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STATEMENT
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CHAIRMAN OF THE 2016 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
SEVENTY-FIRST SESSION OF THE GENERAL ASSEMBLY
AGENDA ITEM 83

13 October 2016

Mr. Chairman,

I have the honour and great pleasure to introduce the report of the 2016 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/71/33).

The Special Committee met in New York from 16 to 24 February 2016 and continued its deliberations on the questions mandated by General Assembly resolution 70/117. 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 2016, including strengthening the relationship and cooperation between the United Nations and regional organizations or arrangements in the peaceful settlement of disputes;

(b) To continue to consider, in an appropriate, substantive manner and framework, including the frequency of its consideration, the question of the implementation of the provisions of the Charter 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-General⁷ 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 General 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 and utilization of resources 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 two annexes. 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 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 29 of the Report, contained in Section A of Chapter II, reflect the work of the Special Committee on this question. As requested in paragraph 16 of resolution 70/117, the Committee was briefed by the Secretariat on developments relating to paragraph 12 of the relevant report of the Secretary-General (A/70/119). The Committee also received a second briefing by the Secretariat on the implementation of the document annexed to General Assembly resolution 64/115 entitled "Introduction and implementation of sanctions imposed by the United Nations". A summary of those briefings can be found at paragraphs 25 to 28 of the Report. The recommendation on this item, adopted by the Special Committee, has been reproduced in paragraph 87 of the Report.

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 B of Chapter II, at paragraphs 30 to 32.

The next section of Chapter II, Section C, spanning from paragraphs 33 to 37, deals with the summary of the discussion on the further revised working paper submitted by the Bolivarian Republic of Venezuela, 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**".

Section D of Chapter II of the Report, found in paragraphs 38 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-defense.

Section E of Chapter II of the Report, located in paragraphs 42 to 47, reflects the work of the Special Committee on the working paper submitted by Cuba on **the strengthening of the role of the Organization and enhancing its effectiveness: adoption of recommendations**.

The last section of Chapter II, Section F, spanning paragraphs 48 to 54, covers the work of the Special Committee on the newly introduced working paper on **strengthening the relationship and cooperation between the United Nations and regional arrangements and agencies in the peaceful settlement of disputes**. This working paper was presented by Ghana in follow-up to its concept paper on the same subject introduced at the 2015 session of the Special Committee. The text of the working paper is reproduced in the annex to the Report and the Special Committee's decision on the item is reproduced in paragraph 87.

Mr. Chairman,

The item entitled "**Peaceful settlement of disputes**" is set out in Chapter III of the Report at paragraphs 55 to 66.

The discussion on the proposals introduced by the Russian Federation recommending that the Secretariat be requested to establish a **website dedicated to the peaceful settlement of disputes between States and update the 1992 Handbook on the Peaceful Settlement of Disputes between States** is summarized in Section A of Chapter III of the Report in paragraphs 57 to 60.

Section B of Chapter III of the Report, found in paragraphs 61 to 66, reflects the consideration of a proposal submitted on behalf of the Non-Aligned Movement entitled “**Pacific settlement of disputes and its impact on the maintenance of peace**”. The decision of the Special Committee on this item is reproduced in paragraph 87 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 67 to 78. 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, as agreed upon by the Special Committee, are set out in paragraph 78 of the Report.

Finally, Mr. Chairman,

Chapter V of the Report concerns the consideration of the remaining items on the agenda of the Special Committee. Section A, in paragraphs 79 to 87, reflects a summary of the discussion on the **working methods of the Special Committee**. In order to rationalize its agenda, and in the spirit and understanding of paragraph 3 (b) of General Assembly resolution 70/117, the Special Committee adopted the following decisions and recommendations, which are contained in paragraph 87 of its Report:

The Special Committee:

1. *Called upon* the Member States to hold intersessional informal meetings with the aim of finalizing the proposal of the Non-Aligned Movement entitled “Pacific settlement of disputes and its impact on the maintenance of peace” and the proposal submitted by Ghana entitled “Working paper by Ghana on strengthening the relationship and cooperation between the United Nations and regional arrangements or agencies in the peaceful settlement of disputes”, and called

upon all the Member States to constructively engage on those proposals with a view to making substantive progress at the next session of the Special Committee;

2. *Recommended* that the question of the implementation of the provisions of the Charter of the United Nations relating to assistance to third States affected by the application of sanctions (Article 50 of the Charter of the United Nations) be considered by the Special Committee at the seventy-second session of the General Assembly and biennially thereafter, and recommended that the Secretary-General be requested to submit to the General Assembly a report on the implementation of the provisions of the Charter relating to assistance to third States affected by the application of sanctions at the seventy-second session and biennially thereafter;

3. *Recommended* that the Secretary-General be requested to brief the Special Committee annually, commencing at its 2017 session, on the document entitled “Introduction and implementation of sanctions imposed by the United Nations” contained in the annex to General Assembly resolution 64/115 of 16 December 2009;

4. *Requested* the Chair of the Special Committee to send a letter to the President of the General Assembly recalling the seventieth anniversary of the International Court of Justice and welcoming the events planned to commemorate the occasion; and

5. *Recommended* that the General Assembly mark the seventieth anniversary of the International Court of Justice by means of the commemorative draft resolution, recommended by the Special Committee, to be adopted at its seventy-first session.

I wish to draw the Sixth Committee’s attention to the fact that, as recommended by the Special Committee, a letter recalling the seventieth anniversary of the International Court of Justice, and welcoming the events planned to commemorate the occasion, was sent to the President of the General Assembly on 24 February 2016.

Section B, found in paragraphs 88 to 92, summarizes the views expressed on the **identification of new subjects**. It contains, in paragraph 92, the text of a draft resolution to

commemorate the seventieth anniversary of the International Court of Justice. Based on a proposal by the Islamic Republic of Iran (on behalf of the Non-Aligned Movement), the Special Committee recommended this draft resolution for the consideration of the General Assembly with a view to its adoption.

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.
