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# **Purposes and Principles of the United Nations Organization**

## **1. INTRODUCTION**

As an introduction, I would remind you that the predecessor of the United Nations was the League of Nations, created by the Peace Treaty signed at Versailles on 28 April 1919. But the League of Nations, on the one hand, had a limited universal vocation in practice since it only had 54 Member States. Moreover, the United States, despite being the architect of its creation, never became a Member State. On the other hand, the League of Nations was incapable of maintaining international peace due to the rise of totalitarian States such as Japan, Italy, Germany and the Soviet Union.

During the Second World War, preparations began for the creation of a new international organization with a universal vocation and general aims to replace the League of Nations. Thus, at the San Francisco Conference on 16 April 1946, two international treaties were adopted: the Charter of the United Nations Organization and the Statute of



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the International Court of Justice.

The Charter of the United Nations, on the one hand, is the founding treaty of the only international organization with a universal vocation and general aims. The United Nations is a fairly universal international organization, which currently has 193 Member States, including all the major powers. On the other hand, the Charter introduces the hierarchy of norms in international law, affirming the primacy of the Charter in all cases. Thus, Article 103 provides that: "In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail".

## **2. THE PURPOSES OF THE UNITED NATIONS**

The Purposes of an International Organization are the aims or objectives that States seek to achieve through its creation. They are, therefore, the ultimate reason for its creation.

The Purposes of the United Nations are listed in its Article 1 and are as follows. The first and principal purpose is to maintain international peace and security. To this end, the Organization shall, on the one hand, 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. These collective measures of sanction are those regulated in Chapter VII of the Charter. On the other hand, the Organization shall 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. These peaceful means are those regulated in Chapter VI of the Charter.

The second purpose is to develop friendly relations among nations and to strengthen universal peace. To this end, the United Nations will take "all appropriate measures".

The third purpose of the United Nations is to carry out international co-operation in two main areas: 1) in solving international problems of an economic, social, cultural, or humanitarian character. I should add that the action of the United Nations in this field is included in its global objective "Development and eradication of poverty"; and 2nd) in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion. I should also mention that the action of the United Nations in this field is included in its overall objective "Human Rights, democracy and good governance".

The fourth and final purpose of the Organization is for the United Nations to be a "centre for harmonising the actions of nations" in the attainment of these common purposes.

### **3. THE PRINCIPLES OF THE UNITED NATIONS**

The Principles of an International Organization are the rules of conduct to be observed by the Organization and its Member States in pursuit of the purposes of that International Organization.

In the case of the United Nations, these Principles are regulated in Article 2 of the Charter, which provides that: "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.

4) All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations.

(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.

(6) The Organization shall ensure that States which are not Members of the United Nations act in accordance with these Principles so far as may be necessary for the maintenance of international peace and security.

(7) Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.

The General Assembly developed these Principles in its Resolution 2625 (XXV) of 24 October 1970, known as the "Declaration of Principles of International Law". From this Resolution, three main groups of UN principles can be identified.

First, we find principles that are common to both Article 2 of the UN Charter and Resolution 2625 (XXV). In other words, in this group, Resolution 2625 (XXV) was a codification in the strict sense of what was already prescribed in the Charter. In this group, we include five major principles: 1) the Principle of the prohibition of the threat or use of

force; 2) the Principle of the settlement of international disputes by peaceful means; 3) the Principle of non-intervention in matters within the domestic jurisdiction of States; 4) the Principle of the sovereign equality of States; and 5) the Principle that Member States shall fulfil in good faith the obligations of the Charter.

Secondly, there are two principles that only appear in Resolution 2625 (XXV). That is to say, in this group this Resolution made a progressive development of international law. The two new principles it introduced are: 1) the obligation of States to cooperate with each other; and 2) the principle of equal rights and self-determination of peoples.

Thirdly and finally, I must point out that there remain two principles unique to the Charter. They are: 1) the Principle that Member States shall assist the UN in actions it exercises in accordance with the Charter; and 2) the Principle of UN authority over non-member States, to the extent necessary to maintain international peace and security.

Regarding the legal value of these Principles, it is worth recalling that Resolution 2625 (XXV) qualifies them as "basic principles of international law". Furthermore, this Resolution urged "all States [and not only UN members] to be guided by these principles in their international conduct and to develop their mutual relations on the basis of strict compliance with them".

On the other hand, the International Court of Justice, in its Advisory Opinion of 22 July 2010 (para. 80), held that Resolution 2625 (XXV) reflects customary international law.

