

Statement by Second Secretary, Ms. Rabia Ijaz Permanent Mission of Pakistan to the UN, delivered in the Sixth Committee on “Special Committee on the Charter of the United Nations on the Strengthening of the Role of the Organization”- 78th Session of the General Assembly

New York, 20 October 2023

Mr. Chair,

My delegation aligns itself with the statement delivered by the Islamic Republic of Iran on behalf of the Non-Aligned Movement.

Mr. Chair,

2. In today's intricate global landscape, threats to peace are increasingly prevalent. The use or threat of use force is not abating; foreign interventions are continuing; and the right to self-determination is not being ensured across the board. The ongoing tragedy of Palestine is a distressing illustration of these challenges, made all the more poignant by the recent failure of the Security Council to adopt a ceasefire resolution. This failure should serve as a moment of reflection and recalibration for us to address these urgent issues.

3. Despite the paralysis in the Security Council, we hope that the General Assembly, the UN Secretary-General and the specialized agencies will be able to secure the opening of humanitarian corridors to ensure food, water, medicines, fuel and other essential supplies to the Palestinians in Gaza and prevent the displacement of the Palestinian population.

Mr. Chair,

4. Article 1 (2) of the UN Charter establishes that one of the main purposes of the United Nations is to develop friendly international relations based on respect for the “principle of equal rights and self-determination of peoples”. The “Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States”, adopted in 1970, urges member states to refrain from taking any forcible action which deprives peoples of their right to self-determination and freedom and independence.

5. Let us also recall that the struggle of peoples under foreign and alien occupation for self-determination and national liberation is legitimate under international law and they have the right to use all possible means in this struggle to achieve their freedom. It is the suppression of this struggle, which is illegal. Under the Charter, States have the right of self-defense against attacks on their sovereignty and territorial integrity. Yet, a State which is in forcible occupation of a foreign territory, cannot justify its actions invoking the “right to self-defense” against those whose territory it has illegally occupied.

6. My delegation has taken keen interest in the working paper presented by Mexico regarding the application of Article 51, in context of its relationship with Article 2(4) of the United Nations Charter. The goal of this paper is to foster a space for legal discourse within the Committee concerning the use, scope and limits of Article 51.

Mr. Chair,

7. In order to reinforce the UN Charter and its organs, it is amply evident that the current and future threats to international peace and security can be addressed only through multilateral cooperation within the framework of the UN Charter and full adherence to its purposes and principles.

8. In this regard, the UN Charter Committee has a pivotal role in ensuring that the principles of the UN Charter are upheld. It is tasked with the responsibility of reviewing and providing recommendations on matters related to the implementation of the Charter. Therefore, this committee needs to do a lot more in promoting respect for the Charter's principles and ensuring the effective functioning of the UN system.

Mr. Chair,

9. The deficits in addressing these threats do not denote the failure of the UN or its organs so much as the failure of member states to empower these organs and agree on collective and cooperative measures to address these threats.

10. Allow me to make following few suggestions in this regard:

- i) The Security Council should be comprehensively reformed through the Inter-Governmental Negotiations (IGN) process already underway to make it more transparent, more representative, more accountable, more democratic and more effective.
- ii) Since the General Assembly is the most representative organ of the United Nations, it is vital to utilize its full potential to achieve meaningful progress across the UN's three pillars.
- iii) The UN's multilateral disarmament mechanisms (the C.D, D.C, and the First Committee) should be activated to fulfill their assigned functions on the basis of agreed principles and objectives, in particular the Declaration and Programme of Action of SSOD-I.
- iv) As envisaged in its founding resolutions, the advisory and bridging role of the PBC should be strengthened to facilitate more informed decision-making by the Security Council, the General Assembly and ECOSOC through more extensive informal dialogues between the PBC, the Security Council, the Assembly and ECOSOC.
- v) The ICJ and other judicial mechanisms can play a critical role in the resolution of conflicts and disputes. The Court's jurisdiction should become mandatory on issues that are on the agenda of the Security Council. The General Assembly should promote inclusive dialogue on legal matters of global concern.

Mr. Chair,

11. In conclusion, given the current global events unfolding before us, it is more crucial than ever that we intensify our efforts and unwaveringly reassert our commitment to the principles of the UN Charter. It is only through the effective and equitable implementation of these principles that we can forge a path towards a peaceful and prosperous future.

12. Without a collective commitment to the values and principles encapsulated within the Charter, our ability to effectively confront and resolve the pressing issues of our time remains compromised. Let us not falter in our resolve but stride forward with renewed vigor, to uphold the UN Charter to create a world that is safer, fairer, and more harmonious for all.

I thank you!