind and for promoting and encouraging respect for human rights and fundamental freedoms without distinction as to race, sex, language or religion".</i></p>	1 (3)
37/200	Further promotion and protection of human rights and fundamental freedoms	<p><i>"The General Assembly,</i></p> <p><i>"...</i></p> <p><i>"Conscious that it is a purpose of the United Nations and the duty of all Member States to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,</i></p> <p><i>"...</i></p> <p><i>"1. Affirms that a primary aim of international cooperation in the field of human rights is a life of freedom and dignity for each human being, that all human rights and fundamental freedoms are indivisible and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of the other".</i></p>	1 (3)
38/14 <sup>m</sup>	Second Decade to Combat Racism and Racial Discrimination	<p><i>"The General Assembly,</i></p> <p><i>"Reaffirming its objective contained in the Charter of the United Nations to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,</i></p> <p><i>"...</i></p>	1 (3)

<sup>1</sup>See also G A resolutions 38/113 and 39/134.

<sup>m</sup>See also G A resolution 39/16.

<i>Resolution No.</i>	<i>Title</i>	<i>Extract of provisions</i>	<i>Charter Article</i>
38/191	Implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security	<p>"1. <i>Proclaims</i> the ten-year period beginning on 10 December 1983 as the Second Decade to Combat Racism and Racial Discrimination".</p> <p><i>The General Assembly,</i></p> <p>"...</p> <p><i>Stressing</i> that the purposes of the United Nations can be achieved only under conditions in which States comply fully with their obligations assumed under the Charter,</p> <p>"...</p> <p><i>4. Decides</i> to include in the provisional agenda of its thirty-ninth session the item entitled 'Implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security'".</p>	2 (2)
39/11, annex <sup>n</sup>	Declaration on the Right of Peoples to Peace	<p><i>The General Assembly,</i></p> <p><i>Reaffirming</i> that the principal aim of the United Nations is the maintenance of international peace and security,</p> <p>"...</p> <p><i>Convinced</i> that life without war serves as the primary international prerequisite for the material well-being, development and progress of countries, and for the full implementation of the rights and fundamental human freedoms proclaimed by the United Nations,</p> <p>"...</p> <p><i>2. Solemnly declares</i> that the preservation of the right of peoples to peace and the promotion of its implementation constitute a fundamental obligation of each State".</p>	1 (1) 1 (3)
39/72 A	Policies of apartheid of the Government of South Africa: comprehensive sanctions against the apartheid regime and support to the liberation struggle in South Africa	<p><i>The General Assembly,</i></p> <p>"...</p> <p><i>Recalling</i> that the racist regime of South Africa has consistently defied the relevant resolutions of the General Assembly and the Security Council and violated its obligations under the Charter of the United Nations,</p> <p>"...</p>	2 (2)

<sup>n</sup>Declaration on the Right of Peoples to Peace.



<i>Resolution No.</i>	<i>Title</i>	<i>Extract of provisions</i>	<i>Charter Article</i>
39/95 B	Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories	<p>“6. <i>Proclaims</i> that the United Nations and the international community have a special responsibility towards the oppressed people of South Africa, their liberation movements and all those engaged in the legitimate struggle for the elimination of apartheid and the establishment of a non-racial democratic society ensuring human rights and fundamental freedoms for all the people of the country, irrespective of race, colour, sex or creed”.</p> <p>“<i>The General Assembly</i>,</p> <p>“...  <i>“Considering</i> that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,</p> <p>“...  <i>“1. Reaffirms</i> that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem”.</p>	2 (2)
39/131	Elimination of all forms of religious intolerance	<p>“<i>The General Assembly</i>,</p> <p>“<i>Conscious</i> of the need to promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,</p> <p>“...  <i>“3. Also urges</i> all States to take all appropriate measures to combat intolerance and to encourage understanding, tolerance and respect in matters relating to freedom of religion or belief”.</p>	1 (3)

# ARTICLE 1(2)

## CONTENTS

*Paragraphs*

Text of Article 1(2)	
Introductory note . . . . .	1-6
I. General survey. . . . .	7-17
II. Analytical summary of practice. . . . .	18-41
**A. The question of the effect of the reference in Article 1(2) to respect for the principle of equal rights and self-determination of peoples	
**B. The question of the appropriate means of implementing the principle of equal rights and self-determination of peoples	
C. The question of the scope of the application of the principle of equal rights and self-determination of peoples . . . . .	18-41
1. The situation in Kampuchea . . . . .	18-25
Decisions of the General Assembly of 14 November 1979. . . . .	18-25
(i) Precis of proceedings . . . . .	18-22
(ii) Precis of relevant constitutional discussion. . . . .	23-25
2. Question of the Falkland Islands (Malvinas) . . . . .	26-41
(a) Decisions of the Security Council of 3 April 1982 and 26 May 1982. . . . .	26-36
(i) Precis of proceedings. . . . .	26-30
(ii) Precis of relevant constitutional discussion . . . . .	31-36
(b) Decisions of the General Assembly of 31 October 1984 and 1 November 1984. . . . .	37-41
(i) Precis of proceedings. . . . .	37-38
(ii) Precis of relevant constitutional discussion . . . . .	39-41
**D. The question of the relationship between the principle of equal rights and self-determination of peoples and the maintenance of international peace and security	
**E. The question of the relationship between the principle of equal rights and self-determination of peoples and "permanent sovereignty" of peoples "over their natural wealth and resources"	
Annex. Resolutions bearing on Article 1(2) . . . . .	

## ARTICLE 1(2)

### TEXT OF ARTICLE 1(2)

The Purposes of the United Nations are:

...

2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;

### INTRODUCTORY NOTE

1. As in *Supplement No. 5*, the present study includes only the consideration by the General Assembly and the Security Council of the general question of the implementation of Article 1(2) and the bearing of the Article on specific political questions, while other questions relating to self-determination are treated, where appropriate, under Articles 55 and 73 of the Charter.

2. The practice of the General Assembly concerning the application and interpretation of the concept of the right of self-determination was formulated by the General Assembly in its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, is dealt with under Article 73 of the Charter.

3. The general survey reviews the decisions of the General Assembly and of the Security Council containing explicit and implicit references to Article 1(2). It also deals with the instances where Article 1(2) was explicitly invoked during discussions in the General Assembly and the Security Council.

4. During the period under review, the decisions and deliberations of the General Assembly and of the Security Council involved a constitutional discussion relevant to the application and interpretation of Article 1(2). Those questions are dealt with in the analytical summary of practice under a heading retained from *Supplements Nos. 2 and 3* entitled "C. The question of the scope of the application of the principle of equal rights and self-determination of peoples".

5. No material was found for treatment under the other headings of the analytical summary of practice included in *Supplements Nos. 2 and 3*.

6. The annex to the present study contains extracts of the provisions of those resolutions of the General Assembly and of the Security Council adopted during the period under review which were directly relevant to or could be considered as having a bearing on Article 1(2).

### I. GENERAL SURVEY

7. During the period under review, none of the resolutions of the General Assembly contained an explicit reference to Article 1(2) of the Charter. However, a large number of resolutions were adopted by the Assembly with implicit references to Article 1(2).

8. In the case of one agenda item, on the situation in Kampuchea, the adoption of a resolution<sup>1</sup> was preceded by some constitutional debate on the principle of self-determination, specifically as elaborated in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations.<sup>2</sup> In connection with the same item, another draft resolution<sup>3</sup> containing implicit references to Article 1(2) was not put to the vote. The item is

discussed in more detail in the analytical summary of practice (see paras. 26-33).

9. No constitutional discussion was involved in the adoption by the General Assembly of the following resolutions, which implicitly invoked Article 1(2):<sup>4</sup>

(a) *Resolutions adopted without reference to a Main Committee*: question of Palestine;<sup>5</sup> question of Namibia;<sup>6</sup> policies of apartheid of the Government of South Africa;<sup>7</sup>

<sup>1</sup>G A resolution 34/22.

<sup>2</sup>G A resolution 2625 (XXV), annex.

<sup>3</sup>A/34/L.7/Rev.1/Add.1.

<sup>4</sup>The resolutions are indicated by the respective agenda items under which they were considered; titles of agenda items do not always correspond precisely to the titles of the resolutions.

<sup>5</sup>G A resolutions 34/65 B, ES-7/2, 35/169 A and B, 36/120 D and F, ES-7/6, 37/86 D and E and 38/58 C and E.

<sup>6</sup>G A resolutions 34/92 A, D, E and G, 35/227 A, C, E, F, G and J, ES-8/2, 36/121 A and C, 37/233 A, B and C, 38/36 A, B and C and 39/50 A, B and C.

<sup>7</sup>G A resolutions 34/93 A, I and O, 35/206 A, 36/172 A, 37/69 A, 38/39 A and 39/72 A.

implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples<sup>8</sup> and its Plan of Action;<sup>9</sup> drafting of an international convention against activities of mercenaries;<sup>10</sup> question of Southern Rhodesia;<sup>11</sup> the situation in Afghanistan and its implications for international peace and security;<sup>12</sup> the situation in Kampuchea;<sup>13</sup> the situation in the Middle East;<sup>14</sup> cooperation between the United Nations and the Organization of the Islamic Conference;<sup>15</sup> question of the Comorian island of Mayotte;<sup>16</sup> cooperation between the United Nations and the League of Arab States;<sup>17</sup> the situation in Grenada;<sup>18</sup> the situation in Central America: threats to international peace and security and peace initiatives;<sup>19</sup> proposed new racial constitution of South Africa;<sup>20</sup> and the situation in South Africa;<sup>21</sup>

(b) *Resolutions adopted on the reports of the First Committee:* development and strengthening of good-neighbourliness between States;<sup>22</sup> implementation of the Declaration on the Strengthening of International Security<sup>23</sup> and its review;<sup>24</sup> inadmissibility of the policy of hegemonism in international relations;<sup>25</sup> Declaration of the 1980s as the Second Disarmament Decade;<sup>26</sup> Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States;<sup>27</sup> strengthening of security and cooperation in the Mediterranean region;<sup>28</sup> inadmissibility of the policy of State terrorism and any actions by States aimed at undermining the socio-political system in other sovereign States;<sup>29</sup>

(c) *Resolutions adopted on the reports of the Third Committee:* implementation of the Programme<sup>30</sup> for the Decade<sup>31</sup> and the Second Decade<sup>32</sup> for Action to Combat Racism and Racial Discrimination; importance of the

universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights;<sup>33</sup> alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms;<sup>34</sup> adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the colonial and racist regimes in southern Africa;<sup>35</sup> measures to be taken against Nazi, Fascist and neo-Fascist activities and all other forms of totalitarian ideologies and practices based on racial intolerance, hatred and terror;<sup>36</sup> universal realization of the rights of peoples to self-determination;<sup>37</sup> human rights and scientific and technological developments;<sup>38</sup> further promotion and protection of human rights and fundamental freedoms;<sup>39</sup> and human rights and use of scientific and technological developments;<sup>40</sup>

(d) *Resolutions adopted on the reports of the Fourth Committee:* question of Western Sahara;<sup>41</sup> question of Belize;<sup>42</sup> question of Guam;<sup>43</sup> question of East Timor;<sup>44</sup> activities of foreign economic and other interests;<sup>45</sup> question of the Turks and Caicos Islands;<sup>46</sup> question of Bermuda, the British Virgin Islands, the Cayman Islands, Montserrat and the Turks and Caicos Islands;<sup>47</sup> and question of Bermuda;<sup>48</sup>

<sup>8</sup>G A resolutions 34/94, 35/119, 36/68, 37/35, 38/54 and 39/91.

<sup>9</sup>G A resolution 35/118.

<sup>10</sup>G A resolution 34/140. In subsequent sessions of the General Assembly, the title of the agenda item was amended to read as follows: "Drafting of an international convention against the recruitment, use, financing and training of mercenaries".

<sup>11</sup>G A resolution 34/192.

<sup>12</sup>G A resolutions ES-6/2, 35/37, 36/34, 37/37, 38/29 and 39/13.

<sup>13</sup>G A resolutions 35/6, 36/5, 37/6, 38/3 and 39/5.

<sup>14</sup>G A resolutions 35/207, 36/226 A, 37/123 F, 38/180 D and 39/146 A.

<sup>15</sup>G A resolutions 35/36, 36/23, 37/4, 38/4 and 39/7.

<sup>16</sup>G A resolutions 36/105, 37/65, 38/13 and 39/48.

<sup>17</sup>G A resolutions 37/17, 38/6 and 39/9.

<sup>18</sup>G A resolution 38/7.

<sup>19</sup>G A resolution 38/10.

<sup>20</sup>G A resolution 38/11.

<sup>21</sup>G A resolution 39/2.

<sup>22</sup>G A resolutions 34/99, 36/101 and 37/117.

<sup>23</sup>G A resolutions 34/100, 35/158, 36/102 and 39/155.

<sup>24</sup>G A resolutions 37/118 and 38/190.

<sup>25</sup>G A resolution 34/103.

<sup>26</sup>G A resolution 35/46.

<sup>27</sup>G A resolution 36/103.

<sup>28</sup>G A resolutions 38/189 and 39/153.

<sup>29</sup>G A resolution 39/159.

<sup>30</sup>G A resolutions 34/24, 36/8 and 37/40.

<sup>31</sup>G A resolution 35/33.

<sup>32</sup>G A resolution 38/14.

<sup>33</sup>G A resolutions 34/44, 35/35 A and B, 36/9, 37/43, 38/17 and 39/17.

<sup>34</sup>G A resolution 34/46.

<sup>35</sup>G A resolutions 35/32, 37/39 and 39/15. Beginning in the thirty-seventh session of the General Assembly, the title of the agenda item was amended to read as follows: "Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the colonial and racist regime of South Africa".

<sup>36</sup>G A resolutions 35/200, 36/162, 37/179, 38/99 and 39/114.

<sup>37</sup>G A resolutions 36/10, 37/42, 38/16 and 39/18.

<sup>38</sup>G A resolution 37/189 A.

<sup>39</sup>G A resolution 37/200.

<sup>40</sup>G A resolutions 38/113 and 39/134.

<sup>41</sup>G A resolutions 34/37, 35/19, 36/46, 37/28, 38/40 and 39/40.

<sup>42</sup>G A resolutions 34/38 and 35/20.

<sup>43</sup>G A resolutions 34/39, 35/22, 36/63, 37/21, 38/42 and 39/32.

<sup>44</sup>G A resolutions 34/40, 35/27, 36/50 and 37/30.

<sup>45</sup>G A resolutions 34/41, 35/28, 36/51, 37/31, 38/50 and 39/42.

The full title of the agenda item reads as follows: "Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Southern Rhodesia and Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa". Beginning in the thirty-fifth session of the General Assembly, the reference to Southern Rhodesia was removed from the title.

<sup>46</sup>G A resolutions 35/25, 37/25, 38/47 and 39/37.

<sup>47</sup>G A resolution 36/62.

<sup>48</sup>G A resolutions 37/22, 38/43 and 39/33.

(e) *Resolutions adopted on the reports of the Sixth Committee*: measures to prevent international terrorism;<sup>49</sup> International Convention against the Taking of Hostages;<sup>50</sup> drafting of an international convention against the recruitment, use, financing and training of mercenaries<sup>51</sup> and the Report of its Ad Hoc Committee;<sup>52</sup> Manila Declaration on the Peaceful Settlement of International Disputes;<sup>53</sup> and development and strengthening of good-neighbourliness between States.<sup>54</sup>

10. During the period under review, none of the resolutions adopted by the Security Council contained an explicit reference to Article 1(2) of the Charter.

11. The Security Council, however, adopted the following resolutions which invoked the principle of self-determination without giving rise to a constitutional discussion:<sup>55</sup> question concerning the situation in Southern Rhodesia;<sup>56</sup> complaint by Angola against South Africa;<sup>57</sup> complaint by Zambia;<sup>58</sup> letter dated 5 May 1983 from the representative of Nicaragua on the Security Council addressed to the President of the Security Council;<sup>59</sup> the situation in Namibia;<sup>60</sup> the situation in Cyprus;<sup>61</sup> and question of South Africa.<sup>62</sup>

12. The Security Council also considered some draft resolutions invoking the principle of self-determination, which failed to be adopted.<sup>63</sup>

13. In the deliberations of the General Assembly and its Main Committees, Article 1(2), or Article 1 together with the language used in paragraph 2 of the Article, was explicitly invoked in many instances. In connection with one agenda item, relating to the question of the Falkland Islands

(Malvinas), explicit references to Article 1(2) gave rise to a constitutional discussion. This item is discussed in more detail in the analytical summary of practice (see paras. 37-41 below). In all other instances, Article 1(2) was explicitly invoked without giving rise to a constitutional discussion.

14. These explicit references were made in the general debate<sup>64</sup> and in connection with: the situation in Afghanistan and its implications for international peace and security;<sup>65</sup> special meeting to commemorate the twentieth anniversary of the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples;<sup>66</sup> report of the Ad Hoc Committee of the Twelfth Special Session of the General Assembly;<sup>67</sup> question of Palestine;<sup>68</sup> policies of apartheid of the Government of South Africa;<sup>69</sup> the situation in Central America: threats to international peace and security and peace initiatives;<sup>70</sup> credentials of representatives to the thirty-ninth session of the General Assembly;<sup>71</sup> inadmissibility of the policy of hegemonism in international relations;<sup>72</sup> the general debate pertaining to several disarmament items in the First Committee;<sup>73</sup> inadmissibility of the policy of State terrorism and any actions by States aimed at undermining the socio-political system in other sovereign States;<sup>74</sup> international cooperation to avert new flows of refugees;<sup>75</sup> importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights;<sup>76</sup> implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;<sup>77</sup> question of East Timor;<sup>78</sup> drafting of an international

<sup>49</sup>G A resolutions 34/145, 36/109 and 38/130. The full title of the agenda item reads as follows: "Measures to prevent international terrorism which endangers or takes innocent human lives or jeopardizes fundamental freedoms, and study of the underlying causes of those forms of terrorism and acts of violence which lie in misery, frustration, grievance and despair and which cause some people to sacrifice human lives, including their own, in an attempt to effect radical changes".

<sup>50</sup>G A resolution 34/146.

<sup>51</sup>G A resolutions 35/48, 37/109, 38/137 and 39/84.

<sup>52</sup>G A resolution 36/76.

<sup>53</sup>G A resolution 37/10.

<sup>54</sup>G A resolutions 38/126 and 39/78.

<sup>55</sup>The resolutions are indicated by their respective subjects, or agenda items. Security Council resolutions do not carry substantive titles. See also section B of the annex to the present study.

<sup>56</sup>S C resolutions 445 (1979), 448 (1979) and 463 (1980).

<sup>57</sup>S C resolution 447 (1979).

<sup>58</sup>S C resolution 455 (1979).

<sup>59</sup>S C resolution 530 (1983).

<sup>60</sup>S C resolutions 532 (1983) and 539 (1983).

<sup>61</sup>S C resolutions 541 (1983) and 550 (1984).

<sup>62</sup>S C resolutions 554 (1984) and 556 (1984).

<sup>63</sup>See S C (35), Suppl. for Jan.-March 1980, S/13729, in connection with the letter dated 3 January 1980 from 52 Member States regarding Afghanistan; S C (35), Suppl. for April-June 1980, S/13911, regarding the question of the exercise by the Palestinian people of its inalienable rights; S C (36), Suppl. for April-June 1981, S/14459, S/14460/Rev.1, S/14461 and S/14462, in connection with the situation in Namibia; and S C (37), Suppl. for April-June 1982, S/14941, in connection with the letter dated 19 March 1982 from the representative of Nicaragua.

<sup>64</sup>G A (34), plen., 12th mtg.: Syrian Arab Republic, para. 254; G A (37), plen., 18th mtg.: Somalia, para. 239; G A (38), plen., 15th mtg.: Israel, para. 254; and G A (39), plen., 30th mtg.: Swaziland, para. 149.

<sup>65</sup>G A (35), plen., 67th mtg., a.i. 116: Saudi Arabia, para. 52.

<sup>66</sup>Ibid., 93rd mtg.: the President, paras. 2 and 16.

<sup>67</sup>G A (S-12), plen., 29th mtg., a.i. 114: Federal Republic of Germany, p. 52.

<sup>68</sup>G A (ES-7), plen., a.i. 5, 21st mtg.: PLO, p. 22, and G A (39), plen., 90th mtg., a.i. 33: Saudi Arabia, para. 42.

<sup>69</sup>G A (37), plen., 62nd mtg., a.i. 33: Kuwait, para. 28.

<sup>70</sup>G A (38), plen., 47th mtg., a.i. 142: Mozambique, para. 124.

<sup>71</sup>G A (39), plen., 32nd mtg., a.i. 3: Libyan Arab Jamahiriya, para. 31.

<sup>72</sup>G A (34), 1st Comm., 5th mtg., a.i. 126: German Democratic Republic, p. 31, and 7th mtg.: Poland, p. 26.

<sup>73</sup>G A (37), 1st Comm., 26th mtg., a.i. 39-57, 133, 136, 138 and 139: Paraguay, p. 7.

<sup>74</sup>G A (39), 1st Comm., 60th mtg., a.i. 143: Poland, p. 26.

<sup>75</sup>G A (35), Spec. Pol. Comm., 43rd mtg., a.i. 122: Federal Republic of Germany, para. 5.

<sup>76</sup>G A (34), 3rd Comm., 17th mtg., a.i. 82: Chile, para. 36; *ibid.*, 20th mtg.: Cyprus, para. 19, G A (35), 3rd Comm., 16th mtg., a.i. 75: United Kingdom, para. 49; *ibid.*, 19th mtg.: Pakistan, para. 109, G A (36), 3rd Comm., 11th mtg., a.i. 81: Kuwait, para. 34, G A (37), 3rd Comm., 12th mtg., a.i. 79: Kuwait, para. 68; and 13th mtg.: United States, para. 22; G A (38), 3rd Comm., 8th mtg., a.i. 86: Canada, para. 40; and 16th mtg.: United States, para. 77.

<sup>77</sup>G A (34), 4th Comm., 20th mtg., a.i. 18: Burundi, paras. 41-42; G A (35), 4th Comm., 17th mtg.: Czechoslovakia, para. 18.

<sup>78</sup>G A (36), 4th Comm., 9th mtg., a.i. 93: International League for Human Rights, para. 34.

convention against the taking of hostages;<sup>79</sup> report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;<sup>80</sup> consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives;<sup>81</sup> report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations;<sup>82</sup> development and strengthening of good-neighbourliness between States;<sup>83</sup> and peaceful settlement of disputes between States.<sup>84</sup>

15. In the course of the deliberations of the Security Council in connection with the letter dated 1 April 1982 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations

<sup>79</sup>G A (34), 6th Comm., 13th mtg., a.i. 113: Bangladesh, para. 30.

<sup>80</sup>Ibid., 37th mtg., a.i. 114: Tunisia, para. 54, G A (35), 6th Comm., 41st mtg., a.i. 108: Zaire, para. 19, G A (36), 6th Comm., 29th mtg., a.i. 122: Peru, para. 23.

<sup>81</sup>G A (35), 6th Comm., 19th mtg., a.i. 114: Afghanistan, para. 33.

<sup>82</sup>G A (37), 6th Comm., 33rd mtg., a.i. 118: Benin, para. 53, G A (38), 6th Comm., 14th mtg., a.i. 126: United States, para. 40; *ibid.*, 16th mtg.: Mozambique, para. 50.

<sup>83</sup>G A (38), 6th Comm., 63rd mtg., a.i. 64: Nicaragua, para. 44, G A (39), 6th Comm., 22nd mtg., a.i. 123: Egypt, para. 59, and Nigeria, para. 98.

<sup>84</sup>G A (38), 6th Comm., 70th mtg., a.i. 124: Somalia, para. 32.

addressed to the President of the Security Council, explicit references to Article 1(2) involved a constitutional discussion. This matter is dealt with in the analytical summary of practice (see paras. 26-36).

16. In one other instance, pertaining to the question of the exercise by the Palestinian people of its inalienable rights, Article 1(2) was explicitly invoked without giving rise to a constitutional discussion.<sup>85</sup>

17. The implicit references to Article 1(2) in the deliberations of both the General Assembly and the Security Council were too numerous to be listed here.<sup>86</sup>

<sup>85</sup>S C (34), 2161st mtg.: PLO, para. 105.

<sup>86</sup>Among the many references to the principle of self-determination, mention should be made of the discussion in the Security Council in connection with the situation in Cyprus. One side argued that the well-established principle of self-determination could not be interpreted in such ways as to impair the territorial integrity of any State and must be exercised by a people as a whole. The Turkish Cypriot community could not exercise such a right on a part of the territory of Cyprus on which they had all along been a small minority. The other side maintained that, in Cyprus, there was not just one nation but two peoples and that the 1960 Constitution, which had created a bi-communal Republic of Cyprus, had meant that the right of self-determination was exercised jointly by the two communities. See S C (38), 2497th mtg.: Cyprus; 2498th mtg.: Mr. Denktas, Turkey, Nicaragua and India; 2500th mtg.: Democratic Yemen, Egypt and Turkey; 2503rd mtg.: Cyprus and Mr. Atalay; and S C (39), 2532nd mtg.: Turkey and India.

## II. ANALYTICAL SUMMARY OF PRACTICE

### **\*\*A. The question of the effect of the reference in Article 1(2) to respect for the principle of equal rights and self-determination of peoples**

### **\*\*B. The question of the appropriate means of implementing the principle of equal rights and self-determination of peoples**

### **C. The question of the scope of the application of the principle of equal rights and self-determination of peoples**

#### **1. THE SITUATION IN KAMPUCHEA**

#### *Decisions of the General Assembly of 14 November 1979*

##### *(i) Precis of proceedings*

18. By a letter dated 17 August 1979 addressed to the Secretary-General,<sup>87</sup> the States members of the Association of South-East Asian Nations (ASEAN)<sup>88</sup> requested the inclusion of an item entitled "The situation in Kampuchea" in the agenda of the thirty-fourth session of the General Assembly. In the explanatory memorandum accompanying the letter, the ASEAN States expressed their grave concern

about the serious situation in Kampuchea arising out of armed intervention against the independence, sovereignty and territorial integrity of the country and reaffirmed the right of the people of Kampuchea to determine their own future by themselves, free from interference or influence from outside Powers.

19. At its 4th plenary meeting, on 21 September 1979, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to consider it directly in plenary meetings. The item was considered by the Assembly at its 62nd to 67th meetings.

20. At its 67th plenary meeting, on 14 November 1979, the General Assembly considered two draft resolutions<sup>89</sup> in connection with the agenda item. Thirty States<sup>90</sup> submitted draft resolution A/34/L.13/Rev.2, which, *inter alia*, would provide as follows:

*"The General Assembly,*

<sup>89</sup>A third draft resolution, A/34/L.38, was withdrawn by its sponsor (India) at the same meeting.

<sup>90</sup>Australia, Bangladesh, Belgium, Canada, Colombia, Comoros, Fiji, Gambia, Germany, Honduras, Indonesia, Japan, Luxembourg, Malaysia, Mauritania, Nepal, Netherlands, New Zealand, Niger, Pakistan, Papua New Guinea, Philippines, Samoa, Senegal, Singapore, Solomon Islands, Somalia, Thailand, Upper Volta and Zaire.

<sup>87</sup>G A (34), annexes, a.i. 123, A/34/191.

<sup>88</sup>Indonesia, Malaysia, the Philippines, Singapore and Thailand.

"Noting with great concern that the armed conflict in Kampuchea has escalated and is seriously threatening the peace and stability of South-East Asia,

"...

"Reaffirming the right of all peoples to determine their own future free from outside interference,

"...

"9. Appeals to all States to refrain from any interference in the internal affairs of Kampuchea in order to enable its people to decide their own future and destiny free from outside interference, subversion or coercion, and to respect scrupulously the sovereignty, territorial integrity and independence of Kampuchea;

"10. Resolves that the people of Kampuchea should be enabled to choose democratically their own government, without outside interference, subversion or coercion".

21. Nineteen other States<sup>91</sup> sponsored draft resolution A/34/L.7/Rev.1/Add.1. Under the draft, the General Assembly would, inter alia, bear in mind the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, contained in the annex to its resolution 2625 (XXV) of 24 October 1970, and the Declaration on the Strengthening of International Security, contained in its resolution 2734 (XXV) of 16 December 1970; recall that every State had the duty to refrain from any forcible action which deprived peoples of their right to self-determination, their freedom and their independence; also recall that, when such peoples reacted to or resisted such forcible action in exercise of their right to self-determination, they were entitled to seek and to receive support in accordance with the purposes and principles of the Charter; note that the Kampuchean people, exercising their right to self-determination in conformity with the Charter and the above-mentioned Declarations, had regained their independence and freedom and begun the process of national reconstruction; and call upon all States to refrain from any activity which could be detrimental to the exercise of the Kampuchean people's right to self-determination and to their independence, sovereignty and territorial integrity and which would constitute interference in their internal affairs.

22. The General Assembly, by 85 votes to 32, with 23 abstentions, adopted a proposal of Malaysia that priority should be granted in the voting to draft resolution A/34/L.13/Rev.2. By a recorded vote of 91 to 21, with 29 abstentions, the Assembly then adopted the draft as resolution 34/22. At the same meeting, on a motion by Senegal, the General Assembly, by a recorded vote of 62 to 36, with 38 abstentions, decided not to put draft resolution A/34/L.7/Rev.1/Add.1 to the vote.

<sup>91</sup>Afghanistan, Angola, Bulgaria, Byelorussian SSR, Cuba, Czechoslovakia, Ethiopia, German Democratic Republic, Grenada, Hungary, Lao People's Democratic Republic, Mongolia, Mozambique, Nicaragua, Poland, Sao Tome and Principe, Ukrainian SSR, USSR and Viet Nam.

## (ii) *Precis of relevant constitutional discussion*

23. In the course of the discussion, conflicting views were expressed regarding the exercise of the right of the Kampuchean people to self-determination.

24. One side maintained that the National United Front for the Salvation of Kampuchea had the right to fight the Pol Pot regime, which had committed grave violations of human rights and been subject to the domination of a foreign Power, and to appeal for assistance from other countries. Those countries had not only the duty but the obligation to use all means, including armed force, to help the Kampuchean people exercise their right to self-determination. The presence in Kampuchea of Vietnamese forces under a bilateral Peace Treaty<sup>92</sup> was therefore in accordance with the tenets of international law, in particular the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations.<sup>93</sup>

25. The other side argued that, if the Vietnamese military intervention had been sought by the Kampucheans in the exercise of their popular will, the Heng Samrin regime supported by Viet Nam would not be facing a resistance struggle. In fact, the principles of equal rights and self-determination and of non-intervention in internal affairs had been violated by the Vietnamese aggression. The cessation of hostilities and the withdrawal of foreign forces were prerequisites for the exercise by the people of Kampuchea of their right to self-determination in a free and democratic manner.<sup>94</sup>

## 2. QUESTION OF THE FALKLAND ISLANDS (MALVINAS)<sup>95</sup>

### (a) *Decisions of the Security Council of 3 April 1982 and 26 May 1982*

#### (i) *Precis of proceedings*

26. By a letter dated 1 April 1982,<sup>96</sup> the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations requested the

<sup>92</sup>Treaty of Peace, Friendship and Cooperation between the Socialist Republic of Viet Nam and the People's Republic of Kampuchea, signed at Phnom Penh on 18 February 1979.

<sup>93</sup>A paragraph of the Declaration, under the sub-heading "The principle of equal rights and self-determination of peoples", was quoted in making this argument.

<sup>94</sup>For the texts of relevant statements, see G A (34), plen., 62nd mtg.: Malaysia, paras. 14 and 21; Viet Nam, paras. 48-49, 53, 54, 66 and 81; Democratic Kampuchea, para. 144; Singapore, para. 182; 63rd mtg.: China, para. 80; Australia, paras. 114-115; Federal Republic of Germany, para. 123; 64th mtg.: Poland, para. 26; German Democratic Republic, para. 45; Zaire, para. 77; 65th mtg.: Lao People's Democratic Republic, paras. 29, 56 and 60; New Zealand, para. 69; 66th mtg.: Mongolia, para. 56; Byelorussian SSR, paras. 102-103; Thailand, para. 111; 67th mtg.: Austria, paras. 1-3 and 9; Philippines, paras. 78, 82, 89-90; Sudan, para. 107; Lao People's Democratic Republic, para. 113; and Senegal, paras. 203-204.

<sup>95</sup>Title of the item on the agenda of the General Assembly. The title of the corresponding item subsequently included in the agenda of the Security Council read: "Question concerning the situation in the region of the Falkland Islands (Islas Malvinas)" (see para. 29).

<sup>96</sup>S C (37), Suppl. for April-June 1982, S/14942.

President of the Security Council to convene an immediate meeting of the Council, saying it had good reason to believe that Argentina's armed forces were about to invade the Falkland Islands. At its 2345th meeting, on the same day, the Security Council decided to include the item in its agenda. The item was considered at the 2345th, 2346th, 2349th and 2350th meetings of the Security Council.

27. At the 2350th meeting, on 3 April 1982, draft resolution S/14947/Rev.1, introduced by the United Kingdom, was voted upon and adopted by 10 votes to 1, with 4 abstentions, as Security Council resolution 502 (1982). The resolution reads in part as follows:

*"The Security Council,*

*"...*

*"Determining that there exists a breach of the peace in the region of the Falkland Islands (Islas Malvinas),*

*"...*

*"3. Calls on the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland to seek a diplomatic solution to their differences and to respect fully the purposes and principles of the Charter of the United Nations".*

28. At the same meeting, the representative of Panama introduced a draft resolution,<sup>97</sup> which was not put to the vote. Under the draft, the Council would have, *inter alia*, recalled General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples; called upon the United Kingdom to cooperate with Argentina in the decolonization of the Malvinas Islands, South Georgia and the South Sandwich Islands; and requested both Governments to carry out negotiations in order to put an end to the situation of tension, duly respecting Argentine sovereignty over those Territories and the interests of their inhabitants.

29. At its 2360th meeting, on 21 May 1982, the Security Council included three letters<sup>98</sup> in its agenda to give further consideration to the question concerning the situation in the region of the Falkland Islands (Islas Malvinas). The item was considered at the 2360th, 2362nd to 2364th, 2366th and 2368th meetings of the Council.

30. At its 2368th meeting, on 26 May 1982, the Security Council unanimously adopted a draft resolution sponsored by six members<sup>99</sup> as resolution 505 (1982), whereby it reaffirmed, *inter alia*, Security Council resolution 502 (1982).

#### (ii) *Precis of relevant constitutional discussion*

31. During the deliberations of the Security Council in connection with the agenda item, a discussion arose over the

<sup>97</sup>Ibid., S/14950.

<sup>98</sup>Ibid., S/15037 from the representative of Ireland; S/15099 from the Secretary-General; and S/15100 from the representative of Panama.

<sup>99</sup>Ibid., S/15122, sponsored by Guyana, Ireland, Jordan, Togo, Uganda and Zaire.

applicability of Article 1(2) to the situation of the Falkland Islands (Islas Malvinas).

32. One side maintained that the Falkland Islands (Islas Malvinas) was part of Argentine territory, illegally occupied in 1833 through the use of force by the United Kingdom and, since then, consistently claimed by Argentina. The General Assembly, by its resolution 2065 (XX),<sup>100</sup> had invited Argentina and the United Kingdom to pursue negotiations towards a peaceful settlement of their dispute about sovereignty over the islands and to bring an end to a colonial situation, bearing in mind the principles of the Charter and the Declaration on the Granting of Independence to Colonial Countries and Peoples and the interests of the population of the islands.

33. The General Assembly, it was argued, by its resolution 2065 (XX) and subsequent consensus decisions reached in 1966, 1967, 1969 and 1971, had explicitly recognized that the principles applicable in that case were those related to the territorial integrity of States, since the illegitimate act of force by the United Kingdom could not have given rise to any right. Moreover, the subsequent expulsion of Argentine nationals and their replacement by a few citizens from the colonial Power had rendered the principle of self-determination inapplicable. The 1,800 inhabitants of the island, mainly British Government officials and employees of the Falkland Islands Company, could not be considered as a population under international law.

34. It was further contended that the United Kingdom, which in the past had repeatedly stated that the principle of self-determination did not constitute a right and was not recognized as such in the Charter or under customary international law, was now invoking the principle merely to legitimize its presence in the islands. Self-determination was designed to protect the colonized people and hasten the eradication of the colonial system. It could not be used to strengthen that very system and give legitimacy to the presence of the occupying Power.

35. The other side argued that the Falkland Islands (Malvinas) had a population of about 1,800 people, most of whom were born to families that had lived there for four to six generations. They were an entirely separate people from that of Argentina, with a different language, culture and way of life. They formed a homogeneous community which had developed democratic institutions over a period of a century. Thus, whatever their number, they were entitled to the protection of international law and to have their freely expressed wishes respected.

36. No exception to the right of all peoples to self-determination was envisaged either by Article 1, paragraph 2, of the Charter or the common article 1 of the International Covenant on Civil and Political Rights<sup>101</sup> and the International Covenant on Economic, Social and Cultural Rights.<sup>102</sup> Although in the 1960s the United Kingdom had

<sup>100</sup>See *Repertory, Supplement No. 3*, vol. III, under Article 73, paras. 767-786.

<sup>101</sup>G A resolution 2200 A (XXI), annex.

<sup>102</sup>Ibid.



held the view that self-determination was a principle but not a right, it had since ratified the two above-mentioned international covenants and voted in favour of the Declaration on the Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations.<sup>103</sup> Those three documents recognized the right of all peoples to freely determine their political status. Moreover, Article 73 of the Charter had laid down the principle that the interests of the inhabitants of Non-Self-Governing Territories were paramount. Therefore, self-determination was the right of the people of the Falkland Islands (Islas Malvinas) under international law, in particular the Charter and its Article 73.<sup>104</sup>

(b) *Decisions of the General Assembly of 31 October 1984 and 1 November 1984*<sup>105</sup>

(i) *Precis of proceedings*

37. At its 3rd plenary meeting, on 21 September 1984, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its thirty-ninth session the item entitled "Question of the Falkland Islands (Malvinas)".<sup>106</sup> At the same meeting, the Assembly decided that the item should be considered directly in plenary meetings, on the understanding that representatives of the bodies and individuals having an interest in the question would be heard in the Fourth Committee, in conjunction with the consideration of the item in plenary meetings. The item was considered by the General Assembly at its 44th to 46th meetings.

38. At its 44th plenary meeting, on 31 October 1984, the General Assembly took note<sup>107</sup> of the report<sup>108</sup> of the Fourth Committee. At its 46th plenary meeting, on 1 November 1984, the Assembly adopted draft resolution A/39/L.8,

<sup>103</sup>G A resolution 2625 (XXV), annex.

<sup>104</sup>For the texts of relevant statements, see S C (37), 2345th mtg.: Argentina, paras. 29, 38-46, 60, 69 and 71; United Kingdom, para. 7; 2350th mtg.: Argentina, paras. 5-27; Jordan, paras. 62-64; Peru, paras. 87-92; Panama, paras. 96-134; Paraguay, paras. 149-154; Uganda, para. 213; Union of Soviet Socialist Republics, paras. 228-230; Poland, paras. 263-266; 2360th mtg.: Argentina, paras. 26, 33 and 64; United Kingdom, paras. 112-119; Brazil, paras. 180-192; Ecuador, paras. 195-200; Australia, paras. 212-224; 2366th mtg.: Argentina, paras. 129-158; United Kingdom, paras. 182-185; 2368th mtg.: Yugoslavia, paras. 24-32.

<sup>105</sup>At its thirty-fourth, thirty-fifth and thirty-sixth sessions, the General Assembly, on the recommendation of its Fourth Committee, deferred consideration of the question of the Falkland Islands (Malvinas). At its thirty-seventh and thirty-eighth sessions, the Assembly adopted resolutions 37/9 and 38/12, respectively, by which it reaffirmed, inter alia, the need for Argentina and the United Kingdom to take due account of the interests of the population of the Falkland Islands (Malvinas). No explicit references to Article 1(2) were made in the discussions preceding the adoption of these resolutions. See also the present *Supplement*, under Article 73.

<sup>106</sup>The item was first considered by the General Assembly at its thirty-seventh session at the request of the 20 Latin American States listed in footnote 109 below. See G A (37), annexes, a.i. 135, A/37/193.

<sup>107</sup>G A decision 39/404.

<sup>108</sup>G A (39), annexes, a.i. 26, A/39/615.

sponsored by 20 Latin American States,<sup>109</sup> by a recorded vote of 89 to 9, with 54 abstentions, as resolution 39/6. The resolution reads in part as follows:

"The General Assembly,

"...

"*Recalling* its resolutions 1514 (XV) of 14 December 1960, 2065 (XX) of 16 December 1965, 3160 (XXVIII) of 14 December 1973, 31/49 of 1 December 1976, 37/9 of 4 November 1982 and 38/12 of 16 November 1983, together with Security Council resolutions 502 (1983) of 3 April 1982 and 505 (1982) of 26 May 1982,

"...

"*Aware* of the interest of the international community in the settlement by the Governments of Argentina and the United Kingdom of all their differences, in accordance with the United Nations ideals of peace and friendship among peoples,

"...

"*Reaffirming* the need for the parties to take due account of the interests of the population of the Falkland Islands (Malvinas) in accordance with the provisions of General Assembly resolutions 2065 (XX), 3160 (XXVIII), 37/9 and 38/12,

"1. *Reiterates its request* to the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland to resume negotiations in order to find as soon as possible a peaceful solution to the sovereignty dispute and their remaining differences relating to the question of the Falkland Islands (Malvinas)".

(ii) *Precis of relevant constitutional discussion*

39. Arguments similar to those made in the Security Council (see paras. 31-36 above), explicitly invoking Article 1, paragraph 2, were made during the deliberations of the General Assembly in connection with the agenda item.

40. One side contended that the question of the Falkland Islands (Malvinas) was essentially a dispute over sovereignty to be resolved by negotiations between Argentina and the United Kingdom. It was stated that resolution 1514 (XV) on decolonization made clear that, in the case of territorial enclaves such as the Falkland Islands (Malvinas), decolonization consisted in the restoration of such Territories to the State which held sovereign rights over them, in this case Argentina. The view was also expressed that the inhabitants of the islands were not a people under foreign domination. Almost all of them were citizens of the occupying Power. Thus, the principle of self-determination did not apply, and invoking it in this case only served to prolong an illegal occupation.

41. The other side maintained that there had been no settled Argentine population in the islands in 1833, when the British occupation had been effected peacefully. Except for

<sup>109</sup>Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela.

the Argentine invasion of 1982, the United Kingdom had remained since 1833 in open, continuous and peaceful possession, occupation and administration of the islands. The real issue was that of the right of the inhabitants of the islands to self-determination, which was universally applicable under Article 1, paragraph 2, of the Charter. As stated in the Fourth Committee<sup>110</sup> by the representative of the Falkland Islands Legislative Council, a democratically elected official, the overwhelming majority of the Falkland Islanders wished to maintain their links with the United Kingdom. They did not want to become part of Argentina. Draft resolution A/39/L.8 only made a cursory reference to the interests of the population and did not explicitly endorse the principle of self-determination, which was one of the cardinal principles of the Charter of the United Nations.<sup>111</sup>

<sup>110</sup>See G A (39), 4th Comm., 12th mtg.

<sup>111</sup>For the texts of relevant statements, see G A (39), 44th mtg.: Argentina, para. 79; Mexico, paras. 103-104; 45th mtg.: Costa Rica, paras. 24-25; Uruguay, para. 49; United Kingdom, paras. 135-136, 138-139 and 141-144; Argentina, para. 293; Botswana, paras. 37-39; Malawi, para. 62; Netherlands, para. 69; Australia, para. 81; Belize, para. 85; Norway, para. 86; Saint Lucia, para. 102; Chad, para. 122; United Kingdom, paras. 128-134.

- \*\*D. The question of the relationship between the principle of equal rights and self-determination of peoples and the maintenance of international peace and security**
- \*\*E. The question of the relationship between the principle of equal rights and self-determination of peoples and "permanent sovereignty" of peoples "over their natural wealth and resources"**

# ANNEX

## Resolutions bearing on Article 1(2)

### A. Resolutions of the General Assembly

Resolution No.	Title	Extract of provisions
34/22	The situation in Kampuchea	<p>"<i>Reaffirming</i> the right of all peoples to determine their own future free from outside interference, [eighth preambular paragraph]</p> <p>"...</p> <p>"9. <i>Appeals</i> to all States to refrain from any interference in the internal affairs of Kampuchea in order to enable its people to decide their own future and destiny free from outside interference, subversion or coercion ...</p> <p>"10. <i>Resolves</i> that the people of Kampuchea should be enabled to choose democratically their own government".</p>
34/24*	Implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination	<p>"<i>Aware</i> of the serious threat to international peace and security resulting from ... the continuation of the illegal occupation of Namibia and the refusal to respect the right of peoples to self-determination, [fifth preambular paragraph]</p> <p>"...</p> <p>"2. <i>Strongly condemns</i> the policies of apartheid, racism and racial discrimination practised in southern Africa and elsewhere, including the denial of the right of peoples to self-determination;</p> <p>"3. <i>Reaffirms once again</i> its strong support for the national liberation struggle against racism, racial discrimination, apartheid, colonialism and alien domination and for self-determination by all means, including armed struggle;</p> <p>"...</p> <p>"ANNEX</p> <p>"<i>Programme of activities to be undertaken during the second half of the Decade for Action to Combat Racism and Racial Discrimination</i></p> <p>"...</p> <p>"2. Particular attention should be paid to specific measures designed to ensure the implementation of ... pertinent United Nations resolutions on racism, racial discrimination, apartheid, decolonization and self-determination ...</p> <p>"...</p> <p>"7. All States, international agencies and non-governmental organizations should intensify the campaigns organized to obtain the release of all political detainees imprisoned by the racist regimes for their brave struggle against apartheid, racism and racial discrimination and in defence of the rights of their peoples to self-determination and independence.</p> <p>"...</p>

\*See also G A resolutions 36/8 and 37/40.

Resolution No.	Title	Extract of provisions
		<p>"21. The United Nations Institute for Training and Research should organize an international colloquium in 1980 on the elimination of apartheid, racism and racial discrimination and the achievement of self-determination in international law, with special attention to the principles of non-discrimination and self-determination as pre-emptory norms of international law.</p> <p>"22. A study should be prepared by the Secretary-General in 1981 on the links between the struggle against racism and the struggle for self-determination in southern Africa."</p>
34/37 <sup>b</sup>	Question of Western Sahara	<p>"<i>Recalling</i> the inalienable right of all peoples to self-determination and independence in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples [second preambular paragraph]</p> <p>"...</p> <p>"1. <i>Reaffirms</i> the inalienable right of the people of Western Sahara to self-determination and independence in accordance with the Charter of the United Nations, the Charter of the Organization of African Unity and the objectives of General Assembly resolution 1514 (XV), and the legitimacy of their struggle to secure the enjoyment of that right, as envisaged in the relevant resolutions of the United Nations and the Organization of African Unity;"</p>
34/38 <sup>c</sup>	Question of Belize	<p>"<i>Reaffirming</i> the principles established in the Declaration on the Granting of Independence to Colonial Countries and Peoples, set out in its resolution 1514 (XV) of 14 December 1960, in particular that all peoples have the right to self-determination, by virtue of which right they freely determine their political status and freely pursue their economic, social and cultural development, [fifth preambular paragraph]</p> <p>"<i>Recognizing</i> the special responsibility of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, to take urgent and necessary steps to enable the people of Belize to exercise freely and without fear their right to self-determination and to the firm and early independence of all of their territory, [eighth preambular paragraph]</p> <p>"<i>Noting with regret</i> the continuing failure of the parties concerned to settle their differences in a manner which will not prejudice the right of the people of Belize to self-determination, independence and territorial integrity in accordance with the relevant resolutions of the General Assembly, [ninth preambular paragraph]</p> <p>"1. <i>Reaffirms</i> the inalienable right of the people of Belize to self-determination, independence and the preservation of the inviolability and territorial integrity of Belize;</p> <p>"2. <i>Urges</i> the Government of the United Kingdom of Great Britain and Northern Ireland, acting in close consultation with the Government of Belize, and the Government of Guatemala to continue their efforts to conclude their negotiations without prejudice to the right of the people of Belize to self-determination ...;</p> <p>"3. <i>Requests</i> the Governments concerned to report to the General Assembly at its thirty-fifth session on any arrangements which have been made to enable the people of Belize to exercise freely and without fear their right to self-determination and an early and secure independence;</p> <p>"4. <i>Calls upon</i> the parties concerned to refrain from exerting any pressure or the use of threats or force against the Government and the people of Belize to prevent the full exercise of their inalienable right to self-determination, independence and territorial integrity;</p>

<sup>b</sup>See also G A resolution 35/19.

<sup>c</sup>See also G A resolution 35/20.

<i>Resolution No.</i>	<i>Title</i>	<i>Extract of provisions</i>
34/39 <sup>d</sup>	Question of Guam	<p>"5. <i>Urges</i> all States to respect the right of the people of Belize to self-determination, independence and territorial integrity and to render all practical assistance necessary for the secure and early exercise of that right".</p> <p>"2. <i>Reaffirms</i> the inalienable right of the people of Guam to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples;</p> <p>"...</p> <p>"10. <i>Recalls</i> its relevant resolutions concerning military bases in colonial and Non-Self-Governing Territories, recognizes that the presence of military bases could constitute a factor impeding the implementation of the Declaration and reaffirms its strong conviction that the presence of military bases in Guam should not prevent the people of the Territory from exercising their inalienable right to self-determination and independence in accordance with the Declaration and the purposes and principles of the United Nations".</p>
34/40	Question of East Timor	<p>"Recognizing the inalienable right of all peoples to self-determination and independence in accordance with the principles of the Charter of the United Nations and of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 1514 (XV) of 14 December 1960, [second preambular paragraph]</p> <p>"...</p> <p>"1. <i>Reaffirms</i> the inalienable right of the people of East Timor to self-determination and independence, in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples;</p> <p>"2. <i>Declares</i> that the people of East Timor must be enabled freely to determine their own future, under the auspices of the United Nations".</p>
34/41 <sup>e</sup>	Activities of foreign economic and other interests <sup>f</sup>	<p>"1. <i>Reaffirms</i> the inalienable right of the peoples of dependent Territories to self-determination and independence and to the enjoyment of the natural resources of their Territories, as well as their right to dispose of those resources in their best interests".</p>
34/44 <sup>g</sup>	Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights	<p>"Considering that the activities of Israel, in particular the denial to the Palestinian people of its right to self-determination and independence, constitute a serious and increasing threat to international peace and security, [sixth preambular paragraph]</p> <p>"...</p> <p>"<i>Reaffirming</i> the importance of the universal realization of the right of peoples to self-determination, national sovereignty and territorial integrity and of the speedy granting of independence to colonial countries and peoples as imperatives for the full enjoyment of all human rights, [eighth preambular paragraph]</p> <p>"...</p> <p>"<i>Reaffirming</i> the obligation of all Member States to comply with the principles of the Charter and the resolutions of the United Nations regarding the exercise of the right to self-determination by peoples under colonial and alien domination, [tenth preambular paragraph]</p> <p>"...</p>

<sup>d</sup>See also G A resolutions 35/22, 36/63, 37/21, 38/42 and 39/32.

<sup>e</sup>See also G A resolutions 35/28, 36/51, 37/31, 38/50 and 39/42.

<sup>f</sup>For the full title, see footnote 45 in the main body of the study.

<sup>g</sup>See also G A resolutions 35/35 A, 36/9, 37/43, 38/17 and 39/17.

Resolution No.	Title	Extract of provisions
		<p>"1. <i>Calls upon</i> all States to implement fully and faithfully the resolutions of the United Nations regarding the exercise of the right to self-determination by peoples under colonial and alien domination;</p> <p>"...</p> <p>"3. <i>Reaffirms</i> the inalienable right of the peoples of Namibia and Zimbabwe, of the Palestinian people and of all peoples under colonial and alien domination to self-determination, national independence, territorial integrity and national unity and sovereignty without external interference;</p> <p>"4. <i>Strongly condemns</i> all partial agreements and separate treaties which constitute a flagrant violation of the rights of the Palestinian people, the principles of the Charter of the United Nations and the resolutions adopted in various international forums on the Palestinian issue, and which prevent the realization of the Palestinian people's aspiration to return to its homeland, to achieve self-determination and to exercise full sovereignty over its territories;</p> <p>"...</p> <p>"10. <i>Condemns</i> the policies of those members of the North Atlantic Treaty Organization and of other countries whose political, economic, military, nuclear, strategic, cultural and sporting relations with the racist regimes in southern Africa and elsewhere encourage those regimes to persist in their suppression of the aspirations of peoples for self-determination and independence;</p> <p>"...</p> <p>"12. <i>Strongly condemns</i> all Governments which do not recognize the right to self-determination and independence of all peoples still under colonial and foreign domination and alien subjugation, notably the peoples of Africa and the Palestinian people;</p> <p>"...</p> <p>"14. <i>Further condemns</i> the expansionist activities of Israel in the Middle East, as well as the continuous bombing of civilian Arab and, in particular, Palestinian populations and the destruction of their villages and encampments, which constitute a serious obstacle to the realization of the self-determination and independence of the Palestinian people;</p> <p>"15. <i>Urges</i> all States, competent United Nations organs, specialized agencies and other international organizations to extend their support to the Palestinian people through its representative, the Palestine Liberation Organization, in its struggle to restore its right to self-determination and independence in accordance with the Charter of the United Nations;</p> <p>"16. <i>Demands</i> the immediate and unconditional release of all persons detained or imprisoned as a result of their struggle for self-determination and independence ...;</p> <p>"...</p> <p>"19. <i>Takes note</i> of Economic and Social Council decision 1979/39 of 10 May 1979, by which the Council decided that the studies<sup>b</sup> on the historical and current development of the right to self-determination on the basis of the Charter of the United Nations and other instruments adopted by United Nations organs, with particular reference to the promotion and protection of human rights and fundamental freedoms, and on the implementation of United Nations resolutions relating to the right of peoples under colonial and alien domination to self-determination should be printed and given the widest possible distribution, including distribution in Arabic;</p>

<sup>b</sup>The two studies referred to are E/CN.4/Sub.2/404 (vols. I-III) and E/CN.4/Sub.2/405/Rev.1, published under the title *The Right to Self-Determination* (United Nations publication, Sales No. E.79.XIV.5).

<i>Resolution No.</i>	<i>Title</i>	<i>Extract of provisions</i>
		<p>"20. <i>Requests</i> the Secretary-General to give maximum publicity to the Declaration on the Granting of Independence to Colonial Countries and Peoples and to give the widest possible publicity to the struggle being waged by oppressed peoples for the realization of their self-determination and national independence [see also this resolution as a whole]".</p>
34/46	Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms	<p>"12. <i>Requests</i> the Secretary-General to prepare, taking into account relevant information already available within the United Nations, and to submit to the General Assembly at its thirty-sixth session a study on the nature and extent to which the realization of human rights and fundamental freedoms is affected by present international conditions, with particular reference to situations resulting from ... refusal to recognize the fundamental rights of peoples to self-determination and of every nation to the exercise of full sovereignty over its wealth and natural resources ...".</p>
34/65 B <sup>i</sup>	Question of Palestine	<p>"1. <i>Notes with concern</i> that the Camp David accords have been concluded outside the framework of the United Nations and without the participation of the Palestine Liberation Organization, the representative of the Palestinian people;</p> <p>"2. <i>Rejects</i> those provisions of the accords which ignore, infringe, violate or deny the inalienable rights of the Palestinian people, including the right of return, the right of self-determination and the right to national independence and sovereignty in Palestine, in accordance with the Charter of the United Nations, and which envisage and condone continued Israeli occupation of the Palestinian territories occupied by Israel since 1967;</p> <p>"...</p> <p>"4. <i>Declares</i> that the Camp David accords and other agreements have no validity insofar as they purport to determine the future of the Palestinian people and of the Palestinian territories occupied by Israel since 1967; [see also resolutions 34/65 A to D in their entirety]".</p>
	Question of Namibia <sup>j</sup>	
34/92 A	Programme of Work of the United Nations Council for Namibia	<p>"<i>Reaffirming</i> that the Territory and people of Namibia are the direct responsibility of the United Nations and that the Namibian people must be enabled to attain self-determination and independence within a united Namibia, [fourth preambular paragraph]</p> <p>"...</p> <p>"5. <i>Declares</i> that the United Nations is committed to genuine self-determination and national independence for Namibia and that all United Nations programmes for the benefit of the Namibian people will be carried out in accordance with the resolutions of the General Assembly in support of the struggle of the Namibian people under the leadership of the South West Africa People's Organization, their sole and authentic liberation movement, to achieve self-determination and national independence in Namibia".</p>
34/92 D	Nationhood Programme for Namibia	<p>"<i>Aware</i> of the decisive stage achieved in the struggle of the Namibian people for self-determination, freedom and independence under the leadership of the South West Africa People's Organization," [fifth preambular paragraph]</p>
34/92 E	United Nations Fund for Namibia	<p>"<i>Mindful</i> that, by assuming direct responsibility for Namibia, the United Nations accepted a solemn obligation to grant all possible support to the Namibian people in their struggle for self-determination, freedom and national independence in a united Namibia," [fifth preambular paragraph]</p>
34/92 G	Situation in Namibia resulting from the illegal occupation of the Territory by South Africa	<p>"<i>Reaffirming</i> that the Territory and people of Namibia are the direct responsibility of the United Nations and that the Namibian people must be enabled to attain self-determination and independence within a united Namibia, [sixth preambular paragraph]</p>

<sup>i</sup>See also G A resolution 36/120 F.

<sup>j</sup>See also G A resolutions 35/227 A, C, E, F, G and J; 36/121 A and C; 37/233 A, B and C; 38/36 A, B and C; 39/50 A, B and C.

Resolution No.	Title	Extract of provisions
		“... <p>“<i>Indignant at the ... arbitrary inhuman measures of collective punishment and measures designed to intimidate the Namibian people and to destroy their will to fulfil their legitimate aspirations for self-determination, freedom and national independence in a united Namibia, [eighth preambular paragraph]</i></p> <p>“...  <p>“<i>Strongly reiterating its support for the national liberation movement of Namibia, the South West Africa People’s Organization, the sole and authentic representative of the Namibian people in their struggle to achieve self-determination, freedom and national independence in a united Namibia, [thirteenth preambular paragraph]</i></p> <p>“...  <p>“2. <i>Reiterates</i> that Namibia is the direct responsibility of the United Nations until genuine self-determination and national independence are achieved in the Territory ...;</p> <p>“...  <p>“4. <i>Reaffirms</i> the inalienable right of the people of Namibia to self-determination, freedom and national independence in a united Namibia, including Walvis Bay, in accordance with the Charter of the United Nations ...;</p> <p>“...  <p>“12. <i>Supports</i> the armed struggle of the Namibian people, led by the South West Africa People’s Organization, to achieve self-determination, freedom and national independence in a united Namibia;</p> <p>“...  <p>“21. <i>Strongly condemns</i> South Africa for obstructing the implementation of Security Council resolutions 385 (1976), 435 (1978) and 439 (1978) and its manoeuvres, in contravention of those resolutions, designed to consolidate its colonial and neo-colonial interests at the expense of the legitimate aspirations of the Namibian people for genuine self-determination, freedom and national independence in a united Namibia;</p> <p>“...  <p>“23. <i>Calls upon</i> the Security Council to act decisively against any dilatory manoeuvres and fraudulent schemes of the illegal occupation regime aimed at frustrating the legitimate aspirations of the Namibian people, under the leadership of the South West Africa People’s Organization, for self-determination and national liberation as well as negating the achievements of their just struggle; [see also resolutions 34/92 A to G in their entirety]”.</p> </p></p></p></p></p></p>
34/93	Policies of apartheid of the Government of South Africa <sup>k</sup>	
34/93 A	Situation in South Africa	“3. <i>Reaffirms</i> the legitimacy of the struggle of the oppressed people of South Africa and their national liberation movement — by all available and appropriate means, including armed struggle — for the seizure of power by the people, the elimination of the apartheid regime and the exercise of the right of self-determination by the people of South Africa as a whole”.

<sup>k</sup>See also G A resolution 35/206 A.



<i>Resolution No.</i>	<i>Title</i>	<i>Extract of provisions</i>
34/93 I	Assistance to the oppressed people of South Africa and their national liberation movement	"1. <i>Appeals</i> to all States to provide increased humanitarian, educational, economic and other forms of assistance to the oppressed people of South Africa, as well as all appropriate assistance to the national liberation movement of South Africa in its legitimate struggle for the exercise of the right of self-determination by the people of South Africa as a whole".
34/93 O	Declaration on South Africa	<p>"<i>Reaffirming</i> that all the people of South Africa, irrespective of race, colour or creed, should be enabled to exercise their right of self-determination, [tenth preambular paragraph]</p> <p>"...</p> <p>"<i>Adopts</i> the following Declaration: [twelfth preambular paragraph]</p> <p>"<i>Declaration on South Africa</i></p> <p>"...</p> <p>"3. All States shall solemnly pledge to refrain from overt or covert military intervention in support or defence of the Pretoria regime in its effort to repress the legitimate aspirations and struggle of the African people of South Africa against it in the exercise of their right of self-determination, as enshrined in the Charter of the United Nations and the Declaration on the Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations ..."</p>
34/94 <sup>1</sup>	Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples	<p>"4. <i>Affirms once again</i> its recognition of the legitimacy of the struggle of the peoples under colonial and alien domination to exercise their right to self-determination and independence by all the necessary means at their disposal;</p> <p>"...</p> <p>"9. <i>Requests</i> all States, directly and through their action in the specialized agencies and other organizations within the United Nations system, to withhold assistance of any kind from the Government of South Africa and from the illegal racist minority regime in Southern Rhodesia until the inalienable right of the peoples of Namibia and Zimbabwe to self-determination and independence has been restored, and to refrain from taking any action which might imply recognition of the legitimacy of the domination of the Territories by those regimes [see also this resolution as a whole]".</p>
34/99 <sup>m</sup>	Development and strengthening of good-neighbourliness between States	<p>"<i>Considering</i> that the generalization of the long practice and certain norms of good-neighbourliness is likely to strengthen friendly relations and cooperation among States, in accordance with the Charter, [eighth preambular paragraph]</p> <p>"...</p> <p>"2. <i>Affirms</i> that good-neighbourliness conforms with the purposes of the United Nations and is founded upon the principles of the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations ..."</p>
34/100 <sup>n</sup>	Implementation of the Declaration on the Strengthening of International Security	"3. <i>Further calls upon</i> all States to adhere fully to the purposes and principles of the Charter and to observe strictly, in international relations, the principles of national independence, sovereignty, territorial integrity, sovereign equality, non-intervention and non-interference in the internal or external affairs of other States, the right of all States and peoples to determine their political systems and pursue economic, social and cultural development without intimidation, hindrance or pressure ...

<sup>1</sup>See also G A resolutions 35/119, 36/68, 37/35, 38/54 and 39/91.

<sup>m</sup>See also G A resolutions 36/101, 37/117, 38/126 and 39/78.

<sup>n</sup>See also G A resolutions 35/158, 36/102, 37/118, 38/190 and 39/155.

Resolution No.	Title	Extract of provisions
		“ ... <p>“7. <i>Reaffirms again</i> the legitimacy of the struggle of peoples under colonial and alien domination or occupation to achieve self-determination and independence ...;</p> <p>“ ...  <p>“12. <i>Commends also</i> the decision of the Sixth Conference of Heads of State or Government of Non-Aligned Countries on transforming the Mediterranean into a zone of peace and cooperation and urges all States to cooperate in applying that decision on the basis of the principles of respect of each State's sovereignty and territorial integrity, the right of peoples to make their own decisions, non-intervention and non-interference in internal affairs, and equal rights”.</p> </p>
34/103	Inadmissibility of the policy of hegemonism in international relations	“6. <i>Calls upon</i> all States, in the conduct of international relations, to observe strictly the principles of the Charter of the United Nations and those regarding respect for the sovereignty, sovereign equality, national independence, unity and territorial integrity of States, non-interference in their internal affairs, non-aggression, peaceful settlement of disputes and cooperation, as well as the right of peoples under colonial and alien domination to self-determination; <p>“7. <i>Calls for</i> the withdrawal of all occupation forces back to their own territories, so as to enable the peoples of all States to determine and administer their own affairs;  <p>“8. <i>Further calls for</i> strict respect for the right of all States to determine their political and socio-economic systems and pursue their national economic, social and other policies without intimidation, hindrance or interference from outside”.</p> </p>
34/140	Drafting of an international convention against activities of mercenaries <sup>o</sup>	“ <i>Deplores</i> the increased recruitment, training, assembly, transit and use of mercenaries for the purpose of ... fighting against the national liberation movements of peoples which are struggling against colonial domination or alien occupation or racist regimes in the exercise of their right of self-determination, as enshrined in the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, [sixth preambular paragraph] <p>“<i>Calling upon</i> all States to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to ensure by both administrative and legislative measures that their territory and other territories under their control, as well as their nationals, are not used ... to fight the national liberation movements of peoples which are struggling against colonial domination or alien occupation or racist regimes in the exercise of their right of self-determination, as enshrined in the Charter ... [seventh preambular paragraph]”</p>
34/145	Measures to prevent international terrorism <sup>p</sup>	“ <i>Reaffirming</i> the inalienable right to self-determination and independence of all peoples under colonial and racist regimes and other forms of alien domination, and upholding the legitimacy of their struggle, in particular the struggle of national liberation movements, in accordance with the purposes and principles of the Charter and the relevant resolutions of the organs of the United Nations, [fifth preambular paragraph] <p>“ ...  <p>“4. <i>Condemns</i> the continuation of repressive and terrorist acts by colonial, racist and alien regimes in denying peoples their legitimate right to self-determination and independence and other human rights and fundamental freedoms”.</p> </p>

<sup>o</sup>See footnote 10 in the main body of the study.

<sup>p</sup>For the full title, see footnote 49 in the main body of the study.

Resolution No.	Title	Extract of provisions
34/146	International Convention against the Taking of Hostages	<p>"ANNEX</p> <p><i>"International Convention against the Taking of Hostages</i></p> <p>"...</p> <p><i>"Reaffirming</i> the principle of equal rights and self-determination of peoples as enshrined in the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, as well as in other relevant resolutions of the General Assembly, [third preambular paragraph]</p> <p>"...</p> <p><i>"Article 12</i></p> <p>"Insofar as the Geneva Conventions of 1949 for the protection of war victims or the Protocols Additional to those Conventions are applicable to a particular act of hostage-taking, and insofar as States Parties to this Convention are bound under those conventions to prosecute or hand over the hostage-taker, the present Convention shall not apply to an act of hostage-taking committed in the course of armed conflicts as defined in the Geneva Conventions of 1949 and the Protocols thereto, including armed conflicts, mentioned in article 1, paragraph 4, of Additional Protocol I of 1977, in which peoples are fighting against colonial domination and alien occupation and against racist regimes in the exercise of their right to self-determination, as enshrined in the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations."</p>
34/192	Question of Southern Rhodesia	<p><i>"Reaffirming</i> the responsibility of the United Nations in support of the struggle of the people of Southern Rhodesia for the exercise of their inalienable right to self-determination and independence, [sixth preambular paragraph]</p> <p>"...</p> <p><i>"Noting</i> that the Government of the United Kingdom has resumed its responsibility as the administering Power and is committed to decolonize Southern Rhodesia on the basis of free and democratic elections which will lead Southern Rhodesia to genuine independence accepted by the international community, [eighth preambular paragraph]</p> <p>"...</p> <p><i>"1. Reaffirms</i> the inalienable right of the people of Zimbabwe to self-determination, freedom and independence and the legitimacy of their struggle to secure by all means at their disposal the enjoyment of that right, as set forth in the Charter of the United Nations and in conformity with the objectives of General Assembly resolution 1514 (XV);</p> <p><i>"2. Reaffirms</i> the principle that there should be no independence before majority rule in Zimbabwe and, in this regard, takes note of the agreements reached at Lancaster House intended to bring about genuine independence on the basis of free and fair elections".</p>
ES-6/2 <sup>a</sup>	The situation in Afghanistan and its implications for international peace and security	<p><i>"Reaffirming</i> the inalienable right of all peoples to determine their own future and to choose their own form of government free from outside interference, [third preambular paragraph]</p> <p>"...</p>

<sup>a</sup>See also G A resolutions 35/37, 36/34, 37/37, 38/29 and 39/13.

Resolution No.	Title	Extract of provisions
		<p><i>"Recognizing the urgent need for immediate termination of foreign armed intervention in Afghanistan so as to enable its people to determine their own destiny without outside interference and coercion, [fifth preambular paragraph]</i></p> <p><i>"...</i></p> <p><i>"4. Calls for the immediate, unconditional and total withdrawal of the foreign troops from Afghanistan in order to enable its people to determine their own form of government and choose their economic, political and social systems free from outside intervention, subversion, coercion or constraint of any kind whatsoever".</i></p>
ES-7/2	Question of Palestine	<p><i>"4. Reaffirms also the inalienable rights in Palestine of the Palestinian people, including:</i></p> <p><i>(a) The right to self-determination without external interference, and to national independence and sovereignty;</i></p> <p><i>(b) The right to establish its own independent and sovereign State [see also this resolution as a whole]".</i></p>
35/6 <sup>f</sup>	The situation in Kampuchea	<p><i>"Convinced that, to bring about durable peace and stability in South-East Asia, there is an urgent need for a comprehensive political solution to the Kampuchean problem which will ensure the sovereignty and independence of Kampuchea and the right of the Kampuchean people to determine their own future free from outside interference, [eleventh preambular paragraph]</i></p> <p><i>"...</i></p> <p><i>"2. Decides, taking into account paragraph 12 of resolution 34/22, to convene early in 1981 an international conference on Kampuchea ...</i></p> <p><i>"3. Decides further that the conference should negotiate with a view to reaching agreement on, inter alia:</i></p> <p><i>"...</i></p> <p><i>"(d) United Nations-supervised free elections in Kampuchea".</i></p>
35/25 <sup>g</sup>	Question of the Turks and Caicos Islands	<p><i>"2. Reaffirms the inalienable right of the people of the Turks and Caicos Islands to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples;</i></p> <p><i>"...</i></p> <p><i>"4. Recognizes that the presence of military bases and other installations could constitute an impediment to the implementation of the Declaration, and reaffirms its conviction that the presence of foreign military bases and installations should not prevent the peoples of colonial and dependent Territories from exercising their right to self-determination and independence in accordance with the Declaration and the purposes and principles of the Charter of the United Nations".</i></p>
35/27 <sup>h</sup>	Question of East Timor	<p><i>"Recognizing the inalienable right of all peoples to self-determination and independence in accordance with the principles of the Charter of the United Nations and of the Declaration ...; [first preambular paragraph]</i></p> <p><i>"...</i></p>

<sup>f</sup>See also G A resolutions 36/5, 37/6, 38/3 and 39/5.

<sup>g</sup>See also G A resolutions 37/25, 38/47 and 39/37.

<sup>h</sup>See also G A resolutions 36/50 and 37/30.

Resolution No.	Title	Extract of provisions
		<p>"<i>Bearing in mind</i> that the Fifth and Sixth Conferences of Heads of State or Government of Non-Aligned Countries, held at Colombo and Havana in 1976 and 1979, respectively, reaffirmed the right of the people of East Timor to self-determination and independence, [third preambular paragraph]</p> <p>"...</p> <p>"<i>Taking into consideration</i> the recent communiqué of the Council of Ministers of Portugal, issued on 12 September 1980, in which the administering Power reaffirmed the right of the people of East Timor to self-determination, [fifth preambular paragraph]</p> <p>"...</p> <p>"2. <i>Declares</i> that the people of East Timor must be enabled freely to determine their own future within the framework of the United Nations;</p> <p>"3. <i>Welcomes</i> the diplomatic initiative taken by the Government of Portugal as a first step towards the free exercise by the people of East Timor of their right to self-determination and independence, and urges all parties directly concerned to cooperate fully with a view to creating the conditions necessary for the speedy implementation of General Assembly resolution 1514 (XV)".</p>
35/32 <sup>a</sup>	Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the colonial and racist regimes in southern Africa <sup>y</sup>	<p>"1. <i>Reaffirms</i> the inalienable right of the oppressed peoples of southern Africa to self-determination, independence and the enjoyment of the natural resources of their territories".</p>
35/33	Decade for Action to Combat Racism and Racial Discrimination	<p>"2. <i>Strongly condemns</i> the policies of apartheid, racism and racial discrimination practised in southern Africa, all occupied Arab territories and elsewhere, including the denial of the right of peoples to self-determination and independence;</p> <p>"...</p> <p>"4. <i>Reaffirms once again</i> its strong support for the national liberation struggle against racism, racial discrimination, apartheid, colonialism and foreign domination and for the achievement of self-determination by all available means, including armed struggle;</p> <p>"...</p> <p>"16. <i>Invites</i> all States, international bodies and non-governmental organizations to intensify the campaigns aimed at securing the release of all political prisoners held by the racist regimes because of their courageous efforts to combat apartheid, racism and racial discrimination and at defending the right of their peoples to self-determination and independence".</p>

<sup>a</sup>See also G A resolutions 37/39 and 39/15.

<sup>y</sup>See footnote 35 in the main body of the study.

Resolution No.	Title	Extract of provisions
35/35 B	Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights	<p><i>"Reaffirming</i> the importance, for the effective guarantee and observance of human rights, of the universal realization of the right of peoples to self-determination and the speedy granting of independence to colonial countries and peoples, principles enshrined in the Charter of the United Nations ..., [first preambular paragraph]</p> <p><i>"Welcoming</i> the progressive exercise of the right of self-determination by peoples formerly under colonial and alien domination and their emergence into sovereign statehood and independence, [second preambular paragraph]</p> <p><i>"Deeply concerned</i> that the right of self-determination of a growing number of sovereign peoples and nations is being threatened or suppressed through acts of foreign military intervention or foreign occupation, [third preambular paragraph]</p> <p>...</p> <p><i>"Noting</i> the relevant resolutions regarding the violation of the right to self-determination and of other human rights of peoples as a result of military intervention and foreign aggression and occupation, adopted by the Commission on Human Rights at its thirty-sixth session, [fifth preambular paragraph]</p> <p><i>"1. Reaffirms</i> that the universal realization of the right of peoples to self-determination and the speedy granting of independence to colonial countries and peoples are a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights in various parts of the world;</p> <p><i>"2. Declares</i> its firm opposition to acts of foreign military intervention, aggression and occupation, since they result in the suppression of the right to self-determination and other human rights of peoples in various parts of the world;</p> <p>...</p> <p><i>"5. Requests</i> the Commission on Human Rights to continue to give special attention to the violation of the right of self-determination and other human rights resulting from foreign military aggression, intervention or occupation; [see also this resolution as a whole]"</p>
35/36 <sup>w</sup>	Cooperation between the United Nations and the Organization of the Islamic Conference	<p><i>"Bearing in mind</i> the numerous resolutions of the Organization of the Islamic Conference seeking to find solutions to the serious problems relating, inter alia, to international peace and security, disarmament, self-determination, decolonization, fundamental human rights and the establishment of a new international economic order, which are matters of common concern for the two organizations, [seventh preambular paragraph]</p> <p>...</p> <p><i>"1. Decides</i> to promote further the cooperation between the United Nations and the Organization of the Islamic Conference in the political, economic, social, cultural and humanitarian fields and urges the two organizations to cooperate in their common search for solutions to global problems, such as questions relating to international peace and security, disarmament, self-determination, decolonization, fundamental human rights and the establishment of a new international economic order".</p>
35/46	Declaration of the 1980s as the Second Disarmament Decade	<p>"ANNEX</p> <p><i>"Declaration of the 1980s as the Second Disarmament Decade</i></p> <p>"I. General</p> <p>...</p>

<sup>w</sup>See also G A resolutions 36/23, 37/4, 38/4 and 39/7.

Resolution No.	Title	Extract of provisions
		<p>"4. In spite of the positive and encouraging outcome of the special session devoted to disarmament, the decade of the 1980s has started with ominous signs of deterioration in the international situation. International peace and security are threatened by ... the denial of the right of self-determination of peoples and nations under colonial and alien domination ..."</p> <p>"...</p> <p>"III. Activities</p> <p>"...</p> <p>"E. Disarmament and international security</p> <p>"...</p> <p>"18. All States Members of the United Nations have, in the Final Document, reaffirmed their full commitment to the purposes of the Charter of the United Nations ... This implies a commitment on the part of all States to avoid actions likely to increase tension or create new areas of threats to international peace and security and, in their relationship with other countries, strictly to respect the sovereignty and territorial integrity of States, and the right of peoples under colonial or foreign domination to self-determination and national independence."</p>
35/48*	Drafting of an international convention against the recruitment, use, financing and training of mercenaries	<p>"<i>Bearing in mind</i> the need for strict observance of the principles of sovereign equality, political independence, territorial integrity of States and self-determination of peoples, as enshrined in the Charter of the United Nations and developed in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, [first preambular paragraph]</p> <p>"...</p> <p>"<i>Recognizing</i> that the activities of mercenaries are contrary to fundamental principles of international law, such as non-interference in the internal affairs of States, territorial integrity and independence, and seriously impede the process of self-determination of peoples struggling against colonialism, racism and apartheid and all forms of foreign domination, [fourth preambular paragraph]"</p>
35/118	Plan of Action for the Full Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples	<p>"<i>Reaffirming</i> that all peoples have the right to self-determination and independence ..., [third preambular paragraph]</p> <p>"...</p> <p>"1. <i>Reaffirms</i> the inalienable right of all peoples under colonial domination to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples;</p> <p>"...</p> <p>"4. <i>Reaffirms</i> the inherent right of peoples under colonialism in all its forms and manifestations to struggle by all means at their disposal against those colonial and racist regimes which suppress their aspirations for freedom, self-determination and independence;</p> <p>"5. <i>Categorically rejects</i> any agreement, arrangement or unilateral action by colonial and racist Powers which ignores, violates, denies or conflicts with the inalienable right of peoples under colonial domination to self-determination and independence;</p> <p>"...</p>

\*See also G A resolutions 36/76, 37/109, 38/137 and 39/84.

Resolution No.	Title	Extract of provisions
35/169 A <sup>y</sup>	Question of Palestine	“Annex
		“Plan of Action for the Full Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples
		“...
		“2. Member States shall render all necessary moral and material assistance to the peoples under colonial domination in their struggles to exercise their right to self-determination and independence.
		“...
		“11. Member States shall recognize that armed conflicts in which peoples are fighting against colonial and racist domination and occupation in exercise of their right to self-determination are international armed conflicts as provided for by Additional Protocol I to the Geneva Conventions of 1949 ...
		“...
		“13. All States shall undertake measures aimed at enhancing public awareness of the need for active assistance to bring about the complete eradication of colonialism in all its forms and manifestations, including racism and apartheid, through the exercise of the right to self-determination ... [see also this resolution as a whole]”.
		“2. Reaffirms that a just and lasting peace in the Middle East cannot be established without the achievement, inter alia, of a just solution of the problem of Palestine on the basis of the attainment of the inalienable rights of the Palestinian people, including the right of return and the right to self-determination, national independence and sovereignty in Palestine, in accordance with the Charter of the United Nations and the principles of international law;
		“...
		“6. Reaffirms also the inalienable rights in Palestine of the Palestinian people, including:
		(a) The right to self-determination without external interference, and to national independence and sovereignty;
		(b) The right to establish its own independent sovereign State;
		“...
		“ANNEX
		“Recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, endorsed by the General Assembly at its thirty-first session
		“1. Basic considerations and guidelines
		“59. The question of Palestine is at the heart of the Middle East problem, and, consequently, the Committee stressed its belief that no solution in the Middle East can be envisaged which does not fully take into account the legitimate aspirations of the Palestinian people.
		“60. The legitimate and inalienable rights of the Palestinian people to return to their homes and property and to achieve self-determination, national independence and sovereignty are endorsed by the Committee in the conviction that the full implementation of these rights will contribute decisively to a comprehensive and final settlement of the Middle East crisis.

<sup>y</sup>See also G A resolutions 35/169 B and 36/120 D.



Resolution No.	Title	Extract of provisions
		“... “III. Right to self-determination, national independence and sovereignty “70. The Palestinian people has the inherent right to self-determination, national independence and sovereignty in Palestine. The Committee considers that the evacuation of the territories occupied by force and in violation of the principles of the Charter and relevant resolutions of the United Nations is a <i>conditio sine qua non</i> for the exercise by the Palestinian people of its inalienable rights in Palestine. The Committee considers, furthermore, that upon the return of the Palestinians to their homes and property and without the establishment of an independent Palestinian entity, the Palestinian people will be able to exercise its rights to self-determination and to decide its form of government without external interference [see also resolutions 35/69 A to E in their entirety]”.
35/200 <sup>z</sup>	Measures to be taken against Nazi, Fascist and neo-Fascist activities and all other forms of totalitarian ideologies and practices based on racial intolerance, hatred and terror	“Reaffirming the purposes and principles laid down in the Charter, which are aimed at maintaining international peace and security, developing friendly relations among nations based on respect for the principles of equal rights and self-determination of peoples, and achieving international cooperation, [third preambular paragraph]”
35/207 <sup>aa</sup>	The situation in the Middle East	“4. Declares once more that peace in the Middle East is indivisible and that a just and lasting settlement of the Middle East problem must be based on a comprehensive solution, under the auspices of the United Nations, which ensures complete and unconditional withdrawal from all the Palestinian and other Arab territories occupied since June 1967, including Jerusalem, and enables the Palestinian people to exercise its inalienable rights, including the right of return, and the right to self-determination, national independence and the establishment of its independent State in Palestine under the leadership of the Palestine Liberation Organization, in accordance with resolutions of the United Nations relating to the question of Palestine, in particular General Assembly resolutions ES-7/2 of 29 July 1980 and 35/169 A of 15 December 1980”.
ES-8/2	Question of Namibia	“1. Reaffirms the inalienable right of the people of Namibia to self-determination, freedom and national independence in a united Namibia, in accordance with the Charter of the United Nations and General Assembly resolution 1514 (XV) of 14 December 1960, as well as the subsequent relevant resolutions and decisions of the Assembly and the Security Council; “2. Reaffirms that Namibia is the legal responsibility of the United Nations until genuine self-determination and national independence are achieved ... “3. Reaffirms its support for the South West Africa People’s Organization, the sole and authentic representative of the Namibian people, and for its armed struggle to achieve self-determination, freedom and national independence”.
36/10 <sup>bb</sup>	Universal realization of the rights of peoples to self-determination	“Reaffirming the importance, for the effective guarantee and observance of human rights, of the universal realization of the right of peoples to self-determination enshrined in the Charter of the United Nations ..., [first preambular paragraph] “Welcoming the progressive exercise of the right to self-determination by peoples under colonial, foreign or alien occupation and their emergence into sovereign statehood and independence, [second preambular paragraph]

<sup>z</sup>See also G A resolutions 36/162, 37/179, 38/99 and 39/114.

<sup>aa</sup>See also G A resolutions 36/226 A, 37/123 F, 38/180 D and 39/146 A.

<sup>bb</sup>See also G A resolutions 37/42, 38/16 and 39/18.

Resolution No.	Title	Extract of provisions
		<p>“<i>Deeply concerned</i> at the continuation of acts or threats of foreign military intervention and occupation, which are endangering, or have already resulted in the suppression of the right to self-determination of an increasing number of sovereign peoples and nations, [third preambular paragraph]</p> <p>“...</p> <p>“<i>Recalling</i> the relevant resolutions regarding the violation of the right of peoples to self-determination and of other human rights as a result of military intervention and foreign aggression and occupation, adopted by the Commission on Human Rights at its thirty-sixth and thirty-seventh sessions, [fifth preambular paragraph]</p> <p>“...</p> <p>“1. <i>Reaffirms</i> that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;</p> <p>“2. <i>Declares</i> its firm opposition to acts of foreign military intervention, aggression or occupation, since these have resulted in the suppression of the right of peoples to self-determination and of other human rights in certain parts of the world;</p> <p>“...</p> <p>“5. <i>Requests</i> the Commission on Human Rights to continue to give special attention to the violation of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation”.</p>
36/46 <sup>∞</sup>	Question of Western Sahara	<p>“<i>Recalling</i> the inalienable right of all peoples to self-determination and independence in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, [second preambular paragraph]</p> <p>“...</p> <p>“<i>Taking note</i> of the decision of the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981, to organize throughout the Territory of Western Sahara a general and free referendum of the people of Western Sahara on self-determination, [seventh preambular paragraph]</p> <p>“<i>Taking note</i> of the decision adopted by the Implementation Committee on Western Sahara of the Organization of African Unity at its first ordinary session, held at Nairobi from 24 to 26 June 1981, concerning the establishment of appropriate machinery to enable the people of Western Sahara to express themselves freely and democratically on their future, [eighth preambular paragraph]</p> <p>“...</p> <p>“1. <i>Reaffirms</i> the inalienable right of the people of Western Sahara to self-determination and independence in accordance with the Charter of the United Nations, the Charter of the Organization of African Unity and the objectives of General Assembly resolution 1514 (XV), as well as the relevant resolutions of the General Assembly and the Organization of African Unity;</p> <p>“...</p>

<sup>∞</sup>See also G A resolutions 37/28, 38/40 and 39/40.

Resolution No.	Title	Extract of provisions
		<p>"3. <i>Takes note</i> of the decision of the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session to organize throughout the Territory of Western Sahara a general and free referendum of the people of Western Sahara on self-determination;</p> <p>"...</p> <p>"6. <i>Urges</i>, to that end, Morocco and the Frente Popular para la Liberación de Saguia el Hamra y de Río de Oro to enter into negotiations with a view to establishing an immediate ceasefire and concluding a peace agreement permitting the fair conduct of a general and free referendum on self-determination in Western Sahara;</p> <p>"7. <i>Reaffirms</i> the determination of the United Nations to cooperate fully with the Organization of African Unity in the fair and impartial organization of the referendum;</p> <p>"8. <i>Requests</i> to that end the Secretary-General to take the necessary steps to ensure that the United Nations participates in the organization and conduct of the referendum and to report to the General Assembly and the Security Council on this subject and on the measures requiring a decision by the Council".</p>
36/62	Question of Bermuda, the British Virgin Islands, the Cayman Islands, Montserrat and the Turks and Caicos Islands	<p>"2. <i>Reaffirms</i> the inalienable right of the peoples of those Territories to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples;</p> <p>"...</p> <p>"5. <i>Recognizes</i> that the presence of military bases and other installations could constitute an impediment to the implementation of the Declaration and reaffirms its conviction that the presence of foreign military bases and installations in Bermuda and the Turks and Caicos Islands should not prevent the peoples of those Territories from exercising their right to self-determination and independence in accordance with the Declaration and the purposes and principles of the Charter".</p>
36/103	Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States	<p>"<i>Conscious</i> of the imperative need for all foreign forces engaged in military occupation, intervention or interference to be completely withdrawn to their own territories, so that peoples under colonial domination, foreign occupation or racist regimes may freely and fully exercise their right to self-determination, in order to enable peoples of all States to administer their own affairs and determine their own political, economic and social systems without external interference or control, [sixth preambular paragraph]</p> <p>"<i>Conscious also</i> of the imperative need to put a complete end to any threat of aggression, any recruitment, any use of armed bands, in particular mercenaries, against sovereign States, so as to enable the peoples of all States to determine their own political, economic and social systems without external interference or control, [seventh preambular paragraph]</p> <p>"...</p> <p>"ANNEX</p> <p>"<i>Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States</i></p> <p>"...</p> <p>"<i>Bearing in mind</i> that the establishment, maintenance, and strengthening of international peace and security are founded upon freedom, equality, self-determination and independence ..., [third preambular paragraph]</p> <p>"...</p>

Resolution No.	Title	Extract of provisions
		<p>“<i>Reaffirming</i>, in accordance with the Charter, the right to self-determination and independence of peoples under colonial domination, foreign occupation or racist regimes, [fifth preambular paragraph]</p> <p>“<i>Stressing</i> that the purposes of the United Nations can be achieved only under conditions where peoples enjoy freedom ... [sixth preambular paragraph]</p> <p>“ ...</p> <p>“2. The principle of non-intervention and non-interference in the internal and external affairs of States comprehends the following rights and duties:</p> <p>“I</p> <p>“ ...</p> <p>“(b) The sovereign and inalienable right of a State freely to determine its own political, economic, cultural and social systems, to develop its international relations and to exercise permanent sovereignty over its natural resources, in accordance with the will of its people, without outside intervention, interference, subversion, coercion or threat of any form whatsoever;</p> <p>“ ...</p> <p>“II</p> <p>“ ...</p> <p>“(b) The duty of a State to ensure that its territory is not used in any manner which would violate the sovereignty, political independence, territorial integrity and national unity or disrupt the political, economic and social stability of another State; this obligation applies also to States entrusted with responsibility for Territories yet to attain self-determination and national independence;</p> <p>“ ...</p> <p>“(d) The duty of a State to refrain from any forcible action which deprives peoples under colonial domination or foreign occupation of their right to self-determination, freedom and independence;</p> <p>“ ...</p> <p>“III</p> <p>“ ...</p> <p>“(b) The right and duty of States fully to support the right to self-determination, freedom and independence of peoples under colonial domination, foreign occupation or racist regimes, as well as the right of these peoples to wage both political and armed struggle to that end, in accordance with the purposes and principles of the Charter;</p> <p>“ ...</p> <p>“(d) The right and duty of States to combat, within their constitutional prerogatives, the dissemination of false or distorted news which can be interpreted as interference in the internal affairs of other States or as being harmful to the promotion of peace, cooperation and friendly relations among States and nations;</p> <p>“ ...</p>

Resolution No.	Title	Extract of provisions
		“4. Nothing in this Declaration shall prejudice in any manner the right to self-determination, freedom and independence of peoples under colonial domination, foreign occupation or racist regimes, and the right to seek and receive support in accordance with the purposes and principles of the Charter [see also the Declaration as a whole]”.
36/105 <sup>dd</sup>	Question of the Comorian island of Mayotte	“2. <i>Invites</i> the Government of France to honour the commitments entered into prior to the referendum on the self-determination of the Comoro Archipelago of 22 December 1974 concerning respect for the unity and territorial integrity of the Comoros”.
36/109 <sup>ee</sup>	Measures to prevent international terrorism <sup>ff</sup>	“ <i>Reaffirming</i> the principle of self-determination of peoples as enshrined in the Charter of the United Nations, [fifth preambular paragraph]”  “ <i>Reaffirming</i> the inalienable right to self-determination and independence of all peoples under colonial and racist regimes and other forms of alien domination, and upholding the legitimacy of their struggle, in particular the struggle of national liberation movements, in accordance with the purposes and principles of the Charter and of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, [sixth preambular paragraph]”
36/172 A <sup>gg</sup>	Policies of apartheid of the Government of South Africa: situation in South Africa	“ <i>Emphasizing</i> the conclusion of the Paris Declaration that the continuing political, economic and military collaboration of certain Western States and their transnational corporations with the racist regime of South Africa encourages its persistent intransigence and defiance of the international community and constitutes a major obstacle to the elimination of the inhuman and criminal system of apartheid in South Africa and the attainment of self-determination, freedom and national independence by the people of Namibia, [twenty-second preambular paragraph]
		“...  “13. <i>Reaffirms</i> the legitimacy of the struggle of the oppressed people of South Africa and their national liberation movement by all available means, including armed struggle, for the seizure of power by the people, the elimination of the apartheid regime and the exercise of the right of self-determination by the people of South Africa as a whole;  “...  “21. <i>Reaffirms</i> the commitment of the United Nations to the total eradication of apartheid and the establishment of a democratic society in which all the people of South Africa as a whole, irrespective of race, colour, sex or creed, will enjoy equal and full human rights and fundamental freedoms and participate freely in the determination of their destiny.”
ES-7/6	Question of Palestine	“ <i>Guided</i> by the purposes and principles of the United Nations, in particular the respect for equal rights and self-determination of peoples, [third preambular paragraph]  “...  “2. <i>Calls</i> for the free exercise in Palestine of the inalienable rights of the Palestinian people to self-determination without external interference and to national independence”.

<sup>dd</sup>See also G A resolutions 37/65, 38/13 and 39/48.

<sup>ee</sup>See also G A resolution 38/130.

<sup>ff</sup>For the full title, see footnote 49 in the main body of the study.

<sup>gg</sup>See also G A resolutions 37/69 A, 38/39 A and 39/72 A.

Resolution No.	Title	Extract of provisions
37/10	Manila Declaration on the Peaceful Settlement of International Disputes	<p>"ANNEX</p> <p><i>"Manila Declaration on the Peaceful Settlement of International Disputes</i></p> <p>"...</p> <p><i>"Reaffirming the principle of equal rights and self-determination of peoples as enshrined in the Charter of the United Nations ..., [eighth preambular paragraph]</i></p> <p><i>"Stressing the need for all States to desist from any forcible action which deprives peoples, particularly peoples under colonial and racist regimes or other forms of alien domination, of their inalienable right to self-determination, freedom and independence, as referred to in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, [ninth preambular paragraph]</i></p> <p>"...</p> <p>"I</p> <p>"...</p> <p>"12. In order to facilitate the exercise by the peoples concerned of the right to self-determination as referred to in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, the parties to a dispute may have the possibility, if they agree to do so and as appropriate, to have recourse to the relevant procedures mentioned in the present Declaration, for the peaceful settlement of the dispute.</p> <p>"...</p> <p><i>"Declares that nothing in the present Declaration could in any way prejudice the right to self-determination, freedom and independence, as derived from the Charter, of peoples forcibly deprived of that right and referred to in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, particularly peoples under colonial and racist regimes or other forms of alien domination; nor the right of these peoples to struggle to that end and to seek and receive support, in accordance with the principles of the Charter and in conformity with the above-mentioned Declaration".</i></p>
37/17	Cooperation between the United Nations and the League of Arab States	<p><i>"Noting also with appreciation the commitment of the League of Arab States to the eradication of apartheid and all other forms of racial discrimination, to the elimination of colonization and to the promotion of the right of self-determination and the safeguarding of human rights and fundamental freedoms for all, [fifth preambular paragraph]"</i></p>
37/22 <sup>hh</sup>	Question of Bermuda	<p><i>"2. Reaffirms the inalienable right of the people of Bermuda to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV);</i></p> <p>"...</p> <p><i>"8. Reaffirms its strong conviction that the administering Power must ensure that military bases and installations do not hinder the population of the Territory from exercising its right to self-determination and independence in conformity with the purposes and principles of the Charter and urges the administering Power to take all necessary measures to comply fully with the relevant resolutions of the United Nations relating to military bases and installations in colonial and Non-Self-Governing Territories".</i></p>

<sup>hh</sup>See also G A resolutions 38/43 and 39/33.

<i>Resolution No.</i>	<i>Title</i>	<i>Extract of provisions</i>
37/86 D	Question of Palestine	"4. <i>Requests</i> the Security Council to discharge its responsibilities under the Charter and recognize the inalienable rights of the Palestinian Arab people, including the right to self-determination and the right to establish its independent Arab State in Palestine".
37/86 E	Question of Palestine	"1. <i>Reaffirms</i> the inalienable legitimate rights of the Palestinian people, including the right to self-determination and the right to establish, once it so wishes, its independent State in Palestine;  "  "5. <i>Recommends</i> that, following the withdrawal of Israel from the occupied Palestinian territories, those territories should be subjected to a short transitional period under the supervision of the United Nations, during which period the Palestinian people would exercise its right to self-determination".
37/189 A	Human rights and scientific and technological developments	" <i>Reaffirming</i> the determination of the peoples of the United Nations to ... develop friendly relations among peoples ..., [first preambular paragraph]  "  " <i>Deeply concerned</i> that international peace and security continue to be threatened by the arms race, particularly the nuclear arms race, as well as by violations of the principles of the Charter of the United Nations regarding the sovereignty and territorial integrity of States and self-determination of peoples, [seventh preambular paragraph]  "  "2. <i>Stresses</i> the urgent need for all possible efforts by the international community to strengthen peace ... and prevent violations of the principles of the Charter of the United Nations regarding the sovereignty and territorial integrity of States and self-determination of peoples, thus contributing to assuring the right to life".
37/200	Further promotion and protection of human rights and fundamental freedoms	"3. <i>Emphasizes</i> that foreign occupation, colonialism, apartheid, racism and racial discrimination and the denial of the right to self-determination of peoples and of all universally recognized human rights are serious impediments to peace and development".
38/6 <sup>ii</sup>	Cooperation between the United Nations and the League of Arab States	" <i>Realizing</i> that the strengthening of international peace and security is directly related, inter alia, to disarmament, decolonization, self-determination and the eradication of all forms of racism and racial discrimination, [eighth preambular paragraph]  "  "5. <i>Requests</i> the secretariats of the United Nations and the League of Arab States, within their respective fields of competence, to intensify their cooperation towards the realization of the purposes and principles of the Charter of the United Nations, the strengthening of international peace and security, disarmament, decolonization, self-determination and the eradication of all forms of racism and racial discrimination".
38/7	The situation in Grenada	"5. <i>Requests</i> that free elections be organized as rapidly as possible to enable the people of Grenada to choose its government democratically".
38/10	The situation in Central America: threats to international peace and security and peace initiatives	" <i>Also reaffirming</i> the inalienable right of all peoples to decide on their own form of government and to choose their own economic, political and social system free from foreign intervention, coercion or limitation, [third preambular paragraph]

<sup>ii</sup>See also G A resolution 39/9.

Resolution No.	Title	Extract of provisions
		“... “1. <i>Reaffirms</i> the right of all the countries of the region to live in peace and to decide their own future, free from all outside interference or intervention, whatever pretext may be adduced or whatever the circumstances in which they may be committed”.
38/11 <sup>jj</sup>	Proposed new racial constitution of South Africa	“ <i>Reaffirming</i> the legitimacy of the struggle of the oppressed people of South Africa for the elimination of apartheid and for the establishment of a society in which all the people of South Africa as a whole, irrespective of race, colour or creed, will enjoy equal and full political and other rights and participate freely in the determination of their destiny, [eighth preambular paragraph] “... “4. <i>Solemnly declares</i> that only the total eradication of apartheid and the establishment of a non-racial democratic society based on majority rule, through the full and free exercise of adult suffrage by all the people in a united and non-fragmented South Africa, can lead to a just and lasting solution of the explosive situation in South Africa”.
38/14	Second Decade to Combat Racism and Racial Discrimination	“ANNEX “ <i>Programme of Action for the Second Decade to Combat Racism and Racial Discrimination</i> “A. Action to combat apartheid “... “3. The Conference further reaffirms the legitimacy of the struggle of the oppressed peoples of South Africa and Namibia and their national liberation movements for the elimination of apartheid by all available means, including armed struggle, and the special responsibility of the United Nations and the international community to provide them with moral, political and material assistance in the realization of their quest to exercise their right to self-determination. “4. The Conference reiterates the commitment of the United Nations to the total eradication of apartheid and to the establishment of a democratic society in which all people of South Africa as a whole, irrespective of race, colour, sex or creed, will enjoy equal and full human rights and fundamental freedoms and participate freely in the determination of their destiny.”
38/58 C	Question of Palestine	“3. <i>Welcomes and endorses</i> the call for convening an International Peace Conference on the Middle East in conformity with the following guidelines: “(a) The attainment by the Palestinian people of its legitimate inalienable rights, including the right to return, the right to self-determination, and the right to establish its own independent State in Palestine”.
38/113 <sup>kk</sup>	Human rights and use of scientific and technological developments	“ <i>Reaffirming</i> the determination of the peoples of the United Nations to ... maintain international peace and security and develop friendly relations among peoples ..., [first preambular paragraph] “... “ <i>Profoundly concerned</i> that international peace and security continue to be threatened by ... violations of the Charter of the United Nations regarding the sovereignty and territorial integrity of States and self-determination of peoples, [seventh preambular paragraph] “...

<sup>jj</sup>See also G A resolution 39/2.

<sup>kk</sup>See also G A resolution 39/134.



Resolution No.	Title	Extract of provisions
		<p>"2. <i>Stresses once again</i> the urgent need for the international community to ... prevent violations of the principles of the Charter of the United Nations regarding the sovereignty and territorial integrity of States and self-determination of peoples, thus contributing to ensuring the right to life".</p>
38/189 <sup>11</sup>	Strengthening of security and cooperation in the Mediterranean	<p>"1. <i>Recognizes</i>:</p> <p>"...</p> <p>"(c) The need for just and viable solutions to existing problems and crises in the area, on the basis of the provisions of the Charter and of relevant resolutions of the United Nations, the withdrawal of foreign forces of occupation and the right of peoples under colonial or foreign domination to self-determination and independence".</p>
39/159	Inadmissibility of the policy of State terrorism and any actions by States aimed at undermining the socio-political system in other sovereign States	<p>"<i>Reaffirming</i> the obligation of all States to refrain in their international relations from the threat or use of force against ... the inalienable right of all peoples to determine their own form of government and to choose their own economic, political and social system free from outside intervention, subversion, coercion and constraint of any kind whatsoever, [first preambular paragraph]</p> <p>"<i>Expressing its profound concern</i> that State terrorism has lately been practised ever more frequently in relations between States and that military and other actions are being taken against the sovereignty and political independence of States and the self-determination of peoples, [second preambular paragraph]</p> <p>"...</p> <p>"<i>Reaffirming</i> the inalienable right of all peoples freely to determine their own destiny and the course of their development, [fourth preambular paragraph]</p> <p>"<i>Convinced</i> that the interests of maintaining peace require that relations between States, regardless of ideologies, should be based on ... permanent sovereignty of States and peoples over their natural resources, self-determination and independence of peoples under colonial domination, foreign occupation or racist regimes, [fifth preambular paragraph]</p> <p>"...</p> <p>"3. <i>Urges</i> all States to respect and strictly observe, in accordance with the Charter of the United Nations, the sovereignty and political independence of States and the right of peoples to self-determination, as well as their right freely, without outside interference and intervention, to choose their socio-political system and to pursue their political, economic, social and cultural development".</p>

<sup>11</sup>See also G A resolution 39/153.

## B. Resolutions of the Security Council

<i>Resolution No.</i>	<i>Subject</i>	<i>Extract of provisions</i>
445 (1979) <sup>mm</sup>	Question concerning the situation in Southern Rhodesia	<p><i>"Reaffirming the inalienable right of the people of Southern Rhodesia (Zimbabwe) to self-determination and independence in accordance with General Assembly resolution 1514 (XV) of 14 December 1960 and the legitimacy of their struggle to secure the enjoyment of such rights as set forth in the Charter of the United Nations, [eighth preambular paragraph]</i></p> <p><i>"...</i></p> <p><i>"5. Condemns all attempts and manoeuvres by the illegal regime, including its so-called elections of April 1979, aimed at retaining and extending a racist minority rule and at preventing the accession of Zimbabwe to independence and genuine majority rule;</i></p> <p><i>"6. Declares that any elections held under the auspices of the illegal racist regime and the results thereof will be null and void and that no recognition will be accorded either by the United Nations or any Member State to any representative or organ established by that process".</i></p>
447 (1979)	Complaint by Angola against South Africa	<p><i>"Reaffirming the inalienable right of the people of Namibia to self-determination and independence in accordance with resolutions 385 (1976) and 435 (1978) and all other relevant resolutions of the United Nations, and the legitimacy of their struggle to secure the exercise of such rights as set forth in these resolutions, [ninth preambular paragraph]</i></p> <p><i>"Reaffirming also its condemnation of South Africa's continued illegal occupation of Namibia and the militarization of the Territory, through which it persists in its suppression of the legitimate aspirations of the Namibian people to self-determination and independence as well as in its armed invasions against neighbouring African States, [tenth preambular paragraph]</i></p> <p><i>"...</i></p> <p><i>"4. Commends the People's Republic of Angola and other front-line States for their steadfast support of the people of Namibia in their just and legitimate struggle against the illegal occupation of their territory by South Africa and for the enjoyment of their inalienable rights to self-determination and national independence".</i></p>
455 (1979)	Complaint by Zambia	<p><i>"Convinced that these wanton acts of aggression by the illegal minority regime in Southern Rhodesia form a consistent and sustained pattern of violations aimed at destroying the economic infrastructure of the Republic of Zambia and weakening its support of the struggle of the people of Zimbabwe for freedom and national liberation, [sixth preambular paragraph]</i></p> <p><i>"...</i></p> <p><i>"3. Commends the Republic of Zambia and other front-line States for their continued support of the people of Zimbabwe in their just and legitimate struggle for the attainment of freedom and independence and for their scrupulous restraint in the face of unwarranted armed provocations by the Rhodesian rebels in collusion with South African armed forces".</i></p>
463 (1980)	Question concerning the situation in Southern Rhodesia	<p><i>"Noting that the conference held at Lancaster House, in London, has produced agreement on the Constitution for a free and independent Zimbabwe providing for genuine majority rule ..., [third preambular paragraph]</i></p> <p><i>"Noting also that the Government of the United Kingdom of Great Britain and Northern Ireland, having resumed its responsibility as the administering Power, is committed to decolonizing Southern Rhodesia on the basis of free and democratic elections which will lead Southern Rhodesia to genuine independence acceptable to the international community in accordance with the objectives of General Assembly resolution 1514 (XV) of 14 December 1960, [fourth preambular paragraph]</i></p>

<sup>mm</sup>See also S C resolution 448 (1979).

Resolution No.	Subject	Extract of provisions
		“ ...
		“1. <i>Reaffirms</i> the inalienable right of the people of Zimbabwe to self-determination, freedom and independence, as enshrined in the Charter of the United Nations and in conformity with the objectives of General Assembly resolution 1514 (XV);
		“ ...
		“5. <i>Calls upon</i> the Government of the United Kingdom to take all necessary steps in order to ensure that eligible Zimbabwe nationals will freely participate in the forthcoming electoral process, including:
		“ ...
		“(e) The rescinding of all emergency measures and regulations inconsistent with the conduct of free and fair elections;
		“6. <i>Calls upon</i> the Government of the United Kingdom to create conditions in Southern Rhodesia which will ensure free and fair elections and thereby avert the danger of the collapse of the Lancaster House agreement”.
530 (1983)	Letter dated 5 May 1983 from the representative of Nicaragua on the Security Council addressed to the President of the Security Council	“ <i>Recalling</i> all the relevant principles of the Charter of the United Nations, particularly the obligation of States to settle disputes exclusively by peaceful means, not to resort to the threat or use of force and to respect the self-determination of peoples and the sovereign independence of all States, [fourth preambular paragraph]
		“ ...
		“ <i>Commending</i> the appeal of the Contadora Group of countries, Colombia, Mexico, Panama and Venezuela, in its 12 May 1983 communiqué, that the deliberations of the Council should strengthen the principles of self-determination and non-interference in the affairs of other States ... [sixth preambular paragraph]
		“ ...
		“1. <i>Reaffirms</i> the right of Nicaragua and of all the other countries of the area to live in peace and security, free from outside interference”.
532 (1983) <sup>nm</sup>	The situation in Namibia	“ <i>Reaffirming</i> the legal responsibility of the United Nations over Namibia and the primary responsibility of the Security Council for ensuring the implementation of its resolutions 385 (1976) and 435 (1978), including the holding of free and fair elections in Namibia under the supervision and control of the United Nations, [fourth preambular paragraph]
		“ ...
		“2. <i>Calls upon</i> South Africa to make a firm commitment as to its readiness to comply with Council resolution 435 (1978) for the independence of Namibia;
		“3. <i>Further calls upon</i> South Africa to cooperate forthwith and fully with the Secretary-General in order to expedite the implementation of resolution 435 (1978) for the early independence of Namibia;
		“4. <i>Decides</i> to mandate the Secretary-General to undertake consultations with the parties to the proposed ceasefire, with a view to securing the speedy implementation of resolution 435 (1978)”.

<sup>nm</sup>See also S C resolution 539 (1983).

<i>Resolution No.</i>	<i>Subject</i>	<i>Extract of provisions</i>
541 (1983)	The situation in Cyprus	<p><i>"Concerned at the declaration by the Turkish Cypriot authorities issued on 15 November 1983 which purports to create an independent State in northern Cyprus, [second preambular paragraph]</i></p> <p><i>"Considering that this declaration is incompatible with the 1960 Treaty concerning the establishment of the Republic of Cyprus and the 1960 Treaty of Guarantee, [third preambular paragraph]</i></p> <p><i>"Considering, therefore, that the attempt to create a 'Turkish Republic of Northern Cyprus' is invalid, and will contribute to a worsening of the situation in Cyprus, [fourth preambular paragraph]</i></p> <p><i>"...</i></p> <p><i>"1. Deplores the declaration of the Turkish Cypriot authorities of the purported secession of part of the Republic of Cyprus;</i></p> <p><i>"2. Considers the declaration referred to above as legally invalid and calls for its withdrawal".</i></p>
550 (1984)	The situation in Cyprus	<p><i>"Gravely concerned about the further secessionist acts in the occupied part of the Republic of Cyprus which are in violation of resolution 541 (1983), namely, the purported exchange of ambassadors between Turkey and the legally invalid 'Turkish Republic of Northern Cyprus' and the contemplated holding of a 'constitutional referendum' and 'elections', as well as by other actions or threats of actions aimed at further consolidating the purported independent State and the division of Cyprus, [sixth preambular paragraph]</i></p> <p><i>"...</i></p> <p><i>"1 Reaffirms its resolution 541 (1983) and calls for its urgent and effective implementation;</i></p> <p><i>"2. Condemns all secessionist actions, including the purported exchange of ambassadors between Turkey and the Turkish Cypriot leadership, declares them illegal and invalid and calls for their immediate withdrawal;</i></p> <p><i>"3. Reiterates the call upon all States not to recognize the purported State of the 'Turkish Republic of Northern Cyprus' set up by secessionist acts and calls upon them not to facilitate or in any way assist the aforesaid secessionist entity".</i></p>
554 (1984)	Question of South Africa	<p><i>"Reaffirming the legitimacy of the struggle of the oppressed people of South Africa for the elimination of apartheid and for the establishment of a society in which all people of South Africa as a whole, irrespective of race, colour, sex or creed, will enjoy equal and full political and other rights and participate freely in the determination of their destiny, [sixth preambular paragraph]</i></p> <p><i>"Firmly convinced that the so-called 'elections' to be organized by the Pretoria regime in the current month of August for the 'coloured' people and people of Asian origin and the implementation of this 'new constitution' will inevitably aggravate tension in South Africa and in southern Africa as a whole, [seventh preambular paragraph]</i></p> <p><i>"1. Declares that the so-called 'new constitution' is contrary to the principles of the Charter of the United Nations, that the results of the referendum of 2 November 1983 are of no validity whatsoever and that the enforcement of the 'new constitution' will further aggravate the already explosive situation prevailing inside apartheid South Africa;</i></p> <p><i>"2. Strongly rejects and declares as null and void the so-called 'new constitution' and the 'elections' to be organized ...;</i></p> <p><i>"...</i></p> <p><i>"4. Solemnly declares that only the total eradication of apartheid and the establishment of a non-racial, democratic society based on majority rule, through the full and free exercise of universal adult suffrage by all the people in a united and unfragmented South Africa, can lead to a just and lasting solution of the explosive situation in South Africa;</i></p>

<i>Resolution No.</i>	<i>Subject</i>	<i>Extract of provisions</i>
556 (1984)	The question of South Africa	<p>“5. <i>Urges</i> all Governments and organizations not to accord recognition to the results of the so-called ‘elections’ and to take appropriate action, in cooperation with the United Nations and the Organization of African Unity and in accordance with the present resolution, to assist the oppressed people of South Africa in their legitimate struggle for a non-racial, democratic society”.</p>
		<p>“<i>Reaffirming</i> the legitimacy of the struggle of the oppressed people of South Africa for the full exercise of the right to self-determination and the establishment of a non-racial democratic society in an unfragmented South Africa, [seventh preambular paragraph]</p>
		<p>“...</p>
		<p>“5. <i>Urges</i> all Governments and organizations to take appropriate action, in cooperation with the United Nations and the Organization of African Unity and in accordance with the present resolution, to assist the oppressed people of South Africa in their legitimate struggle for the full exercise of the right to self-determination;</p> <p>“6. <i>Demands</i> the immediate eradication of apartheid as the necessary step towards the full exercise of the right to self-determination in an unfragmented South Africa”.</p>