# UN Charter & Self-Determination

*The international legal right that underpins Sabah's case*

## The Right to Self-Determination

The right of peoples to self-determination is one of the most fundamental principles of modern international law. It is enshrined in the United Nations Charter (Articles 1 and 55), the International Covenant on Civil and Political Rights (Article 1), the International Covenant on Economic, Social and Cultural Rights (Article 1), and the UN Declaration on the Rights of Indigenous Peoples. This right applies to the people of Sabah.

## UN General Assembly Resolution 1514

Resolution 1514 (XV), adopted by the UN General Assembly in 1960, declared that "all peoples have the right to self-determination" and that "immediate steps shall be taken" to transfer all powers to peoples of non-self-governing territories. North Borneo was a listed non-self-governing territory at the time. The question of whether the 1963 process adequately fulfilled Britain's decolonisation obligations under this Resolution is central to Sabah's case.

## Ongoing Applicability

The right to self-determination is not extinguished by the mere passage of time or by the actions of a state that has violated that right. The RSNB-GIE argues that because the conditions for a valid exercise of self-determination were never met in 1963, the right remains alive and must be given effect through a proper, internationally supervised process.

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