

ARTICLE 13

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TEXT OF ARTICLE 13

1. The General Assembly shall initiate studies and make recommendations for the purpose of:

(a) promoting international cooperation in the political field, and encouraging the progressive development of international law and its codification;

(b) promoting international cooperation in the economic, social, cultural, educational, and health fields, and assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

2. The further responsibilities, functions and powers of the General Assembly with respect to matters mentioned in paragraph 1 (b) above are set forth in Chapters IX and X.

INTRODUCTORY NOTE

1. Article 13 contains provisions on the initiation of studies and the making of recommendations by the General Assembly concerning international co-operation in the political, legal, economic and social fields. Accordingly, as in the *Repertory* and its *Supplements Nos. 1 and 2*, the Article is treated in three separate studies. The first, containing only a note, deals with the initiation of studies and the recommendations made by the General Assembly for the purpose of promoting international co-operation in the political field, under paragraph (1) (a). The second deals with that part of paragraph (1) (a) on the initiation of studies and the recommendations made by the General Assembly to encourage the progressive development of international law and its codification. The third deals with the initiation of studies and the recommendations made by the General Assembly to promote international co-operation in the economic, social, cultural, educational and health fields, and to assist in the realization of human rights and fundamental freedoms.

2. During the period under review, the close relation between the various fields of international co-operation envisaged in Article 13 was reflected in the General Assembly resolutions by which a number of the studies were initiated. Thus, studies called for on the progressive development of international law and its codification covered such subjects as the principles of international law concerning friendly relations and co-operation among States, including the principles governing the non-use of force, the peaceful settlement of disputes and non-intervention,¹ and the peaceful uses of outer space.² Some of the economic and social studies requested by the General Assembly, also emphasized the interrelation between international co-operation in the economic and

social fields and in the political and legal fields. A study on the economic and social consequences of disarmament, for instance, called for in Assembly resolution 1516 (XV), stressed the need for international co-operation to cope with the problems of the effective utilization of human and material resources released by disarmament.³ Another study was requested by the General Assembly to consider the steps needed for progressive development in the field of private international law with a view to promoting international trade.⁴

3. In its resolution 1844 (XVII), entitled "International Co-operation Year", the General Assembly, after expressing its conviction that "wider and more intensive international co-operation would provide one of the most effective means of dispersing international tension", requested the President of the General Assembly to nominate a Preparatory Committee to consider the desirability of designating 1965, the twentieth year of the United Nations, as International Co-operation Year. The Preparatory Committee was requested to report to the Assembly on measures and activities to be undertaken by Member States through the United Nations, the specialized agencies and the International Atomic Energy Agency in furthering the objective of international co-operation.⁵ At its eighteenth session, the General Assembly, after considering the Committee's report, adopted resolution 1907 (XVIII), designating 1965 as International Co-operation Year. By that resolution, the General Assembly, "conscious of the many grave international problems which remain unresolved and of the consequent need for international co-operation", and "convinced that devoting a year to international co-operation would help to bring about increased world understanding and

¹ See below under Article 13 (1) (a) (legal), paras. 14-17 and 42-46.

² *Ibid.*, paras. 50 and 62-67. See also this *Supplement* under Article 11, para. 25.

³ See also this *Supplement* under Article 11, foot-note 77.

⁴ See below under Article 13 (1) (a) (legal), para. 20.

⁵ G A resolution 1844 (XVII), 1st preamb. para. and oper. paras. 1-3.

co-operation, and thereby facilitate the settlement of major international problems," called upon Member States, the specialized agencies, governmental and non-governmental international organizations, as well as the Committee for the International Co-operation Year, established by the same resolution, to undertake various measures and draw up plans to attain the objectives set out in the resolution.⁶

4. In three resolutions authorizing studies on international co-operation in the legal, economic and social fields, Article 13 was invoked without reference being made to a specific paragraph. They were resolution 1815 (XVII), by which the General Assembly resolved "to undertake, pursuant to Article 13 of the Charter, a study of the principles of international law concerning friendly relations and co-operation among States, in accordance with the Charter"; resolution 2035 (XX) on the world social situation by which the Economic and Social Council was requested to submit, in co-operation with the specialized agencies, proposals relating to vital problems on which "the General Assembly might appropriately take action and make recommendations in

⁶ G A resolution 1907 (XVIII), 3rd and 6th preamb. paras. and oper. paras. 1-7.

accordance with Article 13 of the Charter"; and resolution 2102 (XX), by which the General Assembly "Mindful of its responsibilities under Article 13" requested the Secretary-General to make a study of the progressive development of private international law to include a survey of work on the unification and harmonization of international trade law.

5. The General Survey of the study of Article 13 (1) (a), (legal) reviews work in the field of the progressive development and codification of international law. The status, at the end of August 1966, of the various conventions and other instruments of international agreements, with respect to entry into force, number of signatures, ratifications, accessions and notifications of succession, is given in paragraph 9 of that study.

6. Relevant excerpts from General Assembly resolutions requesting or authorizing studies in the economic, social and related fields are contained in the annex to the study of Article 13 (1) (b) and 2. That annex is divided into five parts dealing with the studies requested respectively from the Economic and Social Council and its subsidiary organs; from the Secretary-General; from other bodies and individual specialized agencies; from several bodies jointly; and from Member States.

ARTICLE 13 (1) (a)

With regard to the promotion of international co-operation in the political field

Text of article 13 (1) (a). Provision relating to the promotion of international co-operation in the political field

1. The General Assembly shall initiate studies and make recommendations for the purpose of:

(a) promoting international co-operation in the political field . . .

NOTE¹

1. Certain decisions taken by the General Assembly during the period under review which had a bearing on this part of Article 13 (1) (a) have been treated in the second study on Article 13. Resolution 1815 (XVII) for instance, entitled "Consideration of principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations", in which the General Assembly *inter alia*, recalled its authority to consider the general principles of co-operation in the maintenance of international peace and security and to make recommendations with a view to encouraging the progressive development and codification of international law, and resolutions 1966 (XVIII) and 2103 A and B (XX) concerning

¹ This note does not cover decisions of the General Assembly relating to studies on the effects of atomic radiation, since no constitutional discussions bearing on Article 13 (1) (a) took place during debates on those studies. For General Assembly resolutions on the reports on that question, see this *Supplement* under Article 10, annex.

the same subject are dealt with in that study.²

2. In the course of considering draft resolutions ultimately adopted as resolution 1815 (XVII), references were occasionally made to the first part of Article 13 (1) (a) or to Article 13 in general in the context of the bearing of the development of international law and its codification on political co-operation for the maintenance of international peace and security.³ But, since those references constituted integral parts of statements relating to the legal nature of the studies to be undertaken, they have also been treated in the second study on Article 13.

3. Three resolutions adopted by the General Assembly during the period under review, while

² For resolutions containing recommendations relating to general principles of co-operation in the maintenance of international peace and security, see this *Supplement* under Article 11, annex I, section A and annex II, section A.

³ For text of relevant statements, see G A (XVII), 6th Com., 761st mtg.: Pakistan, para. 1; 765th mtg.: Madagascar, para. 13; Tunisia, paras. 1 and 2; 767th mtg.: Czechoslovakia, para. 10; 770th mtg.: India, para. 10.

making no explicit reference to the first part of Article 13 (1) (a), contained provisions relating to international co-operation in the political field. Thus in resolution 1495 (XV),⁴ entitled, "Co-operation of Member States", the General Assembly, after noting that the deterioration in international relations constituted a grave risk to world peace and co-operation, reaffirmed its conviction that the strength of the United Nations rested on the co-operation of its Members States, and that such co-operation should be forthcoming in full measure so that the Organization could become a more effective instrument in safeguarding peace and promoting the economic and social advancement of all peoples.⁵

4. In its resolution 2129 (XX)⁶ entitled "Actions on the regional level with a view to improving good neighbourly relations among European States having different social and political systems", the General Assembly, bearing in mind the provisions of the Charter in which Member States had affirmed their resolve to live together in peace with one another as good neighbours and to develop friendly relations among nations in order to strengthen peace, emphasized the importance of maintaining and increasing contacts between European States having different social and political systems for the purpose of developing peaceful co-operation among

⁴ Adopted unanimously. See G A (XV), Plen., 907th mtg., para. 168.

⁵ G A resolution 1495 (XV), 2nd preamb. para. and oper. para. 2.

⁶ Adopted by acclamation. See G A (XX), Plen., 1408th mtg., para. 47.

the peoples of the European continent and strengthening peace and security in Europe by all possible means. The Governments of European States were requested to intensify their efforts to improve relations with each other, with a view to creating an atmosphere of confidence conducive to an effective consideration of the problems still hampering the relaxation of tension in Europe and throughout the world.⁷

5. In its resolution 2131 (XX)⁸ entitled "Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of their Independence and Sovereignty", the General Assembly enunciated a number of principles of international co-operation in the political field. Those principles, set out in the form of a declaration included, *inter alia*, the principle that no State has the right to intervene, directly or indirectly, for any reason whatsoever, in the internal or external affairs of another State, and the principle that all States shall respect the right of self-determination and independence of peoples and nations, to be freely exercised without any foreign pressure, and with absolute respect for human rights and fundamental freedoms.⁹

6. No constitutional discussions bearing on the first part of Article 13, paragraph 1 (a) took place during the debates preceding the adoption of the three above-mentioned resolutions.

⁷ G A resolution 2129 (XX), 1st preamb. para and oper. paras. 2 and 3.

⁸ Adopted by 109 votes to none, with one abstention. See G A (XX), Plen., 1408th mtg., para. 90.

⁹ G A resolution 2131 (XX), oper. paras. 1-6.