



# PHILIPPINES

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## **STATEMENT**

Permanent Mission of the Republic of the Philippines to the United Nations  
Agenda Item - 84: Report of Special Committee on the Charter of the United Nations and on  
the Strengthening of the Role of the Organization  
Sixth Committee  
76th Session of the United Nations General Assembly  
3 November 2021, Conference Rooms 1-3  
UN Headquarters New York

Madam Chair,

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

We wish to congratulate the Special Committee and its Bureau, chaired by Mr. Edgar Daniel Leal Matta (Guatemala), for the work done despite the constraints posed by the Covid19 pandemic. We note that this year's session was opened by Ms. Kira Danganan Azucena of the Philippines, who previously chaired the Special Committee.

The Philippines attaches great significance to the work of the Special Committee as its establishment was one of the advocacies of Mr. Carlos P. Romulo, a Filipino diplomat who signed the UN Charter on behalf of the then Commonwealth of the Philippines in 1945. It is said that 'Mr. Romulo succeeded in having its charter explicitly endorse the independence of colonized countries'. He lived on to become one of the last survivors of the Charter's 51 signers. He served as President of the General Assembly and then president of the UN Security Council four times.

Mr. Romulo noted that most of the Member States of the UN were not present during the UN's founding and so "did not have any chance to express their opinions on the Charter." Hence, he advocated for a committee that would facilitate a "restudy of the Charter" and substantive exchange of views on it.

One of the Committee's most important achievements is the Manila Declaration on the Peaceful Settlement of International Disputes (Manila Declaration), which was adopted on 15 November 1982. An initiative of the non-aligned countries, its approval by consensus brought together states from various groups, clarified existing international law, and engendered common understanding on applicable principles and rules of peaceful settlement of international disputes as such and the ways and means provided for by the Charter and by general international law with emphasis on the role of the competent organs of the United Nations.

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To highlight the normative and political significance of the Manila Declaration, we introduced a proposal to encourage the UN and member states to commemorate the 40th anniversary of the Declaration through appropriate activities. We are therefore pleased that Chapter III (C) of the Report of Special Committee captures the discussion on the Commemoration of the fortieth anniversary of the Manila Declaration on the Peaceful Settlement of International Disputes.

The Report highlights the recognition and the special role of the Special Committee in the formulation of the Declaration, the general support expressed for the Philippine proposal for the commemoration of the Manila Declaration. The Report also indicates the Special Committee's recommendation for a draft resolution for the Fortieth Anniversary of the Manila Declaration for the consideration of the General Assembly, and reproduces the text in full. We look forward to the continuing support of states for the adoption of the resolution.

The Philippines is also pleased that the Report devotes an entire chapter on the peaceful settlement of disputes and includes a summary of the debate by the delegation on the subtopic "Exchange of information on State practices regarding the use of arbitration." The Report indicates some views from the delegations regarding arbitration, including, *inter alia*:

- Arbitration is one of the oldest methods for the peaceful settlement of disputes between States;
- Arbitration has been used successfully by States to resolve a wide range of disputes, such as treaty disputes and territorial and boundary disputes;
- Increased use of arbitration in maritime disputes under Annex VII to the UN Convention on the Law of the Sea; and
- The importance of the Permanent Court of Arbitration as a key driver for arbitration.

The Philippines is pleased to have shared its experience, in this regard.

Madam Chair,

On the maintenance of international peace and security, the Philippines reiterates its 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 sanctions are an important tool for the Security Council, they should be in the form of accurately targeted measures. The objectives of sanctions regimes should be clearly defined, based on tenable legal grounds, imposed with a clear time frame, subject to monitoring and periodic review and lifted as soon as the objectives have been achieved.

We continue to support the proposal of Cuba on strengthening the role of the UN and enhancing its effectiveness; reaffirm our support for Ghana's proposal on strengthening the relationship and cooperation between the UN and regional arrangements or agencies; and for the inclusion of Mexico's proposal on "Analysis of the application of Articles 2 (4) and 51 of the Charter of the United Nations" in the agenda of the Special Committee.

We support efforts to improve the work methods of the Special Committee, noting its vital role in the assisting in the revitalization and strengthening of the organization.

Thank you.