



INDIA
भारत

STATEMENT BY

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ON

AGENDA ITEM 85

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

AT THE

**SIXTH COMMITTEE OF THE 73rd SESSION OF THE
UNITED NATIONS GENERAL ASSEMBLY**

NEW YORK

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Mr. Chairman,

We align with the statement made by the Islamic Republic of Iran on behalf of Non-Aligned Movement, and in our national capacity, we would like to make the following remarks.

We attach great significance to the work of the "Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization". Given the nature of its mandate, the Special Committee is well placed to play an important role in the interpretation of the provisions of the Charter, with a view to ensure proper implementation thereof.

We thank the Chairman of the Special Committee, Ambassador Omar Hilale and the Bureau for their leadership in guiding the Special Committee Meetings. We have taken note of the Report of the Special Committee as contained in document no. A/73/33 and also the Secretary-General report A/73/190 on Repertory Practice of United Nations Organs and the Repertoire of the Practice pursuant to the General Assembly resolution A/72/118.

We would like to reflect on three specific issues, which are under consideration of the Special Committee. These are: peaceful settlement of disputes; maintenance of international peace and security; and assistance to third States affected by the application of sanctions.

Mr. Chairman,

The maintenance of international peace and security is the primary responsibility of the Security Council under the UN Charter, which has to act on behalf of all the UN member States in discharging its duties.

In certain situations, the Security Council authorises sanctions under Chapter VII of the UN Charter. In such cases, it becomes 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. Article 50 of the UN Charter confers the right on third States confronted with special economic problems, which may arise because of the Security Council sanctions, to consult the Security Council for solution. This obliges the Security Council to find definitive solution to the problems of the affected third States.

We are convinced that sanctions, when necessary and applied in accordance with the provisions of the Charter, could serve as an important tool for the maintenance of international peace and security. However, imposing sanctions should be the last resort and strictly in conformity with the provisions of the Charter.

Mr. Chairman,

Peaceful settlement of disputes is an important tool in the maintenance of international peace and security and in the promotion of the rule of law. The States have the responsibility to settle disputes by peaceful means, which 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, being the principal judicial organ of the United Nations, has played an important and critical role in the maintenance of international peace and security by adjudicating disputes between States. The Security Council needs to take more frequent recourse to the Court under Chapter VI of the UN Charter so as to promote judicial settlement of international disputes before resorting to any other means.

We support the continued existence of the topic 'Peaceful Settlement of Disputes between States' on the agenda of the Special Committee.

We commend the continuing efforts of the Secretariat and the Secretary-General to update the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* and to remove the backlog in their preparation. The two publications have considerable significance as sources of reference and as effective means of dissemination of the work of the Organization.

I thank you, Mr. Chairman.
