

**Repertory of Practice of United Nations Organs  
Supplement No. 8**

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*Repertory of Practice of United Nations Organs*)

**ARTICLES 1(1), 1(3), 1(4), 2(1), 2(2), 2(3) and 2(5)**

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

### **TEXT OF ARTICLES 1 (1), 1(3), 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 co-operation 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 ARTICLES 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 fulfill 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. In the present *Supplement*, as in *Supplements* Nos. 2 to 7, 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. Similarly to previous studies, decisions of the 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 with its widest-ranging functions and responsibilities under the Charter.

3. During the period under review, the United Nations organs continued their practice of relying on the Purposes and Principles of the Charter as a whole and/or on a particular provision of Article 1 or Article 2, as a basis of dealing with subject matters under consideration. The main features of that practice are summarized in paragraphs 5 to 13 below.

4. Following the practice established in *Supplement No.7*, this study does not have annexes containing tables of relevant paragraphs of resolutions adopted by the General Assembly during the period under review.<sup>1</sup> As the text of all resolutions are available on the Internet, only symbols of relevant General Assembly resolutions are provided for in the footnotes.<sup>2</sup>

## **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 relating to a wide range of subjects, in which it invoked, reaffirmed or called upon the Member States to observe and promote the Purposes and Principles of the Charter.<sup>3</sup>

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<sup>1</sup> See *Repertory, Supplement No. 7*, vol. I, under Articles 1(1), 1(3), 1(4), 2(1), 2(2), 2(3), and 2(5), paragraph 4.

<sup>2</sup> See <http://www.un.org/documents/>.

<sup>3</sup> A/RES/43/233; A/RES/44/7; A/RES/44/8; A/RES/44/15; A/RES/44/21; A/RES/44/22; A/RES/44/34; A/RES/44/35; A/RES/44/48; A/RES/44/50; A/RES/44/51; A/RES/44/55; A/RES/44/69; A/RES/44/79; A/RES/44/81; A/RES/44/84; A/RES/44/92; A/RES/44/98; A/RES/44/99; A/RES/44/116; A/RES/44/123; A/RES/44/124; A/RES/44/125; A/RES/44/126; A/RES/44/146; A/RES/44/165; A/RES/44/166; A/RES/44/215; A/RES/45/9; A/RES/45/12; A/RES/45/14; A/RES/45/24; A/RES/45/31; A/RES/45/32; A/RES/45/33; A/RES/45/58; A/RES/45/74; A/RES/45/76; A/RES/45/78; A/RES/45/79; A/RES/45/82; A/RES/45/90; A/RES/45/107; A/RES/45/125; A/RES/45/132; A/RES/45/147; A/RES/45/150; A/RES/45/170; A/RES/45/236; A/RES/45/254; A/RES/46/23; A/RES/46/36; A/RES/46/37 B; A/RES/46/42; A/RES/46/43; A/RES/46/47 A; A/RES/46/68 B; A/RES/46/73; A/RES/46/84; A/RES/46/87; A/RES/46/89; A/RES/46/101; A/RES/46/104; A/RES/46/133; A/RES/46/134; A/RES/46/135; A/RES/46/136; A/RES/46/137; A/RES/46/181; A/RES/46/199; A/RES/46/210; A/RES/46/232; A/RES/46/242; A/RES/47/19; A/RES/47/52 J; A/RES/47/53 B; A/RES/47/57; A/RES/47/58; A/RES/47/60; A/RES/47/62; A/RES/47/70 A; A/RES/47/73; A/RES/47/81; A/RES/47/82; A/RES/47/84; A/RES/47/98; A/RES/47/101; A/RES/47/115; A/RES/47/120; A/RES/47/135; A/RES/47/140; A/RES/47/141; A/RES/47/142; A/RES/47/143; A/RES/47/145; A/RES/47/146; A/RES/47/147; A/RES/47/172; A/RES/47/215; A/RES/48/11; A/RES/48/16; A/RES/48/21; A/RES/48/24; A/RES/48/26; A/RES/48/41; A/RES/48/44 A; A/RES/48/51; A/RES/48/75; A/RES/48/80; A/RES/48/81; A/RES/48/83; A/RES/48/88; A/RES/48/89; A/RES/48/92; A/RES/48/112; A/RES/48/122; A/RES/48/125; A/RES/48/127; A/RES/48/153; A/RES/48/212; A/RES/49/9; A/RES/49/25; A/RES/49/31; A/RES/49/36; A/RES/49/38; A/RES/49/43; A/RES/49/60; A/RES/49/75 N; A/RES/49/76 D; A/RES/49/80; A/RES/49/81; A/RES/49/132; A/RES/49/151; A/RES/49/181; A/RES/49/184; A/RES/49/185; A/RES/49/196; A/RES/49/199; A/RES/49/205.

## **2. Article 1 (1)**

6. No explicit references were made to Article 1 (1) in the resolutions adopted by the General Assembly during the period under consideration. However, resolutions adopted by the Assembly on the following questions might be considered to have bearing on Article 1 (1): (a) United Nations Decade of International Law;<sup>4</sup> (b) draft Code of Crimes against the Peace and Security of Mankind;<sup>5</sup> (c) general and complete disarmament;<sup>6</sup> (d) question of Antarctica;<sup>7</sup> (e) review and implementation of the Concluding Document of the Twelfth Special session of the General Assembly;<sup>8</sup> (f) maintenance of international security.<sup>9</sup>

## **3. Article 1 (3)**

7. During the period under review, the General Assembly referred explicitly to Article 1(3) in its resolutions on: (a) the development of public information activities in the field of human rights;<sup>10</sup> and (b) the Convention on the Elimination of All Forms of Discrimination against Women.<sup>11</sup>

8. In addition, the General Assembly, although not explicitly referring to Article 1(3), adopted several resolutions which might be considered to have bearing on this Article. Those resolutions related, inter alia, to the following questions: (a) enhancing international peace, security and international co-operation in all its aspects in accordance with the Charter of the United Nations;<sup>12</sup> (b) Second/Third Decade to Combat Racism

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<sup>4</sup> A/RES/44/23.

<sup>5</sup> A/RES/44/32.

<sup>6</sup> A/RES/44/116 G, P and Q, the preambles; A/RES 45/58 O, the preamble; A/RES/46/36 L, the preamble.

<sup>7</sup> A/RES/44/124 B, the preamble; A/RES/45/78, the preamble; A/RES/46/41, the preamble; A/RES/47/57, the preamble; A/RES/48/80, the preamble; A/RES/49/80, the preamble.

<sup>8</sup> A/RES/46/37 B, the preamble; A/RES/47/53 B and F, the preambles; A/RES/48/76 A, the preamble; A/RES/49/76 C, the preamble.

<sup>9</sup> A/RES/48/84.

<sup>10</sup> A/RES/44/61, the preamble; A/RES/45/99, the preamble; A/RES/47/128, the preamble; A/RES/49/187, the preamble.

<sup>11</sup> A/RES/44/73, the preamble; A/RES/45/124, the preamble; A/RES/47/94, the preamble; A/RES/49/164, the preamble.

<sup>12</sup> A/RES/44/21, the preamble and paragraph 2.

and Racial Discrimination;<sup>13</sup> (c) alternative approaches and ways and means within the United Nations System for improving the effective enjoyment of human rights and fundamental freedoms;<sup>14</sup> (d) indivisibility and interdependence of economic, social, cultural, civil and political rights;<sup>15</sup> (e) elimination of all forms of religious intolerance;<sup>16</sup> (f) World Conference on Human Rights;<sup>17</sup> (g) strengthening of United Nations action in the human rights field through the promotion of international co-operation and the importance of non-selectivity, impartiality and objectivity;<sup>18</sup> (h) International Year for the World's Indigenous People;<sup>19</sup> (i) International Decade of the World's Indigenous People;<sup>20</sup> (j) international co-operation in solving international problems of a social, cultural or humanitarian character, and in promoting and encouraging universal respect for, and observance of, human rights and fundamental freedoms;<sup>21</sup> (k) humanitarian assistance to victims of natural disasters and similar emergency situations;<sup>22</sup> (l) promotion of international co-operation in the humanitarian field;<sup>23</sup> (m) strengthening of the Centre for Human Rights of the Secretariat;<sup>24</sup> (n) policies of apartheid of the Government of South Africa;<sup>25</sup> (o) non-discrimination and protection of minorities;<sup>26</sup> (p) creation of an effective United Nations crime prevention and criminal justice programme;<sup>27</sup> (q) co-operation between the United Nations and the Organization of American States;<sup>28</sup> (r) Declaration on the Rights of Persons Belonging to National or

<sup>13</sup> A/RES/44/52, the preamble; A/RES/45/105, the preamble; A/RES/46/85, the preamble; A/RES/47/77, the preamble; A/RES/48/91, the preamble; A/RES/49/146, the preamble.

<sup>14</sup> A/RES/44/63, the preamble; A/RES/45/96, the preamble; A/RES/46/117, the preamble; A/RES/47/137, the preamble; A/RES/48/123, the preamble; A/RES/49/186, the preamble.

<sup>15</sup> A/RES/44/130, the preamble.

<sup>16</sup> A/RES/44/131, the preamble; A/RES/45/136, the preamble; A/RES/46/131, the preamble.

<sup>17</sup> A/RES/44/156, the preamble; A/RES/45/155, the preamble; A/RES/46/116, the preamble; A/RES/47/122, the preamble.

<sup>18</sup> A/RES/45/163, the preamble and paragraph 2; A/RES/46/129, the preamble and paragraph 2; A/RES/47/131, the preamble and paragraph 2; A/RES/48/125, the preamble and paragraph 2; A/RES/49/181, the preamble and paragraph 2.

<sup>19</sup> A/RES/45/164, the preamble; A/RES/46/128, the preamble; A/RES/47/75, the preamble; A/RES/48/133, the preamble.

<sup>20</sup> A/RES/48/163, the preamble, A/RES/49/214, the preamble.

<sup>21</sup> A/RES/45/169, the preamble.

<sup>22</sup> A/RES/45/100, the preamble.

<sup>23</sup> A/RES/45/102, the preamble.

<sup>24</sup> A/RES/47/127, the preamble; A/RES/48/129, the preamble; A/RES/49/195, the preamble.

<sup>25</sup> A/RES/46/79 A, paragraph 1.

<sup>26</sup> A/RES/46/115, the preamble.

<sup>27</sup> A/RES/46/152, Annex, the preamble.

<sup>28</sup> A/RES/45/10, the preamble; A/RES/47/11, the preamble; A/RES/49/5, the preamble.

Ethnic, Religious and Linguistic Minorities;<sup>29</sup> (s) strengthening of the rule of law;<sup>30</sup> (t) High Commissioner for the promotion and protection of all human rights;<sup>31</sup> (u) comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action;<sup>32</sup> (v) United Nations Year for Tolerance;<sup>33</sup> (w) cooperation between the United Nations and the Caribbean Community.<sup>34</sup>

#### **4. Article 1 (4)**

9. No explicit references were made to Article 1 (4) in resolutions adopted by the General Assembly during the period under review. However, resolutions adopted by the Assembly on the following questions might be considered to have bearing on this Article: (a) questions relating to information;<sup>35</sup> (b) co-operation between the United Nations and the Organization of American States;<sup>36</sup> (c) review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session.<sup>37</sup>

#### **5. Article 2(1)**

10. The General Assembly referred to the principle of sovereign equality of States in several resolutions that it adopted: (a) use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination;<sup>38</sup> (b) review of the implementation of the Declaration on the Strengthening of International Security;<sup>39</sup> (c) implementation of the Declaration on the Right of Peoples to Peace;<sup>40</sup> (d)

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<sup>29</sup> A/RES/47/135, the preamble and Annex.

<sup>30</sup> A/RES/48/132, the preamble.

<sup>31</sup> A/RES/48/141, the preamble.

<sup>32</sup> A/RES/49/208, the preamble.

<sup>33</sup> A/RES/47/124, the preamble; A/RES/48/126, the preamble; A/RES/49/213, the preamble.

<sup>34</sup> A/RES/49/141, the preamble.

<sup>35</sup> A/RES/44/50 II, paragraph 1; A/RES/45/76 B, paragraph 1; A/RES/46/73 B, paragraph 1; A/RES/47/73 B, the preamble; A/RES/48/44 B, the preamble; A/RES/49/38 B, the preamble.

<sup>36</sup> A/RES/45/10, the preamble; A/RES/47/11, the preamble; A/RES/49/5, the preamble.

<sup>37</sup> A/RES/47/54 C, the preamble.

<sup>38</sup> A/RES/44/81, the preamble; A/RES/45/132, the preamble; A/RES/46/89, the preamble; A/RES/47/84, the preamble; A/RES/48/92, the preamble; A/RES/49/150, the preamble.

<sup>39</sup> A/RES/44/126, the preamble; A/RES/45/80, the preamble; A/RES/47/60 A, the preamble; A/RES/48/83, the preamble.

<sup>40</sup> A/RES/45/14, paragraph 3.

protection and security of small states;<sup>41</sup> (e) enhancing the effectiveness of the principle of periodic and genuine elections;<sup>42</sup> (f) Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;<sup>43</sup> (g) necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba;<sup>44</sup> (h) question of equitable representation on and increase in the membership of the Security Council;<sup>45</sup> (i) An Agenda for Peace: preventive diplomacy and related matters;<sup>46</sup> (j) revitalization of the work of the General Assembly;<sup>47</sup> (k) enhancing international peace, security and international co-operation in all its aspects in accordance with the Charter of the United Nations.<sup>48</sup>

## **6. Article 2(2)**

11. The General Assembly referred to the principle of fulfilment of obligations in good faith, embodied in Article 2 (2), in the following resolutions that it adopted: (a) report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories;<sup>49</sup> (b) report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories;<sup>50</sup> (c) implementation of the Declaration on the Rights of Peoples to Peace;<sup>51</sup> (d) international cooperation for crime prevention and criminal justice in the context of development;<sup>52</sup> (e) respect for the principles enshrined in the Charter of the United Nations and international law in the fight against drug abuse and illicit trafficking;<sup>53</sup> (f) international action to combat drug

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<sup>41</sup> A/RES/46/43, paragraph 3; A/RES/49/31, paragraph 3.

<sup>42</sup> A/RES/46/137, the preamble.

<sup>43</sup> A/RES/47/135, Annex, article 8, paragraph 4.

<sup>44</sup> A/RES/47/19, the preamble; A/RES/48/16, the preamble; A/RES/49/9, the preamble.

<sup>45</sup> A/RES/47/62, the preamble; A/RES/48/26, the preamble.

<sup>46</sup> A/RES/47/120, preamble.

<sup>47</sup> A/RES/47/233, the preamble.

<sup>48</sup> A/RES/44/21, paragraph 2.

<sup>49</sup> A/RES/44/48 B, the preamble.

<sup>50</sup> A/RES/45/74 B, the preamble; A/RES/46/47 B, the preamble; A/RES/47/70 B, the preamble; A/RES/48/41 B, the preamble; A/RES/49/36 B, the preamble.

<sup>51</sup> A/RES/45/14, paragraph 3.

<sup>52</sup> A/RES/45/107, the preamble.

<sup>53</sup> A/RES/46/101, paragraph 3.



abuse and illicit production and trafficking;<sup>54</sup> (g) question of Antarctica;<sup>55</sup> (h) enhancing international peace, security and international co-operation in all its aspects in accordance with the Charter of the United Nations.<sup>56</sup>

## **7. Article 2 (3)**

12. During the period under consideration, the General Assembly adopted one resolution on its agenda item, entitled “Peaceful settlement of disputes between States,”<sup>57</sup> wherein the Assembly called upon Member States to make full use, in accordance with the Charter of the United Nations, of the framework provided by the United Nations for the peaceful settlement of disputes and international problems. During the same period, the General Assembly adopted the following resolutions invoking the principle of peaceful settlement of international disputes: (a) review of the implementation of the Declaration on the Strengthening of International Security;<sup>58</sup> (b) implementation of the Declaration on the Rights of Peoples to Peace;<sup>59</sup> (c) United Nations Decade of International Law;<sup>60</sup> (d) protection and security of small States;<sup>61</sup> (e) review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly;<sup>62</sup> (f) An Agenda for Peace: preventive diplomacy and related matters;<sup>63</sup> (g) enhancing international peace, security and international co-operation in all its aspects in accordance with the Charter of the United Nations;<sup>64</sup> (h) the situation in Kampuchea.<sup>65</sup>

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<sup>54</sup> A/RES/48/112, section I, paragraph 3.

<sup>55</sup> A/RES/47/57, paragraph 4.

<sup>56</sup> A/RES/44/21, paragraph 2.

<sup>57</sup> A/RES/44/31.

<sup>58</sup> A/RES/44/126, the preamble; A/RES/45/80, the preamble; A/RES/47/60 A, the preamble and paragraph 3; A/RES/48/83, the preamble.

<sup>59</sup> A/RES/45/14, paragraph 3.

<sup>60</sup> A/RES/44/23, paragraph 2(b); A/RES/45/40, Annex II; A/RES/46/53, the preamble; A/RES/47/32, Annex, section II, A/RES/48/30, preamble; A/RES/49/50, Annex, section II.

<sup>61</sup> A/RES/46/43, paragraph 3; A/RES/49/31, paragraph 3.

<sup>62</sup> A/RES/47/53 B, the preamble.

<sup>63</sup> A/RES/47/120, Section I.

<sup>64</sup> A/RES/44/21, paragraph 2.

<sup>65</sup> A/RES/44/22, the preamble.

## 8. Article 2 (5)

13. No explicit references were made to Article 2 (5) in the resolutions of the General Assembly adopted during the period under review. However, on a number of occasions, the Assembly requested States to assist the United Nations on implementation of actions it had taken under the United Nations Charter and/or to refrain from giving assistance to the State, against which the United Nations had taken preventive measures. These resolutions, which might be considered to have bearing on Article 2 (5), are the following: (a) Israeli nuclear armament;<sup>66</sup> (b) the situation in the Middle East;<sup>67</sup> (c) policies of apartheid of the Government of South Africa;<sup>68</sup> (d) status of the International Convention on the Suppression and Punishment of the Crime of Apartheid;<sup>69</sup> (e) question of Antarctica;<sup>70</sup> (f) lifting of sanctions against South Africa;<sup>71</sup> (g) elimination of apartheid and establishment of a united, democratic and non-racial South Africa;<sup>72</sup> (h) report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories;<sup>73</sup> (i) necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba.<sup>74</sup>

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<sup>66</sup> A/RES/45/63, paragraph 5; A/RES/46/39, paragraphs 4 and 5; A/RES/47/55, paragraphs 3 and 4.

<sup>67</sup> A/RES/45/83 B, paragraphs 12 and 13; A/RES/45/83 C, paragraphs 2 and 3; A/RES/46/82 A, paragraphs 10 and 11; A/RES/46/82 B, paragraphs 2 and 3; A/RES/47/63 B, paragraphs 2 and 3; A/RES/48/59 A, paragraphs 2 and 3.

<sup>68</sup> A/RES/44/27 C, paragraph 2; A/RES/44/27 H, paragraph 5; A/RES/44/27 I, paragraph 1.

<sup>69</sup> A/RES/45/90, paragraph 5.

<sup>70</sup> A/RES/47/57, paragraph 4.

<sup>71</sup> A/RES/48/1, paragraph 2.

<sup>72</sup> A/RES/48/159 A, paragraph 11.

<sup>73</sup> A/RES/48/41 D, paragraph 6.

<sup>74</sup> A/RES/49/9, paragraphs 2 and 3.