



**Permanent Mission of Ecuador to the United Nations**

**Pro Tempore Presidency**

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**70º Período Ordinario de Sesiones de la Asamblea General de las Naciones Unidas**

**INTERVENCIÓN DE LA REPRESENTACIÓN PERMANENTE DEL ECUADOR ANTE LAS  
NACIONES UNIDAS A NOMBRE DE LA COMUNIDAD DE ESTADOS LATINOAMERICANOS Y  
CARIBEÑOS, CELAC**

**Tema 84**

**EL COMITÉ ESPECIAL DE LA CARTA DE LAS NACIONES UNIDAS Y DEL  
FORTALECIMIENTO DEL PAPEL DE LA ORGANIZACIÓN**

Nueva York, 22 de octubre de 2015

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**70<sup>th</sup> Sessions of the General Assembly of the United Nations**

**STATEMENT OF THE PERMANENT MISSION OF ECUADOR TO THE UNITED NATIONS  
ON BEHALF OF THE COMMUNITY OF LATIN AMERICAN AND CARIBBEAN STATES,  
CELAC**

**Item 84**

**REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND  
ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION**

New York, 22 October 2015

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Mr. Chairman,

I have the honour to speak on behalf of the Community of Latin-American and Caribbean States (CELAC).

CELAC welcomes the Report of the Special Committee on the Charter of The United Nations (A/70/33) as well as the Report of the Secretary General on the Repertory of Practice of United Nations Organs and Security Council A/70/159.

Allow me at the outset, and taking into account that this year marks the 70<sup>th</sup> anniversary of the United Nations, to highlight the importance of the functions of the Special Committee.

CELAC underscores that to duly fulfill the mandate of the Special Committee we depend on the political will of the Member States and on the full implementation and optimization of its methods of work. For that purpose, given the important functions of the Committee, it is imperative that Member States make genuine efforts through the configuration of a solid (content wise) thematic agenda, based on the new identified subjects and in the study of its current subjects. This would allow, at the same time, an optimum use of the resources assigned to the Committee by the General Assembly.

Mr. Chairman,

CELAC reiterates the importance of the obligation to settle disputes by peaceful means and recalls –as recognized by delegations at the Special Committee- that the Charter of the United Nations provides the basic framework for such obligation. It is also important to observe the relevant resolutions of the General Assembly.

CELAC also reiterates its firm conviction that legitimacy in the use of sanctions is essential for them to be effective and to to maintain international peace and security. Thus, sanctions must be imposed and applied in conformity with the Charter and with other relevant norms of international law, in particular those related to human rights. At its 64<sup>th</sup> session, the General Assembly took note –at the recommendation of this Committee- of the document “Introduction and Implementation of Sanctions Imposed by the United Nations” annexed to Resolution 64/115. CELAC reiterates the relevance of that document and calls upon the Security Council to observe these methods of work. We also underline the importance that the Committee continues to examine all issues related to the maintenance of international peace and security so as to strengthen the role of the United Nations.

In this regard, we welcome the briefing by a representative of the Department of Political Affairs on the implementation of that document, and we underscore the usefulness of the discussion that followed the briefing. Taking into account that the document annexed to Resolution 64/115 contains guidelines the General Assembly recommended the Security Council to implement, it would be very positive to have such briefings annually. The question the application of sanctions by the Security Council, including due process, is of the interest of the whole membership, as it can affect the credibility of the organization. Our group is flexible as to the agenda item under which to hold those briefings, and we are open to considering a new specific agenda item if necessary.

Likewise, and in line with Resolution 67/96, we believe it is necessary to continue to consider the question of the application of the provisions of the Charter on the assistance to third States affected by the application of sanctions under Chapter VII, along with the proposals submitted on the question. The fact that no State has yet requested this kind of assistance does not entail that the issue should be discontinued from the Special Committee's agenda, as an issue of preventive nature.

In this regard, we also take note that the Security Council, in most of the cases, has decided to adopt exceptions in order to allow States to request an authorization of access to frozen funds for a variety of basic and extraordinary expenses.

CELAC underlines the recognition contained in the last reports of the Secretary General that the General Assembly and the Economic and Social Council have continued to play their respective roles in the area of mobilizing and monitoring, as appropriate, the economic assistance provided by the international community and the United Nations system, to third states affected by the application of sanctions. It should also be highlighted in this regard, the work done by the Secretariat in continue monitoring and evaluating the information related to the economic and social problems faced by some states as a consequence of the application of sanctions, in order to offer solutions and to evaluate the requests made by third states to the Security Council under the provision of Article 50 of the Charter.

We also highlight the work of the Secretariat in compiling and evaluating information pertaining to any special economic problems in third States arising from the application of sanctions and to evaluate any appeals to the Security Council made under the provisions of Article 50 of the Charter of the United Nations. It's important to take into account how the sanctions impact in different ways to third states, including the financial cost for its implementation.

Es importante considerar las diversas formas en que las sanciones tienen impacto en terceros Estados, incluso el costo financiero en su implementación.

Mr. Chairman,

CELAC recognizes likewise the notable contribution of the Repertory of Practice of the United Nations and to the Repertoire of the Practice of the Security Council to international law and to the international system. Also, once again we recognize the work of the Secretariat in updating these important documents as well as the efforts and progress achieved regarding the incorporation of the Repertory volumes into the United Nations website.

CELAC appreciates the progress made in the last years regarding the backlog of the Repertory of the Practice of the Security Council and the Organs of the UN, and encourages the increase in efforts in this regard with a view to end the existing gap. Likewise, we are grateful to those Member States that have contributed to the Trust Fund.

We note once again that the challenge we have in front of us is to reinvigorate the work of the Special Committee, enabling it to exercise its mandate as an efficient organ of the machinery of the General Assembly. By doing so, we will make a valuable contribution to the revitalization of the most important organ in the Charter.

CELAC attaches particular importance to the work of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization. The Committee to which the Resolution 3499 entrusted, *inter alia*, the examination of the suggestions and proposals of the States regarding the Charter of the United Nations, the strengthening of the role of the organization, and those aimed at enhancing its capacity in order to achieve its purposes -- could carry out the task of examining, if the General Assembly explicitly so requests, the legal aspects of the reforms already decided by this organ, with a view to recommend the modifications of the UN Charter in accordance with such decisions.

CELAC is aware of the work done at the last session of the Special Committee, and will continue to work and to contribute to the substantive debate of all the proposals under the Agenda of the Committee. Our region is actively engaged in the work of the Committee, some of our members have presented proposals under different Agenda items. We encourage all Member States to contribute to the work of the Special Committee, pursuant to the mandate given to it by the General Assembly. Likewise, we would like to recall the proposals made by the Bolivarian Republic of Venezuela and Cuba in this regard.

Mr. Chairman,

CELAC welcome the document title "Full validity of the Charter of the United Nations on its seventieth anniversary" (A/AC.182/L.139) that was presented on the last meeting of the Special Committee this year. We regret that in spite of the importance of such matter before the Committee, which also enjoyed broad support by Member States, the Committee was not able to reach a consensus. At the same time, CELAC welcomes the commemoration of the 70<sup>th</sup> Anniversary of the United Nations in a Special Event which be held on 23 October, as a result of recommendation of the Committee of the Special Committee of the Charter.

Nevertheless, CELAC, aware of the concrete results produced in the last sessions of the Special Committee, and taking into consideration the presentation of new proposals by the delegation of Ghana and by the NAM group, both of the contained in the document A/70/30, stresses the need to adopt a realistic timeline for the Committee's work, one that gives delegations the necessary time to examine and engage in the deliberations regarding all pending proposal in the Special Committee.

We call the attention of Member States to these issues. We share these thoughts with other Member States, inspired by our genuine interest in strengthening the substantive Agenda of the Special Committee and our responsibility of ensuring the most efficient use of the resources of the United Nations.

Thank you, Mr. Chairman.