

ARTICLE 13

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ARTICLE 13

TEXT OF ARTICLE 13

1. The General Assembly shall initiate studies and make recommendations for the purpose of:
 - (a) promoting international co-operation in the political field and encouraging the progressive development of international law and its codification;
 - (b) promoting international co-operation 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, social and human rights fields. Accordingly, as in the *Repertory* and its *Supplements Nos. 1, 2, 3 and 4*, the Article is treated in three separate studies. The first, containing only a note, deals with the initiation of studies and recommendations made by the General Assembly for the purpose of promoting international co-operation 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 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 studies were initiated.
3. The study of Article 13(1)(a), second clause, reviews work in the field of the progressive development and codification of international law.
4. Relevant excerpts from the 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). The annex is divided into five parts dealing with studies requested respectively from: the Economic and Social Council and its subsidiary organs; from the Secretary-General; from other bodies and 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 . . .

NOTE

1. Certain decisions taken by the General Assembly during the period under review which had 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.
2. Thus, the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, approved by General Assembly resolution 2625 (XXV), is dealt with in the second part of the study.
3. As noted in *Supplement No. 4*, General Assembly resolution 2499 (XXIV), entitled "Celebration of the twenty-fifth anniversary of the United Nations", contained provisions relating to international co-operation in the political field.¹ In a "Declaration on the Occasion of the Twenty-fifth Anniversary of the United Nations", adopted by resolution 2627 (XXV), the Assembly reaffirmed its dedication to the Charter, the conviction that the United Nations can provide a most effective means to strengthen the freedom and independence

of nations, the determination to respect the principles of international law concerning friendly relations and co-operation among States, and the determination to take concrete steps to fulfil the central task of the United Nations—the preservation of international peace and security.

4. It was noted in *Supplement No. 4*² that the General Assembly had, by its resolution 2330 (XXII), established the Special Committee on the Question of Defining Aggression. In accordance with this and subsequent Assembly resolutions³ on the subject, the Assembly followed a procedure similar to the one adopted in the case of the codification and progressive development of the principles of international law concerning friendly relations and co-operation among States: the item was kept under review by the Assembly with the assistance of an *Ad Hoc* Committee composed not of experts but of Government representatives. At its twenty-ninth session, on the basis of the Special Committee's report, the General Assembly approved the Definition of Aggression, the text of which was annexed to its resolution 3314 (XXIX) of 14 December 1974.

5. By resolution 3034 (XXVII) the General Assembly established an *Ad Hoc* Committee on International Terrorism consisting of thirty-five members to be appointed by the President of the General Assembly bearing in mind the principle of equitable geographical representation. The relevant agenda item was entitled

"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".

In the preamble to resolution 3034 (XXVII), the Assembly recognized "the importance of international co-operation in devising measures effectively to prevent their occurrence and of studying their underlying causes with a view to finding just and peaceful solutions as quickly as possible" and, in operative paragraph 10, the Assembly requested the *Ad Hoc* Committee to "submit its report with recommendations for possible co-operation for the speedy elimination of the problem". After taking note of the *Ad Hoc* Committee's report,⁴ the General Assembly, by resolution 32/147, invited the *Ad Hoc* Committee to continue its work under the mandate of resolution 3034 (XXVII), "first by studying the underlying causes of terrorism and then by recommending practical measures to combat terrorism".

6. By resolution 3349 (XXIX) the General Assembly established the *Ad Hoc* Committee on the Charter of the United Nations. By resolution 3499 (XXX) the Assembly reconvened the *Ad Hoc* Committee as the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, consisting of forty-two members to be appointed by the President of the General Assembly with due regard for the principle of equitable geographical distribution. The aims of the *Ad Hoc* Committee, according to the resolution, were (a) to discuss in detail the observations received from Governments regarding the review of the Charter, (b) to consider any additional specific proposals that Governments might make with a view to enhancing the ability of the United Nations to achieve its purpose, (c) to consider other suggestions for the more effective functioning of the United Nations that might not require amendments to the Charter, and (d) to enumerate the proposals which had aroused particular interest in the *Ad Hoc* Committee.

7. Having considered the report of the *Ad Hoc* Committee,⁵ the General Assembly, by resolution 3499 (XXX), decided to reconvene the *Ad Hoc* Committee as the Special Committee on the Charter of the United Nations and on the Strengthen-

ing of the Role of the Organization and to enlarge it by five Member States. By this resolution the Assembly entrusted the Committee with the following tasks:

"(a) To examine in detail the observations received from Governments concerning:

"(i) Suggestions and proposals regarding the Charter of the United Nations,

"(ii) 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;

"(b) To consider any additional specific proposals that Governments may make with a view to enhancing the ability of the United Nations to achieve its purposes;

"(c) To list the proposals which have been made in the Committee and to identify those which have awakened special interest".

Furthermore, the Assembly requested the Committee

"to examine the proposals which have been made or will be made with a view to according priority to the consideration of those areas on which general agreement is possible".

8. After considering reports from the Committee,⁶ the General Assembly extended its mandate by resolutions 31/28, 32/45 and 33/94. In resolution 33/94 the mandate was outlined as follows:

"(a) To complete the listing and examination of proposals made by Member States on the question of peaceful settlement of disputes;

"(b) To continue its work on the proposals made by Member States regarding the question of the maintenance of international peace and security with a view to listing and examining those proposals;

"(c) To consider proposals made by Member States on the question of rationalization of existing procedures of the United Nations and, subsequently, any proposals under the topics."

By the same resolution, the Assembly requested the Committee

"to be mindful of the importance of reaching general agreement whenever it has significance for the outcome of its work".

9. Recalling resolution 31/9, in which the General Assembly invited Member States to examine further the draft World Treaty on the Non-Use of Force in International Relations⁷ submitted by the Soviet Union as well as other proposals and statements made during the consideration of that item, the Assembly in 1977 by resolution 32/150 decided to establish a Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations, to be composed of thirty-five Member States appointed by the President of the General Assembly "on the basis of equitable geographical distribution and representing the principal legal systems of the world". The Assembly instructed the Committee: "to consider proposals and suggestions submitted by any State, bearing in mind the views expressed during the debates on this item at the thirty-first and thirty-second sessions of the General Assembly, with the goal of drafting a world treaty on the non-use of force in international relations as well as the peaceful settlement of disputes or such other recommendations as the Committee deems appropriate".⁸

10. In response to General Assembly resolution 3321 (XXIX), the Secretary-General, in 1975, circulated a report containing an analysis of the question of diplomatic asylum and the views he had received from Member States on the

topic.⁹ By resolution 3497 (XXX), the Assembly expressed the view that it was desirable to give Member States more time to consider the report and decided to give further consideration to the question at a future session.

NOTES

¹ See *Repertory, Supplement No. 4*, vol. I, under Article 13(1)(a), first clause, para. 5.

² See *Repertory, Supplement No. 4*, vol. I, under Article 13(1)(a), paras 11-13.

³ G A resolutions 2420 (XXIII), 2549 (XXIV), 2644 (XXV), 2781 (XXVI), 2967 (XXVII) and 3105 (XXVIII).

⁴ G A (32), *Suppl. No. 37* (A/32/37).

⁵ G A (30), *Suppl. No. 33* (A/10033).

⁶ G A (33), *Suppl. No. 33* (A/33/33).

⁷ G A (31), *Annexes*, a.i. 124, A/31/243, annex.

⁸ G A (33), *Suppl. No. 41* (A/33/41 and Corr.1).

⁹ A/10139 (Part I and Add.1 and Part II) (mimeographed).