



Statement on behalf of the European Union and its Member States

By

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Second Secretary

Delegation of the European Union to the United Nations

at the General Assembly Sixth Committee

on

Item 83

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

United Nations

New York

13 October 2016

- CHECK AGAINST DELIVERY -

Mr Chair,

I have the honour to speak on behalf of the European Union and its Member States.

The Candidate Countries Montenegro and Albania, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, and the EFTA country Iceland, member of the European Economic Area, as well as Ukraine, the Republic of Moldova and Georgia, align themselves with this statement.

We welcome the consideration of the report of the Special Committee contained in document A/71/33. We particularly commend the Members of the Committee, the Chair, the Bureau and the Secretariat for the progress achieved this year in rationalizing the agenda and the work of the Committee. We consider that the decisions and recommendations contained in chapter V of the Report represent a balanced outcome and a good basis for a meaningful further work of the Committee.

We commend the Committee for its recommendation to mark the seventieth anniversary of the International Court of Justice by means of the celebratory resolution. The European Union and its Member States are staunch supporters of international justice. Within the European Union, the European Court system contributes to the strict observance and the development of international law, including respect for the principles of the United Nations Charter. The European Court of Justice often refers to and relies on judgments delivered by the International Court of Justice. It is also worth noting that in a recent judgment, the International Court of Justice made reference to European law. In a world where respect for the rule of law is crucial, we cannot but commend the work of the International Court of Justice and recognize its positive impact on the peaceful settlement of disputes.

With regard to the agenda item "*Maintenance of international peace and security*", we fully endorse the Committee's recommendation that the question of the "*Implementation of the provisions of the Charter related to assistance to third states affected by the application of sanctions*" (under Article 50 of the Charter) be considered by the Committee at the seventy-second session of the General Assembly and biennially thereafter. We are convinced that in the longer-term, the membership of the Committee will agree that this should be removed from its agenda altogether. Instead, we see merit in the Secretary-General being requested to annually brief the Special Committee on the issues covered by the document contained in the annex to General Assembly resolution 64/115 of 16 December 2009 entitled "Introduction and implementation of sanctions imposed by the United Nations." We look forward to the first annual briefing at the 2017 session, and hope that it will enhance dialogue and better understanding of the latest developments in implementing targeted sanctions as a critical tool for ensuring the maintenance and restoration of international peace and security in line with the Charter.

We commend the constructive discussions during the Committee's session in February on the proposals of the Non-Aligned Movement entitled "Pacific settlement of disputes and its impact

on the maintenance of peace" and of Ghana entitled "Working paper by Ghana on strengthening the relationship and cooperation between the United Nations and regional arrangements or agencies in the peaceful settlement of disputes." We believe that this positive spirit should be preserved with the aim to achieving substantive progress and we support the Committee's call to hold intersessional informal meetings. We remain ready to contribute to the discussion.

We also note that other considerations developed in the report of the Special Committee have been discussed for several years, without substantial progress. This is the case for the revised working paper entitled "*Open-ended working group to study the proper implementation of the Charter of the United Nations with respect to the functional relationship of its organs*", for the working paper on the "*Strengthening of the role of the Organization and enhancing its effectiveness*", and for the revised proposal on "*Strengthening the role of the United Nations in the maintenance of international peace and security*". We continue to hold the view that those proposals are duplicative of revitalizing efforts taking place within other *fora* of the Organization. We reiterate that the relationship between the different organs within the UN system is adequately defined in the UN Charter and does not need further clarification by the Committee. As regards the working paper seeking, inter alia, an "*advisory opinion from the International Court of Justice on the use of force*", we do not see the need or the added value for such a request at the moment.

On the question of updating the "*Handbook on the Peaceful Settlement of Disputes between States*" prepared by the UN in 1992 and of establishing an UN website dedicated to this issue, we remain unconvinced about the added value of such efforts. As already expressed by several delegations during the Committee's sessions, multiple resources and legal tools are already available online and easily accessible through search engines. We therefore call for proper prioritization of the limited resources allocated to the Secretariat so as to avoid a duplication of efforts.

We reiterate our call for reviewing the list of agenda items, considering whether there is value in continuing to discuss them, taking into account their practical relevance and the likelihood of reaching a consensus on them in the future, before examining proposals for new items. We also call for the duration and frequency of the sessions to be reviewed. We continue to strongly advocate for the implementation of the 2006 decision on reforming the working methods of the Special Committee, as also reflected by paragraph 3 (e) of resolution 70/117 of the General Assembly. This is a priority issue and we should work together to explore ways and means to achieve a better use of resources and of the meetings of the Committee.

Mr. Chair,

We would like to thank the Secretary-General for his report on the *Repertory of Practice of United Nations Organs* and *Repertoire of the Practice of the Security Council* (A/71/202). We take note of the progress made and of the efforts undertaken by the Secretariat to reduce the

backlog in the preparation and to update those two publications during the reporting period. We welcome the increased use of the internship programme of the United Nations and the further strengthening of the cooperation with academic institutions for the preparation of studies. Considering the importance of the Repertory and the Repertoire, both as research tools for the international community, particularly the diplomatic community and universities, and as a means to preserve the memory of the Organization, we call upon the Secretary-General to continue his efforts toward updating the two publications and making them available electronically in all language versions. We would also like to express our gratitude to those States which have made voluntary contributions to the trust fund for the elimination of the backlog in the Repertory, as well as to the trust fund for updating the Repertoire, and reiterate our call for other UN Member States to do likewise.

I thank you, Mr Chair.