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STATEMENT
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CHAIRMAN OF THE 2012 SESSION OF
THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED
NATIONS AND ON THE STRENGTHENING OF THE ROLE OF
THE ORGANIZATION
BEFORE THE SIXTH COMMITTEE
SIXTY-SEVENTH SESSION OF THE GENERAL ASSEMBLY
AGENDA ITEM 82

11 October 2012

Mr. Chairman,

I have the honour and great pleasure to introduce the report of the 2012 session of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, contained in Supplement No. 33 (A/67/33).

The Special Committee met in New York from 21 to 28 February and on 1 March 2012 and continued its deliberations on the questions mandated by General Assembly resolution 66/101. It may be recalled that in operative paragraph 3 of the resolution, the Committee was requested:

“(a) To continue its consideration of all proposals concerning the question of the maintenance of international peace and security in all its aspects in order to strengthen the role of the United Nations and, in this context, to consider other proposals relating to the maintenance of international peace and security already submitted or which may be submitted to the Special Committee at its session in 2012;

(b) To continue to consider, on a priority basis and in an appropriate substantive manner and framework, the question of the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter based on all of the related reports of the Secretary-General and the proposals submitted on the question;

(c) To keep on its agenda the question of the peaceful settlement of disputes between States;

(d) To consider, as appropriate, any proposal referred to it by the General Assembly in the implementation of the decisions of the high-level plenary meeting of the sixtieth session of the Assembly in September 2005 that concern the Charter and any amendments thereto;

(e) To continue to consider, on a priority basis, ways and means of improving its working methods and enhancing its efficiency with a view to identifying widely acceptable measures for future implementation;”

Mr. Chairman,

Allow me now to take you through the Report, which consists of five chapters and an annex. The first of these chapters is entirely procedural. Paragraphs 11 to 13 list all items and proposals that were under consideration by the Special Committee.

Chapter II, relating to the maintenance of international peace and security, contains several items considered by the Committee.

Pursuant to the request of the General Assembly, the Special Committee considered on a priority basis the question of the **implementation of the provisions of the Charter relating to assistance to third States affected by the application of sanctions**. Paragraphs 15 to 21 of the Report, contained in Section A, reflect the work of the Special Committee on this question.

The next section of Chapter II, Section B, spanning from paragraph 22 to paragraph 27, deals with the summary of the discussion on the revised working paper submitted by Libya on the **strengthening of certain principles concerning the impact and the application of sanctions**. As indicated in paragraph 27, the proposal was withdrawn.

The summary of the consideration of the revised proposal by Libya with a view to **strengthening the role of the United Nations in the maintenance of international peace and security** is dealt with in Section C of the report, at paragraphs 28 to 30.

Section D of Chapter II of the Report, in paragraphs 31 to 36, summarizes the discussion on the further revised working paper submitted by the Bolivarian Republic of Venezuela at the 2011 session of the Special Committee, entitled “**Open-ended working group to study the proper implementation of the Charter of the United Nations with respect to the functional relationship of its organs**”.

The next section of Chapter II of the Report, Section E, in paragraphs 37 to 41, summarizes the discussion on the revised working paper submitted by Belarus and the Russian Federation concerning a **request for an advisory opinion of the International Court of Justice** as to the legal consequences of the resort to the use of force by States without prior authorization by the Security Council, except in the exercise of the right to self-defence.

The final section of Chapter II of the Report, Section F, in paragraphs 42 to 48, reflects the work of the Special Committee on the introduction by Cuba of a proposal on **the strengthening of the role of the Organization and enhancing its effectiveness: adoption of recommendations**. The text of a working paper submitted by Cuba at the 2012 session of the Special Committee in this regard is reproduced in the annex for ease of reference.

Mr. Chairman,

The item entitled “Peaceful settlement of disputes” is set out in Chapter III of the Report in paragraphs 49 to 59. In addition to a general exchange of views, summarized in paragraphs 50 and 58 to 59, discussions on the proposal for a recommendation on the thirtieth anniversary of the Manila Declaration on the Peaceful Settlement of International Disputes, introduced by the Philippines, are summarized in paragraphs 51 to 56. The draft resolution recommended by the Special Committee in this regard can be found in paragraph 57 of the Report.

The discussions on the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* by the Committee are summarized in Chapter IV of the Report in paragraphs 60 to 70. It should be noted that the Committee

was briefed by the Secretariat on the status of the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*. The recommendations on this item that were agreed upon by the Special Committee are set out in paragraph 71 of the Report.

Finally, Chapter V of the Report concerns the consideration of the remaining items on the agenda of the Special Committee. Section A, paragraphs 72 to 76, reflects a summary of the discussion on the **working methods of the Special Committee**. Section B, paragraphs 77 to 81, summarizes the views expressed on the **identification of new subjects**.

Paragraph 81 of Section B, concerning the **identification of new subjects**, reflects a summary of the views expressed in connection with the proposals by Ghana for the inclusion of a new item, presented in 2010, entitled, “**Principles and practical measures/mechanisms for strengthening and ensuring more effective cooperation between the United Nations and regional organizations on the matters relating to maintenance of international peace and security in areas of conflict prevention and resolution and post-conflict peacebuilding and peacekeeping, consistent with Chapter VIII of the Charter of the United Nations**”.

Mr. Chairman,

Before concluding, I would like to convey my appreciation to the delegations for their cooperation, as well as to the members of the Bureau for their invaluable assistance and advice.

Thank you.