



Statement on behalf of the European Union and its Member States

By

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Minister Counsellor**

Delegation of the European Union to the United Nations

at the General Assembly Sixth Committee

on

Item 84

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

United Nations

New York

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- CHECK AGAINST DELIVERY -

Mr Chair,

I have the honour to speak on behalf of the European Union and its Member States.

The Candidate Countries the former Yugoslav Republic of Macedonia*, Montenegro*, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, and the EFTA country Iceland, member of the European Economic Area align themselves with this statement.

* *The former Yugoslav Republic of Macedonia, Montenegro, Serbia and Albania continue to be part of the Stabilisation and Association Process.*

We are celebrating this month the 70th anniversary of the UN Charter which has been an enduring symbol of the Organization and the cornerstone of international peace and security, as well as of international law. Respect for the principles of the Charter and International law is also one of the guiding principles of the EU's international action, as set out in the Treaty on European Union. Written at the end of the darkest days in the history of human mankind, the UN Charter represented at the time a sign of new hope for the peoples of the United Nations. Now, seven decades after, the UN Charter remains of utmost relevance and continues to enshrine the UN's core purposes – what we have come to call the three pillars of this organization: peace and security; human rights; and development. We therefore thank the President of the General Assembly and the UN Secretary General for their initiatives to mark in a proper manner this anniversary.

We have taken note of the report of the Special Committee contained in document A/70/33 and thank the Secretary-General for his two reports, respectively on the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions, and on the Repertory of Practice of United Nations Organs and Repertoire of the Practice of the Security Council.

With regard to the agenda item “*Maintenance of international peace and security*”, we continue to firmly believe that sanctions remain an important instrument, under the Charter, for the maintenance and restoration of international peace and security. The practice of the UN Security Council in recent years demonstrates that sanctions can be designed in a targeted way to minimize the possibility of adverse consequences for civilian populations as well as for third parties.

In this regard we note that the Secretary General in his report A/70/119 on the “*Implementation of provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions*” informs us that neither the General Assembly, nor the Economic and Social Council found it necessary in the reporting period to take any action related to economic problems arising from sanctions affecting third States. The Secretariat also highlighted that no State had appealed to the UN for remedy and relief from economic problems relating to sanctions since 2003. We also note that over recent years, the sanctions committees have organized meetings and open briefings to provide fora to hear from Member States and their concerns and challenges.

In the light of the findings of this report, and as expressed during the meeting of the Special Committee last February, we continue to hold the view that it is no longer relevant for the Committee to study the question of assistance to third States affected by sanctions. We therefore suggest that the Special Committee should reconsider whether to include in its agenda each year the item in paragraph 3(b) of Resolution 69/122. However, knowing that not all UN Member States share our views on this question, and in order to offer a balanced solution to reflect the concerns of all, we proposed last February at the third meeting of the Working Group of the Whole that this item be considered by the Charter Committee every three years, except in those cases in which one or more third States find themselves confronting special economic problems arising from the application of sanctions and appeal for assistance, whereupon the Special Committee would consider the item at its next session. We hope that this proposal will gain more support in the coming months.

We also note that most of the proposals identified in the report of the Special Committee have been discussed for several years, without substantial progress. This is the case for the revised working paper 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*", for the working paper on the "*Strengthening of the role of the Organization and enhancing its effectiveness*", and for the revised proposal on "*Strengthening the role of the United Nations in the maintenance of international peace and security*". We consider that those proposals are duplicative of revitalizing efforts taking place within other *fora* of the Organization. We reiterate that the relationship between the different organs within the UN system is adequately defined in the UN Charter and does not need further clarification by the Committee. As regards the working paper seeking, inter alia, an "*advisory opinion from the International Court of Justice on the use of force*", we do not see the need or the added value for such a request at the moment.

Regarding the concept paper on the "*relationship and cooperation between the United Nations and regional organizations*" proposed by Ghana during the last session of the Special Committee, we recall that this matter is already dealt with in several other fora and we should not duplicate or prejudge the outcome of these discussions; further discussions in the Special Committee on this topic should be consistent with this existing work.

With respect to the Special Committee's agenda item concerning "*Peaceful settlement of disputes*", we consider that the proposal on the "*Pacific settlement of disputes and its impact on the maintenance of peace*" presents significant overlaps with ongoing discussions in other *fora* of the United Nations. On the question of updating the Handbook on the Peaceful Settlement of Disputes between States prepared by the UN in 1992 and of establishing an UN website dedicated to this issue, we remain unconvinced about the added value of such efforts: as already expressed by several Delegations, multiple resources and legal tools are already available online and easily accessible through search engines. We therefore call for a proper prioritization of the limited resources allocated to the Secretariat so as to avoid a duplication of efforts.

We reiterate our call for reviewing the list of agenda items, looking into the usefulness of further discussing them, taking into account their continued relevance and the likelihood of reaching a consensus in the future, before examining proposals for new items, or by re-examining the duration and the frequency of the sessions of the Committee. We continue to strongly advocate for the implementation of the 2006 decision on reforming the working methods of the Special Committee, as also reflected by paragraph 3 (e) of resolution 69/122 of the General Assembly. This is indeed a priority issue and we should work together to explore ways and means to achieve a better use of resources and of the meetings of the Committee.

We reiterate our readiness to engage constructively in this process.

Mr. Chair,

Regarding the preparation of the *Repertory of Practice of United Nations Organs* and the updating of the *Repertoire of the Practice of the Security Council*, we take note of the progress made and of the efforts undertaken by the Secretariat to reduce the backlog in the preparation and to update those two publications during the reporting period. We welcome the increased use of the internship programme of the United Nations and the further strengthening of the cooperation with academic institutions for the preparation of studies. Considering the importance of the Repertory and the Repertoire, both as research tools for the international community, particularly the diplomatic community and universities, and as a means to preserve the memory of the Organization, we call upon the Secretary-General to continue his efforts toward updating the two publications and making them available electronically in all language versions. We would also like to express our gratitude to those States which have made voluntary contributions to the trust fund for the elimination of the backlog in the Repertory, as well as to the trust fund for updating the Repertoire, and reiterate our call for other UN Member States to do likewise.

I thank you, Mr Chair.