



**UNITED STATES MISSION TO THE UNITED
NATIONS**

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Statement by the United States
72nd 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
Emily Pierce, Counsellor
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Thank you, Chair.

We welcome consideration of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and this opportunity to provide a few observations on the Committee's recent work. The United States would first like to highlight the positive movement in the work of the Charter Committee, which was achieved through the redoubling of efforts of Committee members to work together. Second, we would like to discuss areas where there is a critical need to extend such honest efforts, in particular toward improving the Committee's productivity and rationalization of its work.

First, building upon the momentum from the 2016 meeting of the Charter Committee, members first met for an informal intersessional discussion on February 2 to discuss the proposals of the Non-Aligned Movement and Ghana. We were encouraged by the constructive tone taken by those who participated in the discussions. Through such discussions, Charter Committee members built a basis upon which delegations came together during the 2017 Committee session to finalize the NAM proposal, based on consensus, to hold an annual, thematic debate in the Special Committee to discuss the means for the peaceful settlement of disputes. We look forward to the first such debate on the exchange of information on State practices regarding the use of negotiation and enquiry. In addition, we thank our fellow Committee members for the positive spirit with which we approached the negotiations, allowing us to take a positive step forward.

We believe that there is more progress to be made by Committee members. It made good practical sense that, during the Charter Committee session in 2016, Committee members agreed to biennialize the consideration of the "third country effects of sanctions" item on the Committee agenda. Biennialization reflects a better, albeit imperfect, balance between the views of those who believe that the issue is no longer appropriate for Committee consideration and those who believe that the issue should be kept on the Special Committee's agenda in the event of changed circumstances in the future. The United States encourages Committee members to continue to

build further still on the momentum from the 2017 session to make additional progress, specifically as it relates to improving efficiency and productivity of the Committee, including by giving serious consideration to such steps as biennial meetings or shortened sessions. The Committee needs to do its job by recognizing that these steps are reasonable and make good practical sense.

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 – despite the progress through biennialization – 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. With respect to the matter of third States affected by the application of sanctions, as stated in the Secretary-General's report A/72/136, "...the need to explore practical and effective measures of assistance to third States affected by sanctions has been reduced accordingly. In fact, no official appeals by third States to monitor or evaluate unintended adverse impacts on non-targeted countries have been conveyed to the Department of Economic and Social Affairs since 2003." Such being the case, we believe 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 in the future that this issue no longer merits discussion in the Committee.

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 the 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 they should be practical, non-political, and not duplicate efforts elsewhere in the United Nations. In this regard, we refer to the proposals made to have the Committee request the Secretariat to update the 1992 Handbook on the Peaceful Settlement of Disputes between States, and to establish a website also dedicated to the peaceful settlement of disputes. We are of the view that such new, labor-intensive exercises would not be the best use of scarce Secretariat resources, and at the end of the day would not, in any event, offer much value-added given the wealth of relevant websites and other online tools that much such information so much readily available than in the past.

As we have noted in this Committee, and the Special Committee before, if a proposal such as that of Ghana is aimed at strengthening peacebuilding and related cooperation between

the UN and regional organizations could give value-added by helping to fill gaps, then it should be seriously considered by the Committee.

Finally, we welcome the Secretary-General's report A/72/184, regarding the Repertory of Practice of the 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 the United Nations organs, and we much appreciate the Secretariat's hard work on them.

Thank you.