

**REPERTORY OF PRACTICE OF UNITED NATIONS ORGANS  
SUPPLEMENT NO. 10 (2000-2009)**

**VOLUME I**

**ARTICLE 13**

(Advanced version, to be issued in volume II of Supplement No. 10 (forthcoming) of the  
*Repertory of Practice of United Nations Organs*)

**ARTICLE 13**

**CONTENTS**

	<b>Paragraphs</b>
Text of Article 13	
Introductory Note	1-2
Article 13(1)(a) – with regard to the promotion of international cooperation in the political field	1-9
Article 13(1)(a) – With regard to the encouragement of the progressive development of international law and its codification	
Article 13(1)(b) and (2)	

## 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 cooperation in the political, legal, economic, social and human rights fields. Accordingly, as in the *Repertory* and its *Supplements Nos. 1 to 9*, the Article is treated in three separate studies. The first deals with the initiation of studies and recommendations made by the General Assembly for the purpose of promoting international cooperation in the political field, under paragraph 1(a), first clause. The second deals with paragraph 1(a), second clause, 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 paragraphs 1(b) and 2, on the initiation of studies and the recommendations made by the General Assembly to promote international cooperation 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 cooperation envisaged in Article 13 was noted in the General Assembly resolutions by which a number of studies were initiated.

## ARTICLE 13(1)(a)

### TEXT OF ARTICLE 13(1)(a)

*(Provision relating to the promotion of international cooperation in the political field)*

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

(a) promoting international cooperation in the political field...

1. During the period under review, the General Assembly adopted a number of resolutions which have a bearing on the first part of the study on Article 13(1)(a). Some of them related to the items discussed in *Supplement No. 9*, as for example resolutions on “Strengthening of security and cooperation in the Mediterranean region”, “Zone of peace and co-operation of the South Atlantic”, “Maintenance of international security – good-neighbourliness, stability, and development in South-Eastern Europe” and “The causes of conflict and the promotion of durable peace and sustainable development in Africa”, which are referred to paragraphs 3 to 6 below. Other resolutions which contain provisions related to the present study, including “Measures to eliminate international terrorism”, “World Outcome Summit” and “Elimination of unilateral extraterritorial coercive economic measures as a means of political and economic compulsion”, are discussed in paragraphs 7 to 9 below. Furthermore, during the period under review, the General Assembly adopted several resolutions aimed at strengthening the cooperation between regional organizations and the United Nations.<sup>1</sup>

2. Certain decisions taken by the General Assembly during the period under review which also have a bearing on the first part of the study on Article 13(1)(a) have been treated in the second part of the study on that Article owing to their important legal aspects, such as the General Assembly resolutions adopted in connection with the Preparatory Commission for the International Criminal Court as well as on other questions such as the scope of legal protection under the Convention on the Safety of the United

---

<sup>1</sup> These resolutions include “Cooperation between the United Nations and the Organization of African Unity” (56/48 of 7 December 2001), “Cooperation between the United Nations and the Organization of the Islamic Conference” (56/47 of 7 December 2001, 57/42 of 21 November 2002, 59/8 of 22 October 2004, 61/49 of 4 December 2006 and 63/114 of 5 December 2008), “Cooperation between the United Nations and the League of Arab States” (55/10 of 30 October 2000, 56/40 of 7 December 2001, 57/46 of 21 November 2002, 59/9 of 22 October 2004, 61/14 of 13 November 2006 and 63/17 of 10 November 2008), “Cooperation between the United Nations and the Organization for Security and Cooperation in Europe” (55/179 of 19 December 2000, 56/216 of 21 December 2001 and 57/298 of 20 December 2002), “Cooperation between the United Nations and the Council of Europe” (55/3 of 20 October 2000, 56/43 of 7 December 2001, 57/156 of 16 December 2002, 59/139 of 10 December 2004, 61/13 of 13 November 2006 and 63/14 of 3 November 2008), “Cooperation between the United Nations and the Organization of American States” (57/157 of 16 December 2002 and 59/257 of 23 December 2004), “Cooperation between the United Nations and the Caribbean Community” (55/17 of 7 November 2000, 57/41 of 21 November 2002, 59/138 of 10 December 2004, 61/50 of 4 December 2006 and 63/34 of 26 November 2008) and “Cooperation between the United Nations and the Asian-African Legal Consultative Committee” (55/4 of 25 October 2000).

Nations and Associated Personnel, the criminal accountability of United Nations Officials and Experts on Mission, the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and the peaceful uses of outer space.<sup>2</sup>

3. During the period under review, the General Assembly adopted further resolutions on the agenda item entitled “Strengthening of security and cooperation in the Mediterranean region”.<sup>3</sup> In these resolutions, the Assembly expressed satisfaction at the efforts of Mediterranean countries to eliminate all causes of tension in the region. In this regard, the Assembly welcomed the launch of a reinforced partnership, “The Barcelona Process: Union for the Mediterranean,” and commended the Mediterranean countries for the common political will to revive efforts to transform the Mediterranean basin into an area of cooperation.<sup>4</sup> The Assembly reiterated its call for all States of the Mediterranean that had not yet done so to adhere to all the multilaterally negotiated legal instruments related to the field of disarmament and non-proliferation,<sup>5</sup> and encouraged all States of the region to promote genuine openness and transparency on all military matters.<sup>6</sup> Finally, the Assembly encouraged the Mediterranean countries to strengthen their cooperation in combating terrorism and welcomed in this regard the adoption of the Euro-Mediterranean Code of Conduct on Countering Terrorism in November 2005.<sup>7</sup>

4. In the period under review, the General Assembly adopted further resolutions in connection with the agenda item entitled “Zone of peace and cooperation of the South Atlantic”.<sup>8</sup> In these resolutions, the Assembly called upon all States to cooperate in the promotion of the objectives established in the declaration of the zone of peace and cooperation of the South Atlantic and to refrain from action which might create or aggravate situations of tension and conflict in the region. In particular, the Assembly encouraged States to cooperate in the prevention and eradication of small arms and light weapons, commending and calling for continued efforts by members of the zone of peace to implement their Programme of Action in this regard.<sup>9</sup> The Assembly further requested relevant organizations, organs and bodies of the United Nations system to render appropriate assistance in the joint efforts of States of the zone of peace to implement the zone objectives along with the Luanda Plan of Action.<sup>10</sup>

5. Under the agenda item entitled “Review of the implementation of the Declaration on the Strengthening of International Security”, the General Assembly adopted a series of

---

<sup>2</sup> See *Repertory, Supplement No. 10*, vol. II, under Article 13(1)(a), second clause.

<sup>3</sup> General Assembly resolutions 55/38 of 20 November 2000, 56/29 of 29 November 2001, 57/99 of 22 November 2002, 58/70 of 8 December 2003, 59/108 of 3 December 2004, 60/94 of 8 December 2005, 61/101 of 6 December 2006, 62/58 of 5 December 2007, 63/86 of 2 December 2008 and 64/68 of 2 December 2009.

<sup>4</sup> See General Assembly resolution 63/86.

<sup>5</sup> See *e.g.* General Assembly resolution 57/99, para. 5.

<sup>6</sup> See *e.g.* General Assembly resolution 55/38, para. 6.

<sup>7</sup> See General Assembly resolution 61/101.

<sup>8</sup> General Assembly resolutions 55/49 of 29 November 2000, 58/10 of 19 November 2003 and 61/294 of 2 October 2007.

<sup>9</sup> See General Assembly resolution 58/10, paras. 3-4.

<sup>10</sup> See General Assembly resolution 61/294, paras. 2-4.

resolutions entitled “Maintenance of international security – good-neighbourliness, stability and development in South-Eastern Europe”.<sup>11</sup> The Assembly urged countries of the region to consolidate South-Eastern Europe as a region of peace, security, stability, and cooperation. Further, the Assembly called upon participants in the Stability Pact for South-Eastern Europe and all concerned international organizations to support the efforts towards regional cooperation and stability so as to enable integration into European structures, taking also into account trans-Atlantic relations.<sup>12</sup> The Assembly emphasized the importance of regional efforts aimed at arms control and disarmament, including measures at the national and regional level to prevent all acts of terrorism.<sup>13</sup> Finally, the Assembly stressed the need for a negotiated settlement in line with Security Council resolution 1244 (1999) on Kosovo, Federal Republic of Yugoslavia, with special attention to the United Nations Interim Administration Mission in Kosovo.<sup>14</sup>

6. The General Assembly adopted several resolutions under the agenda item entitled “The causes of conflict and the promotion of durable peace and sustainable development in Africa,”<sup>15</sup> in addition to adopting a series of related resolutions on the implementation of recommendations from the report of the Secretary-General on the topic.<sup>16</sup> The Assembly encouraged efforts to develop the capacity of African countries to undertake peace support operations, including through increased cooperation between the United Nations and the Organization of African Unity as well as the establishment of a continental early warning system.<sup>17</sup> The Assembly reaffirmed that the implementation of the recommendations in the Secretary General’s report must remain a priority on the agenda of the United Nations and of the Member States.<sup>18</sup> In this context, the Assembly noted the creation of the Peacebuilding Commission in the World Summit Outcome (2005) and recognized its role in the peacebuilding process for countries emerging from conflict.<sup>19</sup> Lastly, the Assembly stressed the importance of a regional approach to conflict prevention, in particular to cross-border issues such as disarmament and the prevention of illegal exploitation of natural resources, emphasizing in this regard the central role of the African Union and subregional organizations.<sup>20</sup>

7. During each of the years of the period under review, the General Assembly annually adopted resolutions entitled “Measures to eliminate international terrorism”,<sup>21</sup>

---

<sup>11</sup> General Assembly resolutions 55/27 of 20 November 2000, 56/18 of 29 November 2001, 57/52 of 22 November 2002, 59/59 of 3 December 2004 and 61/53 of 6 December 2006.

<sup>12</sup> See *e.g.* General Assembly resolution 59/59, para. 4.

<sup>13</sup> See *e.g.* General Assembly resolution 56/18, para. 13.

<sup>14</sup> See *e.g.* General Assembly resolutions 55/27, para. 3; and 61/53, para. 5.

<sup>15</sup> General Assembly resolutions 55/217 of 21 December 2000, 56/37 of 4 December 2001 and 57/296 of 20 December 2002.

<sup>16</sup> General Assembly resolutions 58/235 of 23 December 2003, 59/255 of 23 December 2004, 60/223 of 23 December 2005, 61/230 of 22 December 2006, 62/275 of 11 September 2008 and 63/304 of 31 July 2009.

<sup>17</sup> See *e.g.* General Assembly resolution 63/304, para. 3.

<sup>18</sup> See *e.g.* General Assembly resolution 59/255.

<sup>19</sup> See *e.g.* General Assembly resolution 61/230, para. 18.

<sup>20</sup> See *e.g.* General Assembly resolution 62/275, para. 10.

<sup>21</sup> General Assembly resolutions 55/158 of 12 December 2000, 56/88 of 12 December 2001, 57/27 of 19 November 2002, 58/81 of 9 December 2003, 59/46 of 2 December 2004, 60/43 of 8 December 2005, 61/40

stressing the need to strengthen international cooperation to prevent, combat and eliminate terrorism in all its forms and manifestations. The Assembly called upon States to refrain from financing or otherwise supporting terrorist activities, to intensify the exchange of information on facts related to terrorism, and to enter into international covenants and protocols for the suppression of terrorism.<sup>22</sup> In its “Condemnation of terrorist attacks in the United States of America”, the Assembly called for urgent international cooperation to bring to justice the perpetrators, organizers and sponsors of the attacks of 11 September 2001.<sup>23</sup> The General Assembly also adopted multiple resolutions relating to specific aspects of terrorism, such as the importance of multilateral cooperation in disarmament and non-proliferation to contribute to global efforts against terrorism.<sup>24</sup> In a similar vein, the Assembly called upon States to take measures and support international cooperation to prevent terrorists from acquiring weapons of mass destruction<sup>25</sup> and radioactive materials.<sup>26</sup> In a resolution entitled “The United Nations Global Counter-Terrorism Strategy”, the Assembly adopted a counter-terrorism strategy based upon elements identified by the Secretary General to promote comprehensive, coordinated and consistent responses to counter terrorism at the national, regional, and international levels.<sup>27</sup> This measure was taken pursuant to the General Assembly resolution on the “2005 World Summit Outcome” in which it called for such a strategy that would take into account the conditions conducive to the spread of terrorism and urged the international community to assist States in building national and regional capacity to combat terrorism.<sup>28</sup>

8. In the “2005 World Summit Outcome”, the General Assembly reaffirmed the “United Nations Millennium Declaration”<sup>29</sup> and the obligation of States to settle their disputes by peaceful means in addition to refraining from any threat or use of force in any manner inconsistent with the Charter.<sup>30</sup> The Assembly also asserted that each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. The Assembly added that this responsibility entails the prevention of such crimes, including their incitement, and that the international community should encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability.<sup>31</sup> The resolution went on to describe the responsibility of the international community, through the United Nations, to use the appropriate diplomatic, humanitarian, and other peaceful means in accordance with the Charter to help protect populations from genocide, war crimes, ethnic cleansing

---

of 4 December 2006, 62/71 of 6 December 2007, 63/129 of 11 December 2008 and 64/118 of 16 December 2009.

<sup>22</sup> See *e.g.* General Assembly resolution 55/158, paras. 5, 4, and 7.

<sup>23</sup> General Assembly resolution 56/1 of 12 September 2001.

<sup>24</sup> General Assembly resolution 56/24T of 29 November 2001.

<sup>25</sup> General Assembly resolutions 57/83 of 22 November 2002, 58/48 of 8 December 2003, 59/80 of 3 December 2004, 60/78 of 8 December 2005, 61/86 of 6 December 2006, 62/33 of 5 December 2007, 63/60 of 2 December 2008 and 64/38 of 2 December 2009.

<sup>26</sup> General Assembly resolution 62/46 of 5 December 2007.

<sup>27</sup> General Assembly resolution 60/288 of 8 September 2006.

<sup>28</sup> General Assembly resolution 60/1 of 16 September 2005, paras. 81-91.

<sup>29</sup> General Assembly resolution 55/2 of 8 September 2000.

<sup>30</sup> General Assembly resolution 60/1 of 16 September 2005, paras. 2, 73-80.

<sup>31</sup> *Id.*, para. 138.

and crimes against humanity. In this context, the Assembly expressed the preparedness to take collective action in accordance with the Charter, should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity.<sup>32</sup>

9. Finally, in the period under review, the General Assembly adopted two resolutions entitled “Elimination of unilateral extraterritorial coercive economic measures as a means of political and economic compulsion.”<sup>33</sup> The Assembly took note of the opposition of the international community to unilateral extraterritorial coercive economic measures and expressed concern over the negative impact of such measures because they are contrary to the recognized principles of international law. The Assembly reiterated its call for the repeal of unilateral extraterritorial laws that impose coercive economic measures contrary to international law on corporations and nationals of other States, further calling upon States not to recognize or apply such measures enacted by other States.

---

<sup>32</sup> *Id.*, para. 139.

<sup>33</sup> General Assembly resolutions 55/6 of 26 October 2000 and 57/5 of 16 September 2002.