



INDIA  
भारत

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Statement  
by  
Mrs. Vijila Sathyananth,  
Hon'ble Member of Parliament  
on Agenda Item 84  
“Special Committee on the Charter of the United  
Nations and on the Strengthening of the Role of the  
Organization”  
at the  
Sixth Committee of the  
70<sup>th</sup> session of the United Nations General Assembly

NEW YORK

OCTOBER 22, 2015

**Mr. Chairman,**

We align ourselves with the statement made by the Islamic Republic of Iran on behalf of the Non-Aligned Movement and in our national capacity we state the following:

We note with appreciation the Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization in document A/70/33. We thank the Chairman of the Special Committee, Mr. Odo Tevi, Ambassador and PR of Vanuatu, and the Bureau.

We take note of the Secretary-General report A/70/119 on Implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions pursuant to the General Assembly resolution 69/122 of 10<sup>th</sup> December 2014.

**Mr. Chairman,**

India attaches great importance to the work of the Special Committee. We consider that the specific proposals on the agenda of the Special Committee deserve in-depth consideration.

We would like to make some general remarks with reference to maintenance of international peace and security; assistance to third States affected by the application of sanctions; and peaceful settlement of disputes, which are under consideration of the Special Committee.

**Mr. Chairman,**

The impact of the application of sanctions in the context of maintenance of international peace and security is an important issue. Maintenance of international peace and security is the primary responsibility of the Security Council, which acts on behalf of all the UN member States in the discharge of its duties. The Security Council, which mandates sanctions, has the nodal responsibility for finding solution to the problems of third States affected by those sanctions. Article 50 of the UN Charter confers the right on third States confronted with special economic problems, because of the Security Council sanctions, to consult the Security Council for solution to those problems. Article 50 cannot therefore be considered as merely procedural. It obliges the Security Council to find definitive solution to the problems of the affected third States.

With regard to the issue of assistance to third States affected by the application of sanctions and related issues, we consider that it is important to ensure that sanctions are issued in accordance with the provisions of the UN Charter and do not violate the principles of international law.

India reiterates its position along with other NAM countries that the Security Council is obliged to focus upon the direct effects on third States of any sanction under Chapter VII of the UN Charter. Further, it is necessary to ensure timely and adequate assistance to the affected third States giving consideration to 'humanitarian aspects'.

**Mr. Chairman,**

The States are under an obligation to settle their disputes by peaceful means; it is a fundamental principle under paragraph 3 of Article 2 of the UN Charter. Article 33 of the Charter further strengthens this duty and provides the means which the parties to a dispute can choose freely. The International Court of Justice, the principal judicial organ of the United Nations, plays an important role in the peaceful settlement of disputes.

**Mr. Chairman,**

India supports the continuation of the topic 'Peaceful Settlement of Disputes between States' on the agenda of the Special Committee. In this regard we consider that the NAM's proposal on "the pacific settlement of disputes and its impact on the maintenance of peace" at Annex I of the Special Committee Report A/70/33 should be examined by the Special Committee at its next session.

We would also like the Special Committee to examine the concept paper presented by Ghana on "the Strengthening the relationship and cooperation between the United Nations and regional organizations or arrangements in the peaceful settlement of disputes", which is at Annex II of the Report of the Special Committee.

Finally, Mr. Chairman, we want avoidance of duplication of work among different UN Committees/bodies, while this Committee should examine legal aspects any topic.

**Mr. Chairman,**

We take note of the Secretary-General Report A/70/295 on publication of the *Repertory of Practice of United Nations Organs and Repertoire of the Practice of the Security Council* submitted pursuant to the UN General Assembly resolution 69/122 of 10<sup>th</sup> December 2014. We thank the members of the Secretariat for updating the Sixth Committee on those publications.

India commends the efforts of the Secretary-General for his efforts in preparation and updating these reports, as they are very important sources of reference and effective means to maintain the institutional memory of the Organization and also dissemination of the work of the Organization.