

# CHARTER OF THE UNITED NATIONS



Reduced to its essential controversial and amendable points to serve as the basis of  
debate in the Special Conference of PAMUN XVI

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## CHARTER OF THE UNITED NATIONS

*Believing* in the maintenance of international peace and security,

*Desiring* to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace,

*Seeking* to achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character,

*Emphasizing* the principle of the sovereign equality among all Members of the Organization,

*Hoping* to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small,

*Aspiring* to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained,

**One of many examples in which the wording may lead to an interpretation of the UN trying to overstep its powers/boundaries.**

*Notes* that nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations,

*Defines* an enemy state as used in Clause 12 of this charter as any state which during the Second World War has been an enemy of any signatory of the present Charter,

**Outdated wording seeing as nations falling under this definition, have signed the charter.**

*Wishing* to promote social progress and better standards of life in larger freedom,

*Reminding* all nations that the goals established should be reachable and specific to the problem,

*Reaffirming* the importance towards an effort to address current issues and needs of member states,

*Determined* to save succeeding generations from the scourge of war,

1. Asks for all members to 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;

2. Opens membership in the United Nations to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations;

**Wording may lead to the interpretation that nations that have not signed the Charter are not “peace-loving.”**

3. Establishes as the principal organs of the United Nations: A General Assembly, a Security Council, an Economic and Social Council, a Trusteeship Council, an International Court of Justice, and a Secretariat;

4. Reminds that such subsidiary organs as may be found necessary may be established in accordance with the present Charter;

**Past controversy involving the, as argued by some, exorbitant number of subsidiary organs. It may be argued that this clause while vague, may provide too much liberty in creating more organs, which is believed to lessen the power of the central organization.**

5. Notes that the United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in-its principal and subsidiary organs;

6. Calls for the creation of a General Assembly which will:

- a) Consist of all the Members of the United Nations,
- b) Discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter,
- c) Receive and consider annual and special reports from the Security Council and from the other organs of the United Nations, which shall include an account of the measures that these Organs have decided upon or taken to maintain international peace and security,
- d) Consider and approve the budget of the Organization, the expenses of which will be borne by the Members as apportioned by the General Assembly,
- e) Give one vote to each member of the General Assembly and finalize the decisions made by the General Assembly on important questions

**Controversy over the fact that some nations are asked to provide more aid than others. In the case that one of the more economically important nations were to show reluctance in providing aid, this would affect the organizations ability to perform its duties.**

**Issue with wording, seeing as there is no definition for what is an “important issue”,**

by a two-thirds majority of the members present and voting,

**causing for the refusal of debating some topics in the past. The two-thirds majority has also proved to work against the passing of resolutions.**

- f) Establish such subsidiary organs as it deems necessary for the performance of its functions;

7. Further calls for the creation of a Security Council which will:

- a) Consist of fifteen members of the United Nations, ten of which will be elected temporarily by the General Assembly, for two year terms, and the other five having permanent membership,
- b) Grant permanent membership to the Security Council to the nations of The People's Republic of China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America,
- c) Be granted primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on the behalf of the United Nations,
- d) Be responsible for formulating, with the assistance of the Military Staff Committee, plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments, in order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources,
- e) Provide each member with one vote and make decisions non-regarding procedural matters by an affirmative vote of seven members including the concurring votes of the permanent members,
- f) Have all of its members represented at all times and hold periodic meetings at which each of its members may, if it so desires, be represented by a member of the government or by some other specially designated representative;

**Much talk about changing this list to either remove or add nations to this list. Major players on the global scale (Germany, Japan...) seem to some to be missing.**

**The Military Staff Committee is an institution that no longer exists. This clause needs some editing to be brought back into modern context, considering both this fact and the importance of the clause in the Charter.**

8. Calls upon the Security Council to decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures;

9. Emphasizes that should the Security Council consider that measures provided for in Clause 8 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security;

10. Requests all members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security;

11. Proclaims that if preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems;

12. Declares that no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy state;

13. Draws attention to the fact that the Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security;

14. Calls upon members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self- government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories and, to this end:

- a) To ensure with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses,

**Both Clause 8 and 9 pose an issue seeing as they once again are not updated with today's world. There have been complaints with the fact that the Charter does little against "cyber attacks". These are new means of both attack and defense, and have caused for controversy seeing as they are not included.**

**Upon many occasions nations have been reluctant to provide aid to the UN's peacekeeping corps, due to its history of inefficiency and failure. Some say this clause may either require more authority in forcing nations to provide aid, or to be simply removed.**

**Issue with meaning of an enemy state and two examples (Clause 12 and 13) of what may be interpreted as a forceful control of everything by the UN.**

b) To develop self-government,

**The concept of helping these territories acquire self government might prove to be difficult in potentially acting against the specific agenda of the nations under which they are administered.**

c) To further international peace and security,

d) To promote constructive measures of development, to encourage research, and to cooperate with one another;

15. Affirms that the Secretariat shall comprise a Secretary- General and such staff as the Organization may require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organization;

16. Draws attention to the fact 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;

**Clause 16 and 17 both provide two more examples of what may be interpreted as an attempt by the UN to control things beyond its reach, by demanding priority over other international agreements and prolonged legal “capacity.”**

17. Further reminds that the Organization shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes;

18. Notes that any alteration of the present Charter recommended by a two-thirds vote of the conference shall take effect when ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations including all the permanent members of the Security Council;

19. Encourages that the present Charter shall be ratified by the signatory states in accordance with their respective constitutional processes.