

*The United Nations Conference  
on International Organization*

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## COMMISSION I    General Provisions

Committee I    Preamble, Purposes, and Principles

REPORT OF RAPPOREUR OF SUBCOMMITTEE I/A TO COMMITTEE I/1

### Chapter II

The leading phrase in Chapter II, "In pursuit of the purposes mentioned in Chapter I, the organization and its members should act in accordance with the following principles," was retained unanimously.

Two observations are due here:

- (1) "In pursuit" does not indicate an idealistic approach to purposes, as was incidentally mentioned in one of our committee meetings, but it indicates a practical and effective endeavor of the Organization and its members.
- (2) The key-note of collectivity is common to what precedes and follows this phrase, having set clearly in text, "The Organization and its members."

### Paragraph 1

The Subcommittee presents the text of paragraph 1, with its "sovereign equality" unchanged. I hope that the committee will feel satisfied with this text, after I put before you the explanation which was made to be presented with it. The essence of that explanation is that the contents of the amendments submitted by various delegations, specifically those of Uruguay and Peru, were explicitly or implicitly contained in other provisions of the Charter, particularly under Purposes and Principles.

The Subcommittee voted to keep the terminology, "sovereign equality," on the assumption and understanding that it conveys the following:

- (1) That states are juridically equal;
- (2) That they enjoy the rights inherent in their full sovereignty;

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- (3) That the personality of the state is respected, as well as its territorial integrity and political independence;
- (4) That the state should, under international order, comply faithfully with its international duties and obligations.

The votes to keep the paragraph as it is, and consequently to reject amendments, were made on the aforesaid clear understandings.

I now firmly hope that the explanation which accompanies the text satisfies the committee.

#### Paragraph 2

To some members of the subcommittee, paragraph 2 seemed superfluous at first, but after consideration, that opinion was forsaken, even by those who first held it.

Why did we keep it, and why did we give it the new tenor in which it is presented to you?

Paragraph 2 was kept to emphasize that rights and privileges in this Charter match with duties and obligations. That emphasis was deemed necessary in view of past experience, where States, especially in the period between the two wars, had come to place more emphasis on their rights than on their duties, and the practice had developed of subscribing blithely to certain obligations and then forgetting them in a moment of international crisis, or under the urge of a State's own interests. Furthermore, the Dumbarton Oaks Proposals became familiar to people, and if that paragraph should be cut off, some might be found in the future to affirm that the change had been made for sinister motives.

But there is still a more important reason for keeping such a text as paragraph 2.

The paragraph does not merely mean that one member which fulfills its duties and obligations may exercise certain privileges and rights, but it means also that if all members of the Organization fulfill their obligations, all members receive the benefit. Thus, the non-fulfillment of the duties and obligations by one State makes, in fact, other States deprived of some of the benefits.

So much for the reasons of retaining this paragraph.

The tenor in which it comes calls for some observations. By comparing the two texts, you could see that it sounded rather hollow in the original text to say something like this: