



STATEMENT OF THE REPUBLIC OF THE PHILIPPINES

delivered by
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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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Thank you, Mister Chair. The Philippines aligns itself with the statement delivered by the Islamic Republic of Iran on behalf of the Non-Aligned Movement.

The Philippines is proud to have chaired the Special Committee for its 2020 Session, as this year marks the 40th anniversary of the Manila Session of the Special Committee. At that session it established a Working Group to consider a draft declaration on the peaceful settlement of international disputes. After two years of deliberations the General Assembly adopted the Manila Declaration in 1982.

The Special Committee was one of the advocacies of the great Filipino statesman Carlos P. Romulo, who noted that most of the Member States of the UN were not present during its founding and so “did not have any chance to express their opinions on the Charter.” Hence he advocated for a “restudy of the Charter” and the establishment of the Special Committee. As such, the work of the Special Committee is of much importance for the Philippines.

The Manila Declaration is one of the landmark outcomes of the Special Committee. It is the first comprehensive plan and consolidation of the legal framework for the peaceful settlement of international disputes, building upon and promoting general international law, the UN Charter, and other key instruments such as Resolution 2625 of 1970 or the Friendly Relations Declaration.

It is inextricably linked to the mandate, role and functions of the Special Committee. It reaffirms member states’ commitment to Articles 2(3) and 33 of the UN Charter, which provide that parties to any dispute shall first of all settle their disputes by peaceful means. Though it in large part reaffirms principles that are already in the Charter itself, it is also

significant that it was negotiated and adopted with the active contribution of both the founding Member States of the UN and its 100 or so additional Member States. So in a sense it is representative of the views of the current UN Member States .

To highlight the normative and political significance of the Manila Declaration, we intend to introduce at next year's Session a proposal encouraging the UN and member states to commemorate the 40th anniversary of the Declaration through appropriate activities.

On the maintenance of international peace and security, we continue to be of the view that sanctions should be imposed only as a measure of last resort, when there exists a threat to international peace and security, a breach of the peace or an act of aggression, and always in accordance with the Charter. We do not subscribe to the imposition of unilateral sanctions in violation of international law. While we recognize that sanctions are an important tool for the Security Council when properly utilized, they should be accurately targeted measures. Moreover, the objectives of sanctions regimes should be clearly defined, based on tenable legal grounds and imposed with a clear time frame, and should be subject to monitoring and periodic review and be lifted as soon as their objectives are achieved.

We continue to support the proposal of Cuba on strengthening the role of the UN and enhancing its effectiveness.

We also reaffirm our support for Ghana's proposal on strengthening the relationship and cooperation between the UN and regional arrangements or agencies in the peaceful settlement of disputes. Ghana's proposal is consistent with the Manila Declaration, as it expresses a felt necessity to fill the gaps in the UN's work by improving coordination with regional organizations in enforcement actions and conflict prevention, in accordance with their respective mandates and priorities and by clarifying the Security Council's role in these matters.

We note with appreciation progress made in the preparation of both the *Repertory of Practice of United Nations Organs*, and the *Repertoire of the Practice of the Security Council*. They are valuable tools in providing analytical studies of the UN's and the Security Council's application and interpretation of the articles of the UN Charter. But to be relevant they need to be available, hence the continuing need to have the backlogs on both addressed, and that they be made available in all UN official languages, as well as electronically and online. We reiterate our support the use of the internship programme of the United Nations and the cooperation with academic institutions for the preparation of studies. We will work on identifying academic institutions that can contribute to the preparation of studies for the *Repertory*; and support the initiative of the Secretariat to invite academic institutions to which members of the International Law Commission are affiliated to consider contributing to the preparation of studies.

On the subtopic for the next annual thematic debate, we support the recommendation of the Special Committee that the focus be on "Exchange of information on State practices regarding the use of arbitration". Thank you.