
Articles 1(1), 1(3), 1(4), 2(1), 2(2), 2(3) and 2(5)

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Articles 1(1), 1(3), 1(4), 2(1), 2(2), 2(3) and 2(5)

Text of Article 1(1), 1(3) and 1(4)

The purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;

...

3. To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and

4. To be a centre for harmonizing the actions of nations in the attainment of these common ends.

Text of Article 2(1), 2(2), 2(3) and 2(5)

The Organization and its Members, in pursuit of the purposes stated in Article 1, shall act in accordance with the following principles.

1. The Organization is based on the principle of the sovereign equality of all its Members.

2. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfil in good faith the obligations assumed by them in accordance with the present Charter.

3. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.

...

5. All Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any State against which the United Nations is taking preventive or enforcement action.

Introductory note

1. In *Supplement No. 7*, as in *Supplements Nos. 2 to 6*, Article 1(2) as well as paragraphs 4, 6 and 7 of Article 2 are treated in separate studies. The present study is therefore confined to the practice of the United Nations organs relating to paragraphs 1, 3 and 4 of Article 1 and to paragraphs 1, 2, 3 and 5 of Article 2.

2. As before, decisions of United Nations organs taken under other Articles of the Charter of the United Nations are dealt with under those Articles to which they are directly related. Consequently, the present study is confined, for the reasons stated in

Supplement No. 2, to an examination (a) of the general features of the practice of the General Assembly in making reference to the purposes and principles of the Charter, and (b) of certain decisions of the General Assembly as the organ with the widest-ranging functions and responsibilities under the Charter.

3. Unlike in the previous *Supplements*, *Supplement No. 7* does not have annexes containing tables of relevant paragraphs of resolutions adopted by the General Assembly during the period under review. As the texts of all resolutions are available on the Internet, only symbols of General Assembly resolutions containing general references to the purposes and principles of the Charter are provided in the footnotes of *Supplement No. 7*.

Summary of practice

4.. During the period under review, United Nations organs continued their practice of relying on the purposes and principles of the Charter as a whole, or on a particular provision of Article 1 or Article 2, as a basis for dealing with subject matters under consideration. The main features of that practice are summarized in paragraphs 5 to 13 below.

The practice of the General Assembly

1. The purposes and principles as a whole

5. The General Assembly adopted various resolutions in which it reaffirmed the purposes and principles of the Charter of the United Nations and called upon the Member States to observe and promote those purposes and principles.¹

2. Article 1(1)

6. No explicit reference was made to Article 1(1) in the resolutions adopted by the General Assembly. However, the resolutions adopted by the Assembly under the following items might be considered to have bearing on Article 1(1): (a) Participation of women in promoting international peace and cooperation;² (b) General and complete disarmament;³ (c) Strengthening of regional and international peace and security;⁴ (d) Draft code of crimes against the peace and security of mankind;⁵ and (e) Question of Antarctica.⁶

¹ GA resolutions 40/3, 40/4, 40/5, 40/7, 40/8, 40/9, 40/12, 40/14, 40/22, 40/25, 40/42, 40/43, 40/56, 40/64 I, 40/69, 40/73, 40/74, 40/137, 40/139, 40/141, 40/144, 40/148, 40/156 C, 40/157, 40/158, 40/161 G, 40/164 B, 40/173, 40/181, 40/237, 41/6, 41/32, 41/38, 41/48, 41/63 G, 41/75, 41/79, 41/80, 41/81, 41/88, 41/90, 41/92, 41/94, 41/103, 42/3, 42/4, 42/5, 42/11, 42/12, 42/14, 42/15, 42/26, 42/56, 42/68, 42/86, 42/87, 42/90, 42/92, 42/93, 42/95, 42/115, 42/135, 42/136, 42/137, 42/151, 42/154, 42/155, 42/156, 42/158, 42/159, 42/160, 42/170, 42/210, 42/211, 42/212, 42/230, 43/2, 43/3, 43/19, 43/20, 43/39, 43/42, 43/44, 43/58, 43/83, 43/84, 43/88, 43/124, 43/136, 43/157, 43/167, 43/168, 43/169, 43/213 and 43/216.

² GA resolutions 40/102 (preamb.); 41/109 (preamb.); 42/61 (preamb.); and 43/104 (preamb.).

³ GA resolutions 40/94 A (preamb.); 41/59 A (preamb.); 42/38 A (preamb.); and 41/59 A (preamb.); and 43/75 (preamb.).

⁴ GA resolution 43/85 (preamb.).

⁵ GA resolutions 42/151 (preamb.); and 43/164 (preamb.).

⁶ GA resolutions 40/156; 41/88; 42/46; and 43/83.

3. Article 1(3)

7. The General Assembly adopted four resolutions in which explicit references were made to Article 1(3)⁷ under its agenda item entitled “Development of public information activities in the field of human rights”.

8. The Assembly also adopted a number of other resolutions in which it did not make explicit reference to Article 1(3), but which might be considered to have bearing on that Article. The resolutions were under the following agenda items: (a) Measures to be taken against Nazi, Fascist and neo-Fascist activities and all other forms of totalitarian ideologies and practices based on racial intolerance, hatred and terror;⁸ (b) Second Decade to Combat Racism and Racial Discrimination;⁹ (c) Convention on the Elimination of All Forms of Discrimination against Women;¹⁰ (d) Twenty-fifth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples;¹¹ (e) Indivisibility and interdependence of economic, social, cultural, civil and political rights;¹² (f) Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms;¹³ (g) International economic security;¹⁴ (h) Declaration on the Right to Development;¹⁵ (i) Cooperation between the United Nations and the Organization of American States;¹⁶ (h) Promotion of international cooperation in the humanitarian field;¹⁷ (i) Strengthening of international cooperation in the field of human rights;¹⁸ (j) International cooperation in solving international problems of a social, cultural or humanitarian character, and in promoting and encouraging universal respect for, and observance of, human rights and fundamental freedoms;¹⁹ and (k) Elimination of all forms of religious intolerance.²⁰

4. Article 1(4)

9. No explicit reference was made to Article 1(4) in resolutions adopted by the General Assembly during the period under review. However, the Assembly adopted four resolutions on its item entitled “Questions relating to information”, which might be considered as having some bearing on Article 1(4).²¹

5. Article 2(1)

10. The General Assembly referred to the principle of sovereign equality of States in several resolutions that it adopted under the following agenda items: (a) Seventh

⁷ GA resolutions 40/125 (preamb.); 41/130 (preamb.); 42/118 (preamb.); and 43/128 (preamb.).

⁸ GA resolutions 40/148 (preamb.); 41/160 (preamb.); and 43/150 (preamb.).

⁹ GA resolutions 40/22 (preamb.); 41/94 (preamb.); 42/47 (preamb.); and 43/91 (preamb.).

¹⁰ GA resolutions 40/39 (preamb.); 41/108 (preamb.); 42/60 (preamb.); and 43/100 (preamb.).

¹¹ GA resolution 40/56 (preamb.).

¹² GA resolutions 40/114 (preamb.); 41/117 (preamb.); 42/102 (preamb.); and 43/113 (preamb.).

¹³ GA resolutions 40/124 (preamb.); 41/131 (preamb.); 42/119 (preamb.); and 43/125 (preamb.).

¹⁴ GA resolutions 40/173 (preamb.); and 42/165 (preamb.).

¹⁵ GA resolutions 41/128 (preamb.); 42/117 (preamb.); and 43/127 (preamb.).

¹⁶ GA resolutions 42/11 (preamb.); and 43/4 (preamb.).

¹⁷ GA resolutions 42/121 (preamb.); and 43/130 (preamb.).

¹⁸ GA resolution 41/155 (preamb.).

¹⁹ GA resolution 43/155 (preamb.).

²⁰ GA resolutions 42/97 (preamb.); and 43/108 (preamb.).

²¹ GA resolutions 40/164 A (preamb. and para. 14); 41/68 A (para. 9); 42/162 A (para. 7); and 43/60 A (para. 8).

United Nations Congress on the Prevention of Crime and the Treatment of Offenders;²² (b) Questions relating to information;²³ (c) Report of the Ad Hoc Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries;²⁴ (d) Use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination;²⁵ (e) Declaration on the Right to Development;²⁶ (f) Declaration on the Enhancement of the Effectiveness of the Principle of Refraining from the Threat or Use of Force in International Relations;²⁷ (g) Declaration on the Prevention and Removal of Disputes and Situations Which May Threaten International Peace and Security and on the Role of the United Nations in this Field;²⁸ and (h) Enhancing the effectiveness of the principle of periodic and genuine elections.²⁹

6. Article 2(2)

11. The General Assembly referred to the principle of fulfilment of obligations in good faith, embodied in Article 2(2), in the resolutions it adopted in 1987 under the item entitled “Comprehensive system of international peace and security”.³⁰

7. Article 2(3)

12. The General Assembly adopted four resolutions under its agenda item entitled “Peaceful settlement of disputes between States”.³¹ The Assembly also adopted several resolutions invoking the principle of peaceful settlement of international disputes pertaining to the following agenda items: (a) International Year of Peace;³² (b) The situation in Kampuchea;³³ (c) Solemn appeal to States in conflict to cease armed action forthwith and to settle disputes between them through negotiations, and to States Members of the United Nations to undertake to solve situations of tension and conflict and existing disputes by political means and to refrain from the threat or use of force and from any intervention in the internal affairs of other States;³⁴ (d) General and complete disarmament;³⁵ (e) Review of the implementation of the Declaration on the Strengthening of International Security;³⁶ (f) Declaration of the Assembly of Heads of State and Government of the Organization of African Unity on the aerial and naval military attack against the Socialist People’s Libyan Arab Jamahiriya by the present United States Administration in April 1986;³⁷ (g) Strengthening of security and

²² GA resolution 40/32 (para. 4).

²³ GA resolutions 40/164 A (preamb.) and annex (para. 3); 41/68 (para. 1 (1)); and 43/60 (para. 1 (1)).

²⁴ GA resolution 41/80 (preamb.).

²⁵ GA resolutions 41/102 (preamb.); 42/96 (preamb.); and 43/107 (preamb.).

²⁶ GA resolution 41/128, annex, article 3 (3).

²⁷ GA resolution 42/22 (preamb.).

²⁸ GA resolution 43/51, annex (para. 2).

²⁹ GA resolution 43/157 (preamb.).

³⁰ GA resolutions 42/93 (para. 5); and 43/89 (preamb.).

³¹ GA resolutions 40/68, 41/74, 42/150 and 43/163. For analytical summary of the resolutions see study in *Repertory of United Nations Organs, Supplement No. 7*, vol. III, under Article 33.

³² GA resolution 40/3 (preamb.).

³³ GA resolutions 40/9 (preamb.); and 41/6 (preamb.).

³⁴ GA resolution 40/9 (preamb. and paras. 1-2 and 4-6).

³⁵ GA resolution 40/94 (preamb.).

³⁶ GA resolutions 40/158 (preamb.); 41/90 (preamb.); 42/92 (preamb.); and 43/88 (para. 2 (c)).

³⁷ GA resolution 41/38 (preamb.).

cooperation in the Mediterranean region;³⁸ and (h) Comprehensive system of international peace and security.³⁹

8. Article 2(5)

13. No explicit reference was made to Article 2(5) in the resolutions of the General Assembly adopted during the period under review. However, on a number of occasions, the Assembly requested States to assist the United Nations in the implementation of actions it had taken under the Charter of the United Nations and to refrain from giving assistance to a State against which the United Nations had taken preventive measures. The resolutions that might be considered to have bearing on Article 2(5) were adopted under the following items: (a) 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 Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa;⁴⁰ (b) The question of Namibia;⁴¹ (c) The situation in the Middle East;⁴² and (d) Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.⁴³ In addition, the Assembly, in one case, called upon all Member States to assist the Secretary-General in the implementation of its resolutions.⁴⁴

³⁸ GA resolutions 41/89 (preamb. and para. 1 (b)); and 43/84 (preamb. and para. 1 (b)).

³⁹ GA resolutions 42/93 (para. 5); and 43/89 (preamb.).

⁴⁰ GA resolutions 40/52 (para. 12); and 41/14 (para. 11).

⁴¹ GA resolution 40/97 (para. 68).

⁴² GA resolution 40/168 (para. 13).

⁴³ GA resolution 43/45 (para. 12).

⁴⁴ GA resolution 42/38 J (para. 4).