



UNITED STATES MISSION TO THE UNITED NATIONS

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**Statement of the United States of America
73rd General Assembly Sixth Committee
Agenda Item 85: Report of the Special Committee on the Charter of the United
Nations and on the Strengthening of the Role of the Organization
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United States Mission to the U.N.
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Thank you, Chair.

We welcome this opportunity to provide a few observations on the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization and the Committee's work in 2018. The United States first notes that there were further positive developments in the work of the Charter Committee this year, building on the positive spirit and momentum that grew out of the 2016 and 2017 meetings. For example, delegations engaged in the Special Committee's first annual debate on the means of peaceful settlement of disputes, focusing on the role of negotiations and enquiry. The debate proved a useful platform to exchange views and state practice, and the United States looks forward to the debate in 2019, which we expect will further advance and deepen the Committee's dialogue on the role of mediation.

The United States welcomes that the Special Committee's agenda was further streamlined this year after the withdrawal of a long-standing proposal to establish an open-ended working group to study the proper implementation of the Charter of the United Nations. This proposal did not generate consensus within the Committee for nearly a decade, and its withdrawal is a positive step towards the rationalization of the Committee's work. The United States encourages Committee members to continue to make further improvements in this regard, giving further scrutiny to proposals with an eye toward updating our work and making the best use of scarce Secretariat resources. This includes the proposals made to update the 1992 Handbook on the Peaceful Settlement of Disputes between States, and to establish a website also dedicated to the peaceful settlement of disputes. In addition, the Special Committee should take additional steps to improve the efficiency and productivity of the Committee, including seriously considering biennial meetings or shortened sessions. In the current reform-minded environment in which we operate, with tighter budgets and increased focus on

improving the efficiency of the United Nations, the Special Committee needs to do its job by recognizing that these steps are reasonable and long overdue.

With respect to items on the Committee's agenda regarding the maintenance of international peace and security, the United States continues to believe that the Committee should not pursue activities in this area that would be duplicative or inconsistent with the roles of the principal organs of the United Nations as set forth in the Charter. This includes consideration of a long-standing working paper that calls for, among other things, legal study of General Assembly functions and powers. This also includes a long-standing proposal regarding UN reform, as well as the question of the General Assembly requesting an advisory opinion on the use of force from the International Court of Justice, a proposal that the United States has consistently stated it does not support. As we have noted in the Sixth Committee, and the Special Committee before, if a proposal such as that of Ghana could add value by helping to fill gaps, then it should be seriously considered. We hope that Ghana will take on board suggestions from delegations to narrow the ideas presented in its revised paper in advance of the 2019 Special Committee meeting.

In the area of sanctions, the United States thanks the Department of Political Affairs for its briefing during the Committee meeting in February, which we attended in with interest. The United States emphasizes that targeted sanctions adopted by the Security Council in accordance with the Charter of the United Nations remain an important instrument for the maintenance of international peace and security.

With respect to the issue relating to assistance to third States affected by sanctions, we note once again that positive developments have occurred elsewhere in the United Nations that are designed to ensure that the UN system of targeted sanctions remains a robust tool for combating threats to international peace and security. As stated in the Secretary-General's report A/72/136, "...the need to explore practical and effective measures of assistance to third States affected by sanctions has been reduced accordingly. In fact, no official appeals by third States to monitor or evaluate unintended adverse impacts on non-targeted countries have been conveyed to the Department of Economic and Social Affairs since 2003." Such being the case, we believe that the Special Committee – with an eye both on the current reality of the situation and the need to stay current in terms of the matters it considers – should decide in the future that this issue no longer merits discussion in the Committee. The United States was instrumental in having a working group established by this Committee to examine the issue some years ago. Our position is now, despite the biennialization of the Committee's consideration of the item, that it is time for the Committee to move on.

The United States continues to be cautious about adding new items to the Committee's agenda. While the United States is not opposed in principle to exploring new items, they should be practical, non-political, not duplicate efforts elsewhere in the United Nations, as well as respect the mandates of the principal organs of the United Nations. With this in mind, the United States does not believe that the Special

Committee is the appropriate forum to assess the sufficiency of Member State communications submitted pursuant to Article 51 of the Charter.

Finally, we welcome the Secretary-General's report A/73/190, regarding the Repertory of Practice of the United Nations Organs and the Repertoire of the Practice of the Security Council. We commend the Secretary-General's ongoing efforts to reduce the backlog in preparing these works. Both publications provide a useful resource on the practice of the United Nations organs, and we much appreciate the Secretariat's hard work on them.

Thank you.