



UNITED STATES MISSION TO THE UNITED NATIONS

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**Statement of the United States of America
71st General Assembly Sixth Committee**

**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**

Statement by Emily Pierce, Counsellor

October 13, 2016

Mr. Chairman:

We thank the Special Committee for its report (A/71/33) and believe that it reflects some positive movement in the work of the Charter Committee, particularly as it discusses a continuing examination of the matters with which the Committee should concern itself.

A significant challenge to Committee efficiency is the fact that the Charter Committee has a number of longstanding proposals before it. Our view is well known: we believe that many of the issues these proposals consider would be duplicative with work that has been done or is being done elsewhere in the United Nations. In addition, there is a considerable degree of overlap among the proposals themselves.

We therefore support further scrutiny by sponsors and members alike of stagnant items on the Charter Committee's agenda, with a view toward rationalization of the work of the Special Committee. In this regard, we recall that, during the 2012 Charter Committee session, two longstanding proposals were withdrawn or set aside by their sponsors on the grounds that they were, in fact, outdated and had been overtaken by events elsewhere in the Organization. Such continuing review efforts are vital for the Special Committee as it goes forward.

In the area of sanctions, we note once again 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. We continue to believe that the Special Committee should decide that the question of the implementation of the provisions of the Charter of the United Nations related to assistance to third States Affected by the application of sanctions no longer merits discussion in the Committee, as no official appeals by third States to monitor or evaluate unintended adverse impacts on non-targeted countries have been conveyed since 2003.

Nevertheless, we very much welcomed, upon the important initiative of the EU, the Special Committee's recommendation to move towards biennial consideration of this question, as well as towards requesting biennial reports by the Secretary-General. We think this step was reasonable and makes good practical sense. We strongly urge that the Committee continue to remain focused on ways to improve its efficiency and relevance in future 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 and Security Council functions and powers.

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

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. If a proposal such as that of Ghana aimed at strengthening peacebuilding and related cooperation between the UN and regional organizations could help fill gaps or give value-added, then it should be seriously considered by the Committee. We were also happy to have the Committee communicate with the President of the General Assembly recalling the 70th anniversary of the International Court of Justice and welcoming the events planned to commemorate the occasion. We also support the recommended General Assembly commemorative resolution to mark the 70th anniversary of the ICJ.

Finally, we welcome the Secretary-General's report A/71/202, regarding the Repertory of Practice of United Nations Organs and the Repertoire of the Practice of the Security Council. We applaud the Secretary-General's further progress and ongoing efforts to reduce the backlog in preparing these works and to make them available in electronic form in all official languages on the UN website. Both publications provide a valuable resource on the practice of United Nations organs, and we greatly appreciate the Secretariat's incredibly hard work on them.

Thank you, Mr. Chairman.