

Statement by

Ali Nasimfar
Representative of Islamic Republic of Iran

**On behalf of the Non-Aligned Movement
Before The Sixth Committee of the
71th Session of the United Nations General Assembly**

On Agenda item 83 :

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

New York, 11 October 2016

I have the honour to deliver this statement on behalf of the Non-Aligned Movement.

The Non-Aligned Movement continues to attach great importance to the work of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization and considers that it should play a key role in the current reform process of the United Nations, as mandated in Resolution 3499(XXX) of 15 December 1975.

In our view, the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of Organization has got important potentials to enlighten international law and the relevancy of the charter provisions. The Manila Declaration, which was negotiated and adopted by the Charter Committee in 1982, is only one of the major achievements of the committee, which demonstrates that the committee could be considered as a forum to clarify and promote general international law and charter provisions.

The Non-Aligned Movement is of the view that the United Nations is the central and indispensable forum for addressing issues relating to international cooperation, economic development and social progress, peace and security, human rights and the rule of law, based on dialogue, cooperation and consensus-building among States. In this context, the Movement attaches high importance to the strengthening of the role of the United Nations and recognizes the efforts taken to develop its full potential.

Important elements in the United Nations' reform process are the democratization of its principal organs and respect for the General Assembly's role and authority, including questions related to international peace and security. The General Assembly remains as the chief deliberative, policy-making and representative organ of the United Nations, and its intergovernmental and democratic character, as well as its subsidiary bodies, have contributed extensively to promote the purposes and principles of the United Nations Charter and the Organization's objectives.

The Non-Aligned Movement reiterates its concern over the continuing encroachment by the Security Council on the functions and powers of the General Assembly and those of the Economic and Social Council through addressing issues which fall within the competence of the latter organs, and the attempts to enter areas of norm-setting and establishing definitions which fall within the purview of the General Assembly.

The Non-Aligned Movement reaffirms that the reform of the Organization should be carried out in accordance with the principles and procedures established by the Charter of the United Nations and preserve the legal framework of this constitutional instrument. For this purpose, the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the organization can contribute to the examination of the legal matters in this process. In this regard, the NAM notes that it is important that the Special Committee continues to study the legal nature of the implementation of Chapter IV of the Charter, particularly its Articles 10, 11, 12, 13 and 14 dealing with the functions and powers of the General Assembly.

The Security Council-imposed sanctions still remain an issue of serious concern to the Member Countries of the Non-Aligned Movement. It is the Movement's view that the imposition of sanctions should be considered as a last resort. Sanctions may be imposed only when there exists a threat to international peace and security or an act of aggression, in accordance with the Charter. They are not applicable as a preventive measure in any and all instances of violation of international law, norms or standards.

Sanctions are blunt instruments, the use of which raises fundamental ethical questions of whether sufferings inflicted on vulnerable groups in the target country are legitimate means of exerting political pressure. The objectives of sanctions are not to punish or otherwise exact retribution on the populace.

In this regard, the objectives of sanctions regimes should be clearly defined, based on tenable legal grounds, and their imposition should be for a specified timeframe. It should be lifted as soon as the objectives are achieved. The conditions demanded of the State or party on which sanctions are imposed should be clearly defined and be subject to periodic review.

The Movement, also, expresses its deep concern at the imposition of laws and other forms of coercive economic measures, including unilateral sanctions, against

developing countries, which violates the Charter of the United Nations and undermines international law and the rules of the World Trade Organization.

The meeting of the Charter Committee this year was successful in terms of agreeing on rationalisation of its work and improving its working methods. We agreed on the way forward particularly in making progress on a number of proposals. We look forward to hold intersessional informal meetings with interested delegations with the aim of finalizing the proposal of the Non-Aligned Movement entitled “Pacific settlement of disputes and its impact on the maintenance of peace” as well as the proposal submitted by Ghana entitled “Working paper by Ghana on strengthening the relationship and cooperation between the United Nations and regional arrangements or agencies, at the next session of charter committee. We also call on all Member States to constructively engage on these and other proposals with a view to making substantive progress at the next session of the Special Committee;

We also look forward to hearing regular briefings on all aspects of the document entitled “Introduction and implementation of sanctions imposed by the United Nations” contained in the Annex to General Assembly resolution 64/115 of 16 December 2009. Furthermore we note that, the question of the implementation of the provisions of the Charter of the United Nations relating to assistance to third States affected by the application of sanctions, will be discussed in the Charter Committee on a biennial basis.

Finally the Movement takes note of the progress made by the Secretariat since the last report in updating the Repertory of Practice of United Nations Organs and the Repertoire of the Practice of the Security Council. However, the movement notes with concern that the backlog in the preparation of volume III of the repertory is not eliminated, and calls upon the Secretary General to address this issue effectively and on a priority basis.

Thanks