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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. The present study is limited to 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 this 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 as formulated in resolution 1514 (XV) entitled "Declaration on the granting of independence to colonial countries and peoples" is dealt with under Article 73 of the Charter.

3. The Summary of Practice reviews the decisions of the General Assembly and of the Security Council which contained implicit references to Article 1(2).

4. The Summary of Practice also deals with the instances when Article 1(2) was explicitly invoked during discussions in the General Assembly and the Security Council.

5. None of the decisions and references mentioned above gave rise to a constitutional discussion regarding the application of Article 1(2).

SUMMARY OF PRACTICE

6. During the period under review the General Assembly adopted a large number of resolutions with implicit references to Article 1(2). None of these involved constitutional arguments regarding the interpretation of the second paragraph of Article 1.

7. In the case of two agenda items, the General Assembly adopted resolutions which contained an explicit reference to Article 1 together with the language employed in paragraph 2 of that Article.

8. The first instance arose in connexion with the celebration of the twenty-fifth anniversary of the United Nations on 24 October 1970, when the General Assembly adopted as resolution 2627 (XXV) a solemn Declaration which, in its second paragraph, stated:

"2. The United Nations, despite its limitations, has, in its role as a centre for harmonizing the actions of nations in attaining the purposes mentioned in Article 1 of the Charter, made an important contribution to the maintenance of international peace and security, to developing friendly relations based on respect for the principle of equal rights and self-determination of peoples and to achieving international co-operation in economic, social, cultural and humanitarian fields . . ."

The Declaration contained a further implicit reference to Article 1(2) in its paragraph 7.

9. During the twenty-fifth session, in connexion with the question of the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA), the General Assembly adopted resolution 2672 C (XXV), which contained the following statement:

"Bearing in mind the principle of equal rights and self-determination of peoples enshrined in Articles 1 and 55 of the Charter and more recently reaffirmed in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations . . ."

This resolution 2672 C contained several other implicit references to Article 1(2) in declaring the support of the General Assembly for the inalienable right of the people of Palestine to self-determination.

10. The invocation of this inalienable right to self-determination together with the explicit reference to Article 1 was renewed in General Assembly resolutions 2792 D (XXVI), 2963 E (XXVII), and 3089 D (XXVIII), regarding the work of UNRWA.

11. The following resolutions of the General Assembly also contained implicit references to Article 1(2) without giving rise to constitutional arguments.

12. General Assembly resolutions 2625 (XXV) regarding the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, and 2633 (XXV) concerning Youth, its education in the respect for human rights and fundamental freedoms, its problems and needs, and its participation in national development, referred implicitly to Article 1(2). Resolutions 2646 (XXV) and 3579 (XXX), which were adopted in connexion with the elimination of all forms of racial discrimination, also referred to Article 1(2).

13. Throughout the period under review, the General Assembly, in dealing with the 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, invoked Article 1(2) in its resolutions 2649 (XXV), 2787 (XXVI), 2955 (XXVII), 3070 (XXVIII), 3246 (XXIX), 3382 (XXX), 31/34, 32/14, 32/24, and 33/24.

14. Each year, the General Assembly referred implicitly to Article 1(2) in its resolutions 2678 (XXV), 2871 (XXVI), 2879 (XXVII), 3031 (XXVIII), 3111 (XXVIII), 3295 (XXIX), 3399 (XXX), 31/146, 32/9, 32/182 A, B, and C, and 33/206, regarding the question of Namibia. In
2.3. General Assembly resolution 3061 (XXVIII), adopted in connexion with the illegal occupation by Portuguese military forces of certain sectors of the Republic of Guinea-Bissau and acts of aggression committed by them against the people of the Republic, also contained implicit references to Article 1(2). So did resolutions 3236 (XXIX)\(^4\) and 3376 (XXX),\(^9\) which the General Assembly adopted in connexion with the question of Palestine, and resolution 3314 (XXIX)\(^10\) containing the Definition of Aggression.

24. The General Assembly implicitly invoked Article 1(2) in adopting resolutions 3377 (XXX)\(^6\), 31/77,\(^8\) and 32/100\(^3\) regarding the implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination, resolution 3384 (XXX)\(^4\) with regard to the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind, and resolution 3519 (XXX)\(^5\) in connexion with women’s participation in the strengthening of international peace and security and in the struggle against colonialism, racism, racial discrimination, foreign aggression and occupation and all forms of foreign domination.

25. In considering specific political questions arising from difficulties in the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (General Assembly resolution 1514 (XV)), the General Assembly made implicit references to the principle of self-determination under Article 1(2) in its resolutions 3424 (XXX)\(^2\) and 32/27\(^\text{1970}\) pertaining to the question of Brunei, resolution 3430 (XXX)\(^3\) regarding the Seychelles, resolutions 3432 (XXX)\(^4\), 31/50,\(^5\) 32/32,\(^6\) and 33/36\(^2\) in connexion with Belize, and resolutions 3485 (XXX)\(^7\), 31/53,\(^8\) 32/34,\(^9\) and 33/39\(^6\) relating to the question of Timor.

26. At the thirty-first and thirty-second sessions, the General Assembly adopted resolutions 31/143\(^1\) and 32/41\(^1\) with implicit references to Article 1(2) regarding the International Conference in Support of the Peoples of Zimbabwe and Namibia. The same applied to General Assembly resolutions 31/33\(^1\) and 33/23\(^1\) adopted in connexion with the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa, and to resolution 31/91\(^2\) regarding non-interference in the internal affairs of States.

27. Article 1(2) was also referred to in General Assembly resolutions 32/28\(^1\) and 33/33\(^2\) in connexion with the question of Guam, resolution 32/122\(^2\) regarding the protection of persons detained or imprisoned as a result of their struggle against apartheid, racism and racial discrimination, colonialism, aggression and foreign occupation and for self-determination, independence and social progress for their people, resolution 32/130\(^3\) pertaining to alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms, resolutions 32/155\(^4\) relating to the Declaration on the Deepening and consolidation of International Détente and, at the thirty-third session, resolution 33/73,\(^1\) which contained the Declaration on the Preparation of Societies for Life in Peace.

28. During the period under review, the Security Council adopted a number of resolutions with implicit references to Article 1(2) without giving rise to a constitutional discussion.

29. In connexion with the situation in Namibia, the Council adopted resolutions 276 (1970),\(^1\) 283 (1970),\(^2\) 301 (1971),\(^3\) 309 (1972),\(^4\) 310 (1972),\(^5\) 319 (1972),\(^6\) and 323 (1972),\(^7\) in connexion with the question of Namibia, the United Nations Fund for Namibia. 

15. The Assembly invited the principle of Article 1(2) in resolution 2700 (XXVI), and also 2865 (XXVI) regarding the question of Papua and the Trust Territory of New Guinea, and in resolution 2702 (XXV) regarding the question of Oman.

16. With regard to "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, Namibia and Territories under Portuguese domination and in all other Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in south ern Africa", the General Assembly made implicit references to Article 1(2) in its resolutions 2703 (XXV),\(^3\) 2873 (XXVI),\(^4\) 2979 (XXVII),\(^5\) 3117 (XXVIII),\(^6\) 3299 (XXIX),\(^7\) 3398 (XXX),\(^8\) 31/7,\(^9\) 32/35,\(^10\) and 33/40.\(^11\)

17. In connexion with the question of Territories under Portuguese administration the General Assembly adopted resolutions 2707 (XXV),\(^12\) 2795 (XXVI),\(^13\) 2918 (XXVII),\(^14\) 3113 (XXVIII),\(^15\) and 3294 (XXIX).\(^16\)

18. Each year, in considering the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, the Assembly adopted resolutions invoking the principle of self-determination: these resolutions were 2708 (XXV),\(^17\) 2878 (XXVI),\(^18\) 2908 (XXVII),\(^19\) 3163 (XXVIII),\(^20\) 3228 (XXIX),\(^21\) 3481 (XXX),\(^22\) 31/143,\(^23\) 32/42,\(^24\) and 33/44.\(^25\)

19. In considering the question of Western Sahara, formerly known as Spanish Sahara,\(^26\) the General Assembly made implicit references to Article 1(2) in its resolutions 2711 (XXV),\(^27\) 3458 A and B (XXX),\(^28\) 31/45,\(^29\) 32/22,\(^30\) and 33/31.\(^31\)

20. At its twenty-fifth session, the General Assembly adopted as resolution 2784 (XXV) the Declaration on the Strengthening of International Security which contained a few implicit references to Article 1(2).\(^32\) At the subsequent sessions, in dealing with the implementation of that Declaration, the General Assembly made similar references in its resolutions 2880 (XXVI),\(^33\) 2993 (XXVII),\(^34\) 3185 (XXVIII),\(^35\) 3332 (XXIX),\(^36\) 3389 (XXX),\(^37\) 31/92,\(^38\) 32/154,\(^39\) and 33/75.\(^40\)

21. At the twenty-sixth session and in subsequent years, the Assembly referred implicitly to Article 1(2) in its resolutions 2775 E (XXVI),\(^41\) 2923 E (XXVII),\(^42\) 3324 C (XXIX),\(^43\) 3411 B, C, D, F, G (XXX),\(^44\) 31/6 C and I,\(^45\) 32/105 B, H, 1, I,\(^46\) and 33/183 L regarding the policies of apartheid of the Government of South Africa, and in its resolutions 2796 (XXVI),\(^47\) 2877 (XXVI),\(^48\) 2945 (XXVII),\(^49\) 3115 (XXVIII),\(^50\) 3297 (XXIX),\(^51\) 3298 (XXX),\(^52\) 3396 (XXX),\(^53\) 31/154 A,\(^54\) 32/116 A,\(^55\) and 33/38 A,\(^56\) concerning the question of Southern Rhodesia.

22. At the twenty-seventh session, the General Assembly made implicit references to Article 1(2) in its resolution 2925 (XXVII)\(^6\) concern ing the strengthening of the role of the United Nations with regard to the maintenance and consolidation of international peace and security, the development of co-operation among all nations and the promotion of the rules of international law in relations between States, in its resolution 2936 (XXVIII)\(^6\) concerning the non-use of force in international relations and permanent prohibition of the use of nuclear weapons, and in resolution 3034 (XXVIII)\(^9\) concerning measures to prevent international terrorism.\(^9\) The General Assembly adopted in subsequent years two other resolutions with implicit references to Article 1(2), namely, resolutions 31/102\(^5\) and 32/147,\(^26\) in connexion with the last agenda item.


32. Throughout the period under review, there were a number of instances in which Article 1(2) was explicitly referred to in the General Assembly and its main committees as well as in the Security Council, but none of the instances resulted in constitutional discussions.

33. In the General Assembly, Article 1(2) was explicitly referred to during the general debate (a.i. 9) at the twenty-fifth, thirtieth and thirty-third sessions; also during the consideration of the situation in the Middle East, in connexion with the United Nations Relief and Works Agency for Palestinian Refugees in the Near East, regarding the elimination of all forms of racial discrimination, and pertaining to the 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.

34. Explicit references to Article 1(2) were also made in the General Assembly during the celebration of the twenty-fifth anniversary of the United Nations, in connexion with the consideration of measures for the strengthening of international security, pertaining to the need to consider suggestions regarding the review of the Charter of the United Nations, and regarding the restoration of the lawful rights of the People's Republic of China in the United Nations.

35. The discussion of the policies of apartheid of the Government of South Africa gave rise to explicit references to Article 1(2); so did the consideration of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, of measures to prevent international terrorism which endangered or took innocent human lives or jeopardized fundamental freedoms, of the question of Territories under Portuguese administration, of the question of Korea, of the strengthening of the role of the United Nations with regard to the maintenance and consolidation of international peace and security, the development of co-operation among all nations and the promotion of the rules of international law in relations between States and in connexion with the report of the Special Committee on the Question of Defining Aggression.

36. Article 1(2) was further explicitly invoked during the thirtieth session during the consideration of human rights and scientific and technological developments, also in connexion with the question of Palestine, with the deepening and consolidation of international detente and prevention of the danger of nuclear war, and regarding a few items relating to racism and human rights.

37. In the Security Council there were explicit references to Article 1(2) in connexion with the following issues: consideration of questions relating to Africa of which the Security Council was currently seized and implementation of the Council's relevant resolutions, question concerning the situation in Territories under Portuguese administration, complaint by Zambia, consideration of measures for the maintenance and strengthening of international peace and security in Latin America, the situation in the Middle East, relationship between the United Nations and South Africa, the situation in Namibia, the Middle East problem including the Palestinian question, and the question of South Africa.

38. The implicit references to Article 1(2) in the General Assembly as well as in the Security Council were too numerous to be listed here.

NOTES
1. G A resolution 2627 (XXV); a.i. 21: Declaration on the Occasion of the Twenty-fifth Anniversary of the United Nations.
2. G A (25); a.i. 35: United Nations Relief and Works Agency for Palestinian Refugees in the Near East.
3. G A resolution 2672 C (XXV), preambular para. 3.
4. G A resolution 2672 C (XXV), paras. 1 and 2.
5. G A resolution 2792 D (XXVI), preambular paras. 2 and 3, paras. 1 and 2; a.i. 38.
6. G A resolution 2963 E (XXVII), preambular paras. 2 and 3, paras. 1-3; a.i. 40.
7. G A resolution 3089 D (XXVIII), preambular paras. 2 and 3, paras. 1-3; a.i. 43.
8. Annex, preambular paras. 14 and 17 (e), para. 1; a.i. 85.
9. Para. 11; a.i. 55.
10. Para. 2; a.i. 53.
11. Preambular para. 3; a.i. 68.
12. As a whole; A.i. 60.
13. Preambular paras. 6 and 10, paras. 1, 2 and 7; a.i. 55.
14. As a whole; A.i. 51.
15. As a whole; A.i. 59.
16. Preambular para. 4, paras. 1-3; a.i. 55.
17. As a whole; A.i. 77.
18. As a whole; A.i. 76.
19. As a whole; A.i. 79.
20. As a whole; A.i. 82.
22. Preambular paras. 14, paras. 1, 7, 9, 12; a.i. 66.
23. Preambular para. 19, para. 1; a.i. 64.
24. Preambular para. 8, part 1, para. 1; a.i. 70.
25. Part I, para. 1; a.i. 65.
26. Preambular paras. 8; a.i. 87.
27. Preambular para. 7, paras. 1, 3, 12, 21; a.i. 85.
28. A, preambular para. 3; B, preambular para. 4; C, preambular para. 3; D, preambular paras. 6, paras. 2, 11, 13; F, preambular para. 3, para 2(6); a.i. 91.
29. A, preambular paras. 5 and 10, paras. 2 and 3; B, preambular para. 3; C, preambular para. 4, para. 5; a.i. 27.
30. Preambular paras. 3 and 8, para. 1; a.i. 27.
31. Preambular para. 3; a.i. 62.
32. Para. 1 and 5; a.i. 13.
33. Preambular para. 10, paras. 1 and 3; a.i. 13.
34. Para. 2; a.i. 66.
35. Beginning with the thirtieth session of the General Assembly the phrase "and Territories under Portuguese domination" was deleted from the title of this agenda item.
36. Para. 2; a.i. 67.
37. Para. 1; a.i. 70.
38. Para. 1; a.i. 67.
39. Para. 1; a.i. 73.
40. Para. 1; a.i. 68.
41. Para. 1; a.i. 90.
42. Para. 1; a.i. 87.
43. Preambular para. 11, para. 1; a.i. 94.
44. Para. 1; a.i. 95.
45. Preambular paras. 7 and 9, paras. 1 and 5; a.i. 63.
46. Preambular paras. 7, 10 and 13, paras. 1 and 13; a.i. 67.
jeopardizes fundamental freedoms, and study of the underlying causes of
grievance and despair and which cause some people to sacrifice human lives,
those forms of terrorism and acts of violence which lie in misery, frustration,
international terrorism which endangers or takes innocent human lives or
question of Spanish Sahara." The title "The question of Western Sahara"
was used for the first time at the thirty-third session.

Para. 1; a.i. 25.

Para. 1, a.i. 24.

Paras. 1 and 4; a.i. 107.

Paras. 1; a.i. 118.

Preambular para. 1; a.i. 24.

Preambular para. 2; a.i. 12.

Preambular para. 1, para. 2; a.i. 10.

Preambular para. 4, para. 1; a.i. 33.

Preambular para. 7, paras. 2 and 5; a.i. 24.

Pars. 2 and 7; a.i. 24.

Preambular para. 10, para 1(1); a.i. 76

Para. 1; a.i. 12.

Preambular para. 1; a.i. 20.

Preambular para. 1, and 8, para. 2.

Paras. 3.

Preambular para. 9.

Para. 1.

Preambular para. 3.

Preambular para. 4, paras. 3 and 9.

Preambular para. 3, para. 1.

Preambular paras. 4 and 9, paras. 1 and 4(6).

Para. 1.

Preambular para. 4.

The full title of the agenda item reads as follows: "Request by
Mozambique under Article 50 of the Charter of the United Nations in relation
to the situation which has arisen as a result of its decision to impose
sanctions against Southern Rhodesia in full implementation of the relevant
decisions of the Security Council."

Preambular para. 5.

Preambular para. 6, para. 5.

Preambular para. 3.

Preambular para. 9.

G A (25), Plen., 1851st mtg.: Madagascar, paras. 19; 1859th mtg.:
Sudan, para. 153; G A (30), Plen., 2376th mtg.: Chile; G A (33), Plen.,
34th mtg.: Somalia.

G A (25), Plen., 1888th mtg.: Saudi Arabia, paras. 85-86; 1894th
mtg.: Kuwait, para. 144; a.i. 22; G A (27), Plen., 2096th mtg.: Syrian Arab
Republic, para. 49; a.i. 21; G A (33), Plen., 69th mtg.: Jordan; a.i. 30.

G A (25), Spec. Pol. Com., 736th mtg.: Kuwait, para. 28; 738th
mtg.: Saudi Arabia, para. 57; 71st mtg.: Kuwait, para. 28; a.i. 35; G A
(27), Spec. Pol. Com., 835th mtg.: Egypt, para. 32; a.i. 40.

G A (25), 3rd Com., 176th mtg.: Yugoslavia, para. 8; 1773rd mtg.:
Pakistan, para. 7; 1777th mtg.: Lebanon, para. 39; a.i. 53; G A (30), 3rd
Com., 2128th mtg.: Peru, para. 52; 2129th mtg.: Cuba, para. 4; a.i. 68; G A
(33), 3rd Com., 28th mtg.: Israel, para. 66; a.i. 81.

G A (25), 3rd Com., 176th mtg.: Yugoslavia, para. 8; 1773rd mtg.:
Pakistan, para. 7; 1777th mtg.: Lebanon, para. 39; a.i. 60; G A (27), 3rd
Com., 1958th mtg.: United States, para. 30; a.i. 51; G A (30), 3rd Com.,
2124th mtg.: Mr. Schreiber, Division of Human Rights, para. 1; a.i. 77; G A
(31), 3rd Com., 14th mtg.: Cyprus, paras. 12-13; 15th mtg.: Chile, para. 62;
16th mtg.: Kenya, para. 6; 17th mtg.: India, para. 54; a.i. 76; G A (33), 3rd
Com., 28th mtg.: Israel, para. 66; a.i. 82.

G A (25), Plen., 1870th mtg.: Saudi Arabia, paras. 150 and 158;
1873rd mtg.: Mali, para. 12; 1879th mtg.: France, para. 80; a.i. 21.

G A (25), 1st Com., 1733rd mtg.: Ecuador, para. 95; a.i. 32.

G A (25), Plen., 1926th mtg.: Cuba, para. 67; a.i. 88.

G A (25), Plen., 1913th mtg.: Madagascar, para. 13-65 (explicit refer-
tence to Articles 1 and 2(6)); a.i. 97.

37; G A (28), Spec. Pol. Com., 869th mtg.: Greece, para. 4; 870th mtg.: Byelorussian SSR, para. 49; a.i. 42.

G A (27), Plen., 2065th mtg.: Madagascar, para. 6; 2071st mtg.:
Egypt, para. 29; a.i. 22.

G A (27), 6th Com., 1355th mtg.: Saudi Arabia, para. 6; a.i. 92; G A
(32), 6th Com., 55th mtg.: Afghanistan, para. 16; a.i. 113.

G A (28), 4th Com., 2057th mtg.: Egypt, para. 36; a.i. 71.

G A (28), 1st Com., 1916th mtg.: Albania; 1967th mtg.: Barbados;
a.i. 41.

G A (29), Plen., 234th mtg.: Tunisia; 236th mtg.: Iraq; a.i. 20.

For an explicit reference to Article 1 in general see G A (29), 6th
Com., 1479th mtg.: Cuba, para. 44. See also important implicit references
to Article 1(2) ibid., 1475th mtg.: Romania, para. 10; 1477th mtg.: Pakistan, para. 5; 1478th mtg.: Bangladesh, paras. 3-4; 1479th mtg.: Democratic Yemen, para. 27; a.i. 86.

169 G A (30), 3rd Com., 2141st mtg.: Bulgaria, para. 24; a.i. 69.
170 G A (31), Plen., 71st mtg.: Mexico, para. 32; a.i. 27; G A (33), Plen., 66th mtg.: Bangladesh; a.i. 31.
171 G A (32), 1st Com., 47th mtg.: Czechoslovakia; a.i. 127.
172 G A (33), 3rd Com., 28th mtg.: Israel, para. 66; a.i. 73, 74, 76.
173 S C (27), 1633rd mtg.: Mr. Leballe; 1635th mtg.: United States.
174 S C (27), 1672nd mtg.: Liberia.
175 S C (28), 1688th mtg.: Egypt, para. 75.
176 S C (28), 1702nd mtg.: President (Panama).
177 S C (28), 1718th mtg.: Syrian Arab Republic; 1725th mtg.: President (USSR).

178 S C (29), 1803rd mtg.: United Republic of Tanzania (invoking Article 1 in connexion with the principle of self-determination).
179 SC (30), 1828th mtg.: Senegal.
180 S C (31), 1876th mtg.: India.
181 S C (32), 1991st mtg.: Mr. Thompson, para. 54.
182 Among the many references to the principle of self-determination, mention should be made of the discussion in the Security Council in connexion with the situation in the Comoros: several arguments were proposed regarding the primacy of self-determination over territorial integrity or vice versa. France (SC (31), 1887th mtg.) submitted that the right to self-determination ranked higher than territorial unity and was opposed by Benin (ibid.). See also the concept of self-determination as suggested by Kenya (ibid.).