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MISSION TO THE UNITED NATIONS

350 EAST 35TH STREET, NEW YORK, NY 10016
<http://www.china-un.org>

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(translation)

Statement by Mr. XU Chi

Chinese Delegate

**At the Sixth Committee of the 73rd Session of
the United Nations General Assembly**

On Agenda Item 85

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

New York, 12 October 2018

Mr. Chairman,

The Chinese delegation would like to thank Mr. Omar Hilale, Chairman of the Special Committee, for his introduction of the 2018 session.

The Special Committee is the only permanent forum within the framework of the UN to discuss issues related to the Charter and the strengthening of the role of the UN. China has always attached importance to the active role of the Special Committee, and supported the Special Committee's work mandated by the General Assembly. We commend the important contributions made by the Special Committee in its over 40 years of history to safeguarding the purposes and principles of the Charter and strengthening the role of the UN.

In its 2018 session, the Special Committee began an item-by-item deliberation on the peaceful settlement of disputes contained in Article 33 of the UN Charter. This session focused on the means of negotiation and enquiry. China has actively participated in the discussions as it believes that the discussions are of great significance. Peaceful settlement of disputes is a fundamental principle of international law and an obligation that all countries must abide by under international law. The choice and application of a dispute settlement method should be in line with the principle of "State consent" and fully respect the right of countries to choose freely the means for the peaceful settlement of disputes. No means should be imposed on a country. Among the means for peaceful settlement of disputes, negotiation can best reflect the parties' free will and the principle of sovereign equality. It is the most suitable for the parties to manage the dispute settlement process. Outcome of the negotiation is also the most likely for the parties to accept and implement. Negotiation is the most used means in dispute settlement practice and the most important one.

As an advocate and practitioner of peaceful settlement of disputes, China has always maintained that parties properly resolve international disputes

through peaceful means such as negotiation and consultation. We properly resolved the issues of Hong Kong and Macao as well as the delimitation of land and maritime boundary border lines with countries concerned through negotiation and consultation. We will continue to resolve other disputes through negotiation and consultation. China would like to emphasize that the parties to the disputes should conduct negotiations in good faith, and other countries should also create in good faith an enabling environment for the parties to negotiate and resolve disputes, and should not disturb the process or even intervene in it. Otherwise, it constitutes a violation of the provisions and principles of the UN Charter and relevant international law on the peaceful settlement of disputes, and would not help the peaceful settlement of disputes.

Mr. Chairman,

On the agenda item of assisting third states affected by the application of sanctions, China would like to reiterate that the Security Council should adopt a prudent and responsible approach on sanctions. Sanctions should not be imposed until other peaceful means are exhausted and should be in accordance with the UN Charter and relevant principle of international law. There is a need to minimize the impact of sanctions on the ordinary people and third states. China supports the Special Committee in playing a greater role by improving its working methods and efficiency. We hope that all parties will, based on the goal of strengthening the role of the Special Committee and in the spirit of pragmatic and constructive cooperation, explore practical and effective new ideas and measures. The Chinese delegation would like to express again its appreciation for the progress made by the Secretariat in the preparation of the Repertory of Practice of United Nations Organs and the updating of the Repertoire of the Practice of the Security Council. We hope that the Secretariat would continue its efforts so that the Repertory and the Repertoire can be published in all UN official languages at the same time.

Finally, China is pleased to see new subjects proposed by member states to be discussed in the Special Committee that are of practical significance and feasible, and supports the Special Committee to deliberate on them within the mandate given to it by the General Assembly. At the 2018 session, some countries raised the issue of the interpretation and application of Article 51 of the UN Charter on the right to self-defense. China believes that it is imperative to avoid the arbitrary interpretation and abuse of the right to self-defense. We look forward to the written documents to be submitted by the relevant countries for further consideration.

Thank you. Mr. Chairman.