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Statement of the United States of America  
68<sup>th</sup> Session of the UN General Assembly  
Sixth Committee  
Agenda Item 84

Report of the Special Committee on the Charter of the United Nations and on the  
Strengthening of the Role of the Organization (Charter Committee)

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October 11, 2013

Mr. Chairman:

We welcome consideration of the report of the Charter Committee, which had its annual meeting in February. We appreciate the opportunity to provide a few observations on the Committee's recent work.

We believe the report records some positive movement in the work of the Charter Committee, particularly as it reflects a continuing examination of the matters with which the Committee should concern itself. The 2012 commemoration of the thirtieth anniversary of the Manila Declaration, dealing with the peaceful settlement of disputes, was cited as an example of a timely undertaking that was appropriate for Committee consideration and on which it could agree. The "third country effects of sanctions" item on the Committee agenda, on the other hand, was cited by many as an example of an item that had been overtaken by events and whose continued inclusion on the agenda makes little sense.

The issue of third country effects provides a window into the areas of Special Committee efficiency and working methods. A key aspect of Committee efficiency is the fact that the Charter Committee has a number of longstanding proposals before it. We believe – as we have stated many times before – that many of the issues these proposals consider have been taken up and addressed elsewhere in the United Nations. There is also a considerable degree of overlap in these proposals. These are reasons why the Committee has shown little enthusiasm for acting on or discussing these proposals in depth.

It was heartening that during the 2012 Charter Committee session, two such longstanding proposals were withdrawn or set aside by their sponsors on the grounds that they were, in fact, outdated and had been overtaken by events elsewhere in the Organization. This was a welcome step toward the much-needed rationalization of the work of the Special Committee.

Another welcome step was the Special Committee's decision to delete from its annual report a section on "Recommendations" that had come to contain rote, rollover provisions that had little connection to the current work of the Special Committee, or were redundant.

Such continuing review efforts are vital for the Special Committee as it goes forward. We urge that the Committee continue to remain focused on ways to improve its efficiency and productivity throughout its session, including by giving serious consideration to such steps as biennial meetings and/or shortened sessions. The Committee needs to do its job by recognizing that these steps are reasonable and make good practical sense.

With regard to items on the Committee's agenda concerning international peace and security, the United States continues to believe that the Committee should not pursue activities in this area that would be duplicative or inconsistent with the roles of the principal organs of the United Nations as set forth in the Charter. This includes consideration of a further revised working paper calling for a new, open-ended working group "to study the proper implementation of the Charter...with respect to the functional relationship of its organs." It also includes consideration of another revised, longstanding working paper that similarly calls *inter alia* for a Charter Committee legal study of General Assembly functions and powers.

In the area of sanctions, we note once again that positive developments have occurred elsewhere in the United Nations that are designed to ensure that the UN system of targeted sanctions remains a robust tool for combating threats to international peace and security. With respect to the aforementioned matter of third States affected by the application of sanctions, as stated in the Secretary-General's report A/68/226, "...the need to explore practical and effective measures of assistance to affected third States has been reduced considerably because the shift from comprehensive to targeted sanctions has led to significant reductions in unintended adverse impacts on non-targeted countries. In fact, no official appeals by third States have been conveyed to the Department of Economic and Social Affairs to monitor or evaluate since June 2003."

Such being the case, and as touched on above, we believe that this is another prime example of an issue that the Special Committee – with an eye both on the current reality of the situation and the need to stay current in terms of the matters it considers – should decide no longer merits discussion in the Committee. This initiative has received increasing support in the Special Committee and we hope that this step can be taken at its next meeting.

On the question of the General Assembly requesting an advisory opinion on the use of force from the International Court of Justice, we have consistently stated that the United States does not support that proposal.

With respect to proposals regarding new subjects that might warrant consideration by the Special Committee, we continue to be cautious about adding new items to the Committee's agenda. While the United States is not opposed in principle to exploring new items, it is our position that they should be practical, non-political, and not duplicate efforts elsewhere in the UN system. The Committee's past positive consideration of work in the area of dispute prevention and settlement mechanisms comes to mind.

Finally, we welcome the Secretary-General's report A/68/181, regarding the Repertory of Practice of United Nations Organs and the Repertoire of the Practice of the Security Council. We commend the Secretary-General's ongoing efforts to reduce the backlog in preparing these

works. Both publications provide a useful resource on the practice of United Nations organs, and we much appreciate the Secretariat's hard work on them.

Thank you, Mr. Chairman.