

# ARTICLE 13

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### **Annex**

### 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 6* 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.

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**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 co-operation 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. 6*, as for example resolutions on “International cooperation to avert new flows of refugees”, “Review of the implementation of the Declaration on the Strengthening of International Security” and “Strengthening of security and cooperation in the Mediterranean region” which are referred to in paragraphs 3 to 5 below. Other resolutions, including those relating to items newly included in the agenda of the General Assembly, namely “Need for result-oriented political dialogue to improve the international situation”, “Zone of peace and co-operation of the South Atlantic”, “Comprehensive system of international peace and security” and “Strengthening of regional and international peace and security”, are discussed in paragraphs 6 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

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<sup>1</sup> These resolutions include “Co-operation between the United Nations and the Organization of African Unity”(40/20 of 21 November 1985, 41/8 of 23 October 1986, 42/9 of 28 October 1987 and 43/12 of 25 October 1988), “Co-operation between the United Nations and the Organization of the Islamic Conference”(40/4 of 25 October 1985, 41/3 of 16 October 1986, 42/4 of 15 October 1987 and 43/2 of 17 October 1988), “Co-operation between the United Nations and the League of Arab States”(40/5 of 25 October 1985, 41/4 of 17 October 1986, 42/5 of 15 October 1987 and 43/3 of 17 October 1988), “Co-operation between the United Nations and the Organization of American States”(42/11 of 28 October 1987 and 43/4 of 17 October 1988), “Co-operation between the United Nations and the Asian-African Legal Consultative Committee”(40/60 of 9 December 1985, 41/5 of 17 October 1986 and 43/1 of 17 October 1988).

aspects, such as the General Assembly resolutions adopted in connection with the items “Measures to prevent international terrorism”,<sup>2</sup> “Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization”, “Peaceful settlement of disputes between States”, “Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations” and “Development and strengthening of good-neighbourliness between States”.<sup>3</sup>

3. As noted in *Supplement No. 6*,<sup>4</sup> the General Assembly, by its resolution 36/148 of 16 December 1981, had previously established the Group of Governmental Experts on International Cooperation to Avert New Flows of Refugees. During the period under review, the Assembly adopted further resolutions<sup>5</sup> on the subject. In the resolution adopted at the fortieth session, the Assembly welcomed the report of the Group of Governmental Experts, including its recommendations, as a further constructive step in the fulfilment of its mandate, which it reaffirmed and extended as defined in resolutions 36/148 of 16 December 1981 and 37/121 of 16 December 1982. The Assembly called upon the Group of Governmental Experts to work expeditiously on the fulfilment of its mandate during the two sessions in 1986 and to conclude its comprehensive review of the problem in all its aspects, and made a further request for a report to be submitted in time for consideration at the following session. In the resolution adopted at the forty-first session, the Assembly endorsed the conclusions and recommendations contained in the report of the Group of Governmental Experts, and requested Member States, main organs of the United Nations and the Secretary-General to act in accordance with relevant paragraphs of the report.

4. In the resolutions<sup>6</sup> adopted in connection with the item entitled “Review of the implementation of the Declaration on the Strengthening of International Security”, the General Assembly called upon all States to promote and to use effectively the system of collective security envisaged in the Charter and reaffirmed that the democratization of international relations was an imperative necessity enabling the attainment of security, peace and co-operation in the world.

5. In the resolutions<sup>7</sup> on the strengthening of security and co-operation in the Mediterranean region, the General Assembly reaffirmed that further efforts were

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<sup>2</sup> The full title of the agenda item reads as follows: “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”.

<sup>3</sup> See *Repertory, Supplement No. 7*, vol. II, under Article 13(1)(a), second alternative.

<sup>4</sup> See *Repertory, Supplement No. 6*, vol. II, under Article 13(1)(a), first alternative, para. 9.

<sup>5</sup> General Assembly resolutions 40/166 of 16 December 1985 and 41/70 of 3 December 1986.

<sup>6</sup> General Assembly resolutions 40/158 of 16 December 1985, 41/90 of 4 December 1986, 42/92 of 7 December 1987 and 43/88 of 7 December 1988.

<sup>7</sup> General Assembly resolutions 40/157 of 16 December 1985, 41/89 of 4 December 1986, 42/90 of 7 December 1987 and 43/84 of 7 December 1988.

necessary for the reduction of tension and of armaments and for the creation of conditions of security and fruitful co-operation in all fields for all countries and peoples of the Mediterranean region, and urged all States to cooperate with the Mediterranean States in these efforts.

6. In the period under review, the General Assembly adopted resolutions<sup>8</sup> on the new item entitled “Need for result-oriented political dialogue to improve the international situation”. The Assembly, conscious of the urgent need for progress in reducing the levels of armament and in solving global problems, adopted resolution 43/86 of 7 December 1988, in which it called for the continuation and intensification of result-oriented political dialogue and co-operation at the multilateral, regional and bilateral levels, in accordance with the relevant principles of the Charter. The Assembly appealed to all Member States to consider means of strengthening the role and efficiency of the General Assembly as the most representative international forum for dialogue and co-operation and of increasing the political authority of its resolutions, and encouraged the Secretary-General to continue the efforts to facilitate dialogue and co-operation as a means to, *inter alia*, enhance international peace and security.

7. The General Assembly also adopted resolutions<sup>9</sup> on the new item entitled “Zone of peace and co-operation of the South Atlantic”. In the resolution adopted at the forty-first session, the Assembly solemnly declared the Atlantic Ocean “a zone of peace and co-operation of the South Atlantic”, and called upon all States of the zone to promote regional co-operation, and together with all States of all other regions, to co-operate in the elimination of all sources of tension in the zone. At its forty-second and forty-third sessions, the Assembly adopted resolutions in which it further requested relevant organizations, organs and bodies of the United Nations system to assist the States of the zone to implement the declaration, and requested the Secretary-General to keep the implementation under review and to submit reports to the Assembly for consideration.

8. Furthermore, the General Assembly adopted resolutions<sup>10</sup> in connection with the new item entitled “Comprehensive system of international peace and security”. In the resolution adopted at the forty-third session, the Assembly, expressing its firm conviction that ensuring international peace and security required concerted efforts and close co-operation among all States, encouraged Member States to contribute to an international dialogue, primarily within the United Nations system, to co-ordinate practical measures to strengthen the system of security and to enhance the effectiveness of the United Nations in the maintenance of peace and security, and called upon all States to intensify their practical efforts towards ensuring international security. The General Assembly also adopted, on 7 December 1988, resolution 43/85, entitled “Strengthening of regional and international peace and security”, in which it urged all States, in the implementation of

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<sup>8</sup> General Assembly resolutions 41/91 of 4 December 1986 and 43/86 of 7 December 1988.

<sup>9</sup> General Assembly resolutions 41/11 of 27 October 1986, 42/16 of 10 November 1987 and 43/23 of 14 November 1988. The item is also mentioned in the Repertory, Supplement No. 7, vol. II, under Article 14 (see para. 5 of the study).

<sup>10</sup> General Assembly resolutions 41/92 of 4 December 1986, 42/93 of 7 December 1987 and 43/89 of 7 December 1988.

agreements reached with the United Nations regarding peace-keeping arrangements, further to strengthen co-operation with the Secretary-General in discharge of his functions.

9. Finally, the General Assembly adopted resolutions in connection with the item entitled “Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly”,<sup>11</sup> which contained provisions relating to the present study. In the period under review, the Assembly decided to establish the United Nations Regional Centre for Peace, Disarmament and Development in Africa,<sup>12</sup> the United Nations Regional Centre for Peace, Disarmament and Development in Latin America<sup>13</sup> and the United Nations Regional Centre for Peace and Disarmament in Asia,<sup>14</sup> with mandates to provide substantial support for Member States of the regions for the implementation of measures for peace and disarmament. Furthermore, in resolution 42/39(K) of 30 November 1987, the Assembly recommended that the United Nations Regional Centre for Peace, Disarmament and Development in Latin America hold a conference of experts in 1988 on the strengthening of political co-operation in Latin America in the areas of peace, disarmament and security. In the resolution adopted at the following session,<sup>15</sup> the Assembly took note with satisfaction of the holding of the Conference of Experts and reaffirmed that the Centre was called upon to explore new avenues for concerted political action among the countries of the region in a framework of harmony, solidarity and co-operation.

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<sup>11</sup> This item was included in the agenda of the General Assembly at the thirty-seventh session. During the period under review, the item was also included in the *Repertory, Supplement No. 7*, vol. II, under Article 11 (see para. 7 of the study).

<sup>12</sup> General Assembly resolution 40/151(G) of 16 December 1985.

<sup>13</sup> General Assembly resolution 41/60(J) of 3 December 1986

<sup>14</sup> General Assembly resolution 42/39(D) of 30 November 1987.

<sup>15</sup> General Assembly resolution 43/76 (H) of 7 December 1988.