



UNITED STATES MISSION TO THE UNITED NATIONS

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Statement of the United States of America Sixth Committee

Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

67th United Nations General Assembly Item 82

Mr. Chairman:

We welcome consideration of the report of the Charter Committee, which last met early this year. We appreciate the opportunity to provide a few observations on the Committee's recent work.

We believe the report reflects some positive movement in the work of the Charter Committee.

First, a good part of the Committee's time during its last session was spent discussing a worthy proposal on which a wide range of delegations seriously engaged – that of the Philippines aimed at commemorating the thirtieth anniversary of the Manila Declaration that deals with the peaceful settlement of disputes. The U.S. joined other delegations in supporting the draft resolution ultimately arrived at, including its recommendation that it be considered by the General Assembly with a view to its adoption in connection with the November 15, 2012 anniversary date.

Second, there were positive developments in the areas of Special Committee efficiency and working methods.

A key aspect of Committee efficiency is the fact that the Charter Committee has a number of longstanding proposals before it. We believe – as we have stated many times before – that many of the issues these proposals consider have been taken up and addressed elsewhere in the United Nations. There is also a considerable degree of overlap in these proposals. These are reasons why the Committee has shown little enthusiasm for acting on or discussing these proposals in depth.

During the 2012 Charter Committee session, two such longstanding proposals were withdrawn or set aside by their sponsors on the grounds that they were, in fact, outdated and had been overtaken by events elsewhere in the Organization. This was a welcome step toward the much-needed rationalization of the work of the Special Committee.

Another welcome step was the Special Committee's decision to delete from its annual report a section on "Recommendations" that had come to contain rote, rollover provisions that had little connection to the current work of the Special Committee, or were redundant.

These developments – in terms of both what was discussed in the Committee's meeting, i.e., the Manila Declaration commemoration, and what was not – were, in our view, quite healthy for the Special Committee as it goes forward. We urge that the Committee continue to remain focused on ways to improve its efficiency and productivity throughout its session, including by giving serious consideration to such steps as biennial meetings and/or shortened sessions.

With regard to items on the Committee's agenda concerning 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 further revised working paper calling for a new, open-ended working group "to study the proper implementation of the Charter...with respect to the functional relationship of its organs." It also includes consideration of another revised, longstanding working paper that similarly calls *inter alia* for a Charter Committee legal study of General Assembly functions and powers.

In the area of sanctions, we note 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. With respect to the matter of third States affected by the application of sanctions, as stated in the Secretary-General's report A/67/190, "...the need to explore practical and effective measures of assistance to affected third States has been reduced considerably because the shift from comprehensive to targeted sanctions has led to significant reductions in unintended adverse impacts on non-targeted countries. In fact, no official appeals by third States have been conveyed to the Department of Economic and Social Affairs to monitor or evaluate since June 2003."

Such being the case, we believe that this is another prime example of an issue 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 no longer merits discussion in the Committee. We join others who have urged that course.

On the question of requesting an opinion from the International Court of Justice, we have consistently stated that the United States does not support the proposal that the General Assembly request an advisory opinion on the use of force.

With respect to proposals regarding new subjects that might warrant consideration by the Special Committee, we continue 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, it is our position that they should be practical, non-political, and not duplicate efforts elsewhere in the

UN system. The Committee's past consideration of work in the area of dispute prevention and settlement mechanisms comes to mind.

Finally, we welcome the Secretary-General's report A/67/189, regarding the Repertory of Practice of 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 United Nations organs, and we much appreciate the Secretariat's hard work on them.

Thank you, Mr. Chairman.