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Chair: Mr. Guerra Sansonetti (Vice-Chair) (Bolivarian Republic of Venezuela)
later: Mr. Chindawongse (Thailand)

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In the absence of Mr. Chindawongse (Thailand), Mr. Guerra Sansonetti (Bolivarian Republic of Venezuela), Vice-Chair, took the Chair.

The meeting was called to order at 3.05 p.m.

Agenda item 78: United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law
(continued) (A/78/514)

1. **Mr. Hernandez Chavez** (Chile) said that the Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law helped to strengthen international peace and security and promote friendly relations and cooperation among States. His delegation therefore stressed the importance of ensuring that the Programme continued to be financed through the regular budget, and thanked the Member States that had made voluntary contributions. Since its establishment, the Programme had played an indispensable role in providing students and practitioners of international law with training opportunities, which should be expanded, with a particular focus on participants from developing countries. The regional courses in international law should also address topics specific to the region in question, alongside fundamental issues of international law.

2. The coronavirus disease (COVID-19) pandemic had shown that virtual resources and virtual learning were an essential complement to in-person learning. His delegation therefore welcomed the new tools available in the United Nations Audiovisual Library of International Law and called for further exploration of online learning platforms and hybrid teaching methods. His delegation also appreciated the inclusion of materials in Spanish and hoped that materials in all official languages of the United Nations would continue to be incorporated in the Library. His delegation welcomed the improved gender balance among the participants in the Programme's courses and activities and encouraged the Secretary-General to continue to provide information on gender in his reports.

3. Since 2017, Chile had been hosting the United Nations regional course in international law for Latin America and the Caribbean. In May 2023, the course had been held in person in Santiago, with the participation of 26 students from over 20 countries. His delegation was grateful to those who worked to make the course a reality, in particular the Codification Division.

4. **Mr. Giret Soto** (Paraguay) said that his delegation was satisfied with the initiatives and opportunities

created by the Programme of Assistance, which fostered collaboration and dialogue among academics, experts and government officials and had been of benefit to many professionals from Paraguay. The work of the United Nations, particularly its capacity-building programmes in international law, reflected its desire for sovereign equality among nations. Those programmes strengthened the global community and promoted predictable and harmonious interaction among States.

5. The region of Latin America and the Caribbean deeply valued the regional courses in international law, in particular the course held in Chile, which promoted synergies and fostered discussions among participants on both international issues and those specific to the region. Although in-person learning was irreplaceable, the unprecedented situation stemming from the coronavirus disease (COVID-19) pandemic had demonstrated a need to establish contingency plans for virtual regional courses, when necessary. Measures to facilitate the use of new technologies for the Programme's future endeavours were therefore timely.

6. The Audiovisual Library was an invaluable resource that continued to provide free, quality training to individuals and institutions around the world. His delegation advocated the creation of more content in Spanish. In addition, adequate geographical representation in the Programme's various activities would ensure the dissemination of international law in all regions of the world.

7. **Mr. Mwasota** (United Republic of Tanzania) said that the Programme of Assistance helped to provide a better understanding of international law and the principles and purposes of the Charter. His delegation commended the efforts of the Office of Legal Affairs to implement the Programme, with the regional courses in international law playing an essential role in enhancing the understanding of international law. Although the Programme provided support to the African region through the Office of the Legal Counsel of the African Union, his delegation recommended widening the scope of the partnership with the regions.

8. For Africa, Member States should consider extending direct support to the African Institute of International Law, which had been providing training opportunities and workshops in international law for participants from African countries. It also planned to offer programmes on capacity-building on the rights of women in Africa for African diplomats, an international law seminar for African judges, a seminar on treaty law and the peaceful settlement of disputes for Africa, and a seminar on the legal protection of refugees and internally displaced persons in Africa.

9. His delegation appreciated the efforts made to maintain the Audiovisual Library, which was a crucial resource for people who could not access the International Law Fellowship Programme or the regional courses in international law owing to limited financial resources, particularly in developing countries. While his delegation embraced modern tools for teaching and dissemination, such as online platforms, it welcomed the resumption of in-person training, which facilitated meaningful discourse, networking opportunities and collaborative engagement with international legal practitioners from various jurisdictions. Nevertheless, only a few applicants had been selected to participate in those workshops owing to the limited funding available for the Programme of Assistance. While acknowledging the generous financial and in-kind contributions of Member States to the Programme, his delegation called for an increase in the Programme's budget.

10. **Mr. Ikondere** (Uganda) said that his delegation expressed appreciation to the Office of Legal Affairs, the Codification Division and the Advisory Committee on the Programme of Assistance for their commitment to and invaluable efforts in implementing the Programme of Assistance. His delegation welcomed the resumption of Programme activities that had been affected by the COVID-19 pandemic, in particular the regional courses in international law and the International Law Fellowship Programme. It emphasized the need to ensure diversity of legal traditions and gender balance among the participants and expressed support for the funding of the Programme's activities from the regular budget, while also highlighting the importance of voluntary contributions.

11. Traditional in-person programmes remained the optimal vehicle for capacity-building. Uganda therefore welcomed the convening of the International Law Fellowship Programme in person in The Hague from 3 July to 4 August 2023 and was pleased that half of the participants had been women. His delegation called on the Codification Division to consider diversity in the selection of faculty and members of the Advisory Committee. It was pleased to note that resources were continually being provided for the implementation of the Programme of Assistance to support capacity-building, training, skills management and access to much-needed resources on international law. His delegation therefore supported the request of the Secretary-General that the Programme receive funding from the regular budget.

12. His delegation encouraged the use of new technologies, in particular social media, to ensure the

wider dissemination of the content of the Audiovisual Library. It welcomed the revamping of the Library website to make it more user-friendly. The Codification Division should continue to add to the Library, which was an invaluable training resource for individuals and institutions around the world. Uganda commended the initiative of conducting off-site recording sessions and suggested that the presentations made by the Special Rapporteurs of the International Law Commission to the Sixth Committee be uploaded to the Library. Adding lectures in more languages would be another way to enrich the content of the Library.

13. **Ms. Olisa** (Nigeria) said that her delegation thanked the Codification Division for coordinating the implementation of the Programme of Assistance and expressed appreciation for the provision of summaries of the jurisprudence of the International Court of Justice and the publication of the *United Nations Legislative Series*, the *United Nations Juridical Yearbook* and the *Yearbook of the International Law Commission*. The Programme helped to provide knowledge and capacity-building in international law in order to enhance the effective implementation of the rule of law.

14. Nigeria was committed to the observance of the rule of law, and it considered justice to be a fundamental prerequisite for the establishment of the law and the basis for peaceful coexistence and prevention of conflicts. It welcomed the establishment of the three regional courses in international law designed for the training of legal professionals, in particular in developing countries. The Programme had had an appreciable impact on students and legal practitioners and had helped to build effective multilateral frameworks, strengthen friendly relations and promote international peace and security across the globe. It was important that the regional courses also be conducted in English for wider coverage and participation.

15. Nigeria pledged its continuing support through voluntary contributions to the Programme, and it remained committed to providing assistance to countries in its region to attend the Nigerian law school programme each year and to organizing training programmes for judicial officers at the National Judicial Institute of Nigeria. Her delegation continued to call for adequate funding for the Programme through the regular budget, in particular for the Audiovisual Library and the regional courses in international law, with voluntary contributions from Member States as a complementary source of funding. The National Judicial Institute was prepared to work with the Office of Legal Affairs to adopt a model curriculum for courses in international law for the Institute's programme.

16. **Ms. Nyakoe** (Kenya) said that her delegation commended the Office of Legal Affairs and the Codification Division for their role in implementing the Programme of Assistance, which enabled Member States to participate effectively in multilateral legal discourse. Her delegation also welcomed the return to in-person training activities following the disruption caused by the COVID-19 pandemic. Nevertheless, the Codification Division should consult with Member States to consider whether elements from the remote and hybrid programmes could be incorporated into the Programme of Assistance in order to expand its reach using the resources available and without prejudice to in-person activities.

17. Her delegation commended the Codification Division for the innovative Audiovisual Library and the availability of legal publications and other resources on the Internet. However, the information and communications technology infrastructure necessary to gain access to those resources was grossly inadequate or non-existent in some developing regions. Consideration should therefore be given to regional needs-based programming, in consultation with relevant stakeholders, to help spur the necessary capacity-building. To that end, institutional, inter-State and interregional partnerships would be helpful, and priority should be given to existing regional institutions. In view of the funding limitations, voluntary contributions should continue, but it was imperative for the Programme to receive predictable funding from the regular budget.

18. **Mr. Kirk** (Ireland) said that his delegation thanked the Advisory Committee for assisting the Secretary-General in the exercise of the functions entrusted to him by the General Assembly in relation to the Programme of Assistance. Although the Programme was now being funded under the regular budget, his delegation strongly encouraged all Member States to consider providing voluntary contributions, as they were clearly still needed. Ireland believed that better knowledge of international law could help to promote the principles and purposes of the Charter, in particular international peace and security and friendly relations among States. It considered the Programme a core component of the United Nations and provided support to the Programme through recurrent voluntary contributions.

19. The regional courses in international law were an important resource to improve national capacities in developing countries and allow young professionals to develop their legal knowledge and build a network of contacts. The International Law Fellowship Programme provided valuable training on a broad range of topics while promoting the sharing of experiences and ideas

between legal professionals, in particular from developing countries and countries with emerging economies. The Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea helped to disseminate specialized knowledge of oceans and maritime law.

20. The Audiovisual Library was an invaluable resource that extended the scope and reach of the Programme of Assistance through its Lecture Series. His delegation acknowledged the ongoing efforts to broaden the linguistic and geographical diversity of contributors to the Series and supported the development of a modern, user-friendly website to encourage greater use of the Library and to reach a wider audience.

21. **Ms. Sao** (Mauritania) said that her delegation commended the Codification Division and the Office of Legal Affairs for their efforts regarding the International Law Fellowship Programme, the regional courses in international law, the preparation of publications, the Audiovisual Library and the website of the Programme of Assistance. It also thanked the Advisory Committee for its continued commitment and support. Since international law was an integral part of legal disciplines in all universities, States should make efforts to provide greater support to the Programme and increase activities for the teaching and dissemination of international law, in particular in areas of interest to practitioners from developing countries.

22. Her delegation was pleased that the International Law Fellowship Programme had been held in person in The Hague in 2023 and that 11 of the 21 participants had been women. However, there should be more geographical diversity among the teachers, particularly those from the African region. Her delegation urged all Member States to ensure that the activities of the Programme of Assistance were adequately funded through the regular budget and voluntary contributions.

23. **Mr. Hitti** (Lebanon) said that it was important to strengthen capacity-building in matters related to the law of the sea, in particular in the light of the Agreement under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, adopted in June 2023, and for the achievement of Sustainable Development Goal 14. His delegation commended the members of the Advisory Committee, the Office of Legal Affairs and the Codification Division for their role in supporting the activities of the Programme of Assistance.

24. As a member of the Advisory Committee, Lebanon attached particular importance to the Programme, which helped to promote the purposes and principles of the

Charter, the peaceful settlement of disputes and the Sustainable Development Goals. His delegation was pleased to note that four training programmes had been held in person for the first time since 2019, and thanked the host countries for their efforts in that regard. In-person training was essential; it promoted interactive debates, the exchange of opinions and lasting relationships. Online formats were useful and necessary but could hinder the participation of those with limited access to reliable, high-speed Internet. Nevertheless, it was important to learn from the impact of the COVID-19 pandemic and consider ways to strengthen the Programme, perhaps by developing online workshops to supplement in-person courses.

25. His delegation was pleased to note that 35 lectures had been recorded for the Audiovisual Library, 20 of which had been recorded off-site to increase the participation of speakers who were unable to travel regularly to New York. However, despite the considerable efforts and progress made by the Codification Division, the Library continued to be used mainly in developed countries. To support a wider and more inclusive dissemination of international law, publications had been distributed to universities and national training centres, and participants with limited access to the Internet from developing countries had received flash drives containing training materials.

26. His delegation stressed the importance of ensuring linguistic, geographical and legal diversity in the selection of speakers and lecturers for training programmes and wished to see more of them coming from North Africa and the Middle East. It also recognized the efforts made to promote gender parity among the faculty, lecturers and participants. The Programme must be more widely publicized; Member States, regional organizations, non-governmental organizations, lecturers, speakers and former participants could play a role in that regard.

27. His delegation reiterated the importance of funding the Programme's activities from the regular budget and welcomed the continued efforts of the Codification Division to increase the number of fellowships provided. It was also grateful to those Member States that had made voluntary contributions.

28. **Ms. Nze Mansogo** (Equatorial Guinea) said that her delegation thanked the Office of Legal Affairs, in particular the Codification Division, for its contributions to the continued implementation of the Programme of Assistance and welcomed the report of the Secretary-General (A/78/514), especially the update it provided on the work of the Advisory Committee. Ongoing training for lawyers, diplomats and judges, in

particular from developing countries, was the best way to foster respect for international law, promote the rule of law at the national and international levels, and strengthen international peace and security.

29. Her delegation was pleased that the International Law Fellowship Programme and the regional courses in international law had been successfully carried out with equitable geographical representation during the reporting period. It also commended the improvements made to the Audiovisual Library and welcomed the wide range of legal publications issued. Such efforts and good practices contributed to promoting greater access to and dissemination of international law in developing countries.

30. Her delegation thanked those States that had made financial or in-kind voluntary contributions to the Programme of Assistance and called for the Programme to continue to be funded from the regular budget.

31. **Mr. Panier** (Haiti) said that his delegation commended the outstanding work of the Codification Division in implementing the Programme of Assistance, which continued to provide an indispensable platform for capacity-building, in particular for developing countries like Haiti. Initiatives such as the regional courses in international law contributed greatly to the dissemination and understanding of international law. His delegation appreciated the Programme's inclusive approach, as it was open to a diverse group of countries and endeavoured to ensure balanced gender representation.

32. As a beneficiary of the Programme, Haiti reiterated its commitment to work hand in hand with the United Nations and other Member States to promote the understanding and implementation of international law. It also called for better cooperation and continued support for the sustainability and expansion of the Programme, because it helped inter alia to ensure equal opportunities on the international scene, strengthen national capacities, and promote peace and security and the values of the United Nations.

33. *Mr. Chindawongse (Thailand) took the Chair.*

34. **Ms. Rios** (Plurinational State of Bolivia) said that her delegation commended the Office of Legal Affairs, in particular the Codification Division, for its efforts to implement the Programme of Assistance, especially the regional courses in international law and the International Law Fellowship Programme. It was important to maintain gender equity and a regional balance in the programmes offered. The Audiovisual Library also played an important role, as it was accessible to all Member States and contained materials

in various languages and from different sources of law. In line with the International Decade of Indigenous Languages, her delegation suggested that publications be produced in Indigenous languages with a view to improving the knowledge of international law for a group that had historically been excluded from it.

Agenda item 82: Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (A/78/33, A/78/114 and A/78/296)

35. **Mr. Maniratanga** (Burundi), Chair of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, introducing the Special Committee's report (A/78/33), said that the Special Committee had met in New York from 21 February to 1 March 2023 and had continued its deliberations on the questions mandated by the General Assembly in its resolution 77/109. However, the Special Committee had been able to adopt only one chapter of its report, which was entirely procedural.

36. With regard to the maintenance of international peace and security, the Special Committee had considered the question of the introduction and implementation of sanctions imposed by the United Nations. It had also continued its consideration of the revised proposal submitted by Libya with a view to strengthening the role of the United Nations in the maintenance of international peace and security; the further revised working paper submitted by Belarus and the Russian Federation on an advisory opinion to be requested from the International Court of Justice as to the legal consequences of the use of force by States without prior authorization by the Security Council, except in the exercise of the right to self-defence; the revised working paper submitted by Cuba on the strengthening of the role of the Organization and enhancing its effectiveness: adoption of recommendations; and the revised working paper submitted by Ghana on strengthening the relationship and cooperation between the United Nations and regional arrangements or agencies in the peaceful settlement of disputes.

37. With regard to the question of the peaceful settlement of disputes, the Special Committee had focused its discussions on the subtopic "Exchange of information on State practices regarding the resort to regional agencies or arrangements". It had also considered the proposal by the Russian Federation that the Secretariat be requested to establish a website dedicated to the peaceful settlement of disputes and to update the *Handbook on the Peaceful Settlement of Disputes between States*.

38. The Special Committee had considered the preparation of the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* and had received a briefing by the Secretariat on the status of the *Repertory* and the *Repertoire*. It had also considered its working methods and had continued its discussion of three written proposals for new subjects submitted in previous sessions by Mexico, the Islamic Republic of Iran and the Syrian Arab Republic, as well as the proposal made orally by Cuba in 2019 concerning the role of the General Assembly. The delegation of the Russian Federation had indicated its intent to prepare a list of topics for consideration at the next session of the Special Committee.

39. Regarding the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*, the Bureau of the Special Committee had recommended that the Sixth Committee retain its previous recommendations to the General Assembly, as contained in paragraphs 11 to 17 of the Assembly's resolution 77/109. Although the Special Committee had not adopted those recommendations, they had enjoyed general agreement. The Special Committee had not recommended a subtopic for the annual thematic debate at the 2024 session, since paragraph 5(b) of resolution 77/109 already contained a list of subtopics for future debates. He hoped that the Special Committee would be able to adopt its regular report at its 2024 session.

40. **Ms. Montejo** (Security Council Practices and Charter Research Branch, Department of Political and Peacebuilding Affairs), reporting on the status of the *Repertoire of the Practice of the Security Council* and related activities, said that the Security Council Practices and Charter Research Branch had continued to make significant progress on the preparation of the *Repertoire*. With the exception of parts I and VI, the twenty-fifth Supplement had been completed and posted on the Council's website, as scheduled, and the final parts would be completed in the coming weeks. Work had also begun on the twenty-sixth Supplement, covering 2023, the advance version of which would be made available in the second quarter of 2024. All Supplements covering the period 1989–2020 were available in hard copy in English and online in all six official languages. The twenty-fourth Supplement, covering 2021, had been published in English in July 2023 and would be available in the other official languages in the second quarter of 2024.

41. The Branch had continued to enhance data collection and analysis and explore innovative ways to present the work of the Council. The 2022 edition of *Highlights of Security Council Practice* featured an

expanded analysis of trends in the work of the Council and the monthly newsletter entitled “UN Security Council in Review” contained real-time analyses of the procedural and substantive developments in the Council.

42. With the support of Japan, the Branch had launched the *Interactive Handbook on the Working Methods of the Security Council*, which had been developed in collaboration with Albania, Kuwait and Saint Vincent and the Grenadines. The *Interactive Handbook* contained information about the working methods of the Council on a single web page, along with a topical index and a search engine, with a view to contributing to a better understanding of and further enhancing those methods. The Branch had further enhanced its advisory role for both Council members and other Member States, providing information and conducting research on various aspects of the procedural and substantive practice of the Council and continuing to engage in outreach programmes to make Member States, particularly the incoming elected members, familiar with its work.

43. The timely publication of the *Repertoire of the Practice of the Security Council* would not have been possible without the contributions of Member States to the trust fund for the updating of the *Repertoire*. The trust fund had enabled the Branch to hire temporary staff and bring in volunteers to assist in research and drafting of the publication and to provide editorial and technological expertise. It had also been critical in eliminating the decades-long publication backlog. The Branch thanked Albania, China, France, Ireland, Japan, Mexico, Norway, Switzerland and the United Arab Emirates for their contributions to the trust fund, as well as Germany for its forthcoming sponsorship of a Junior Professional Officer position in the Security Council Affairs Division. Contributions had been used on a rolling basis to fund temporary staff positions in accordance with specific objectives set each year. The Branch would launch a new appeal to replenish the trust fund in 2024.

44. Despite the generous contributions from Member States, the funding received since 2021 had not met the targets set in the appeals and was insufficient to ensure a sustainable long-term strategy to maintain the schedule of the *Repertoire* and avoid a backlog. Predictable and sustained budgetary support was essential for progress and the timely fulfilment of the Branch’s mandate. Member States were encouraged to visit the website of the Security Council and reach out to the Branch to learn more about the various resources available.

45. **Mr. Llewellyn** (Director of the Codification Division, Office of Legal Affairs), reporting on the status of the *Repertory of Practice of United Nations Organs*, said that further details on the status of the *Repertory* were available in part II of the report of the Secretary-General (A/78/296), and his full statement was available on the Committee’s website. In an effort to address the backlog in the preparation of volume III of the *Repertory*, the Codification Division had prepared several studies with the assistance of the University of Ottawa. With regard to Supplement No. 11 (2010–2015), one study had been prepared on Article 15 for volume II and two for volume III, in addition to one on Article 24 and one on Article 25. Studies had also been completed for Supplement No. 12 (2016–2020), covering Article 15 for volume II; Articles 36, 40, 42 and 54 for volume III; and Articles 92 and 99 for volume VI. As a result, six ongoing studies were contributing to reducing the backlog of volume III.

46. Three consultants had also been recruited to complete the research and drafting of four studies: one on Article 19 for Supplement No. 11, two on Article 103 for Supplements Nos. 11 and 12, and one on Article 13, paragraph 1 (a) for Supplement No. 12. The studies on Article 103 had been submitted to the Office of Legal Affairs for finalization, and an advance copy was available on the *Repertory* website. A study on Articles 104 and 105 for Supplement No. 11 remained under review by the Office of Legal Affairs. The Codification Division was grateful to the University of Ottawa and Korea University for their invaluable support.

47. In response to the appeal of the General Assembly for States to consider sponsoring associate experts to work on the *Repertory*, one delegation from the African region had requested information on the programme. He urged Member States to contribute to the trust fund for the elimination of the backlog in the *Repertory*, whose balance had stood at \$78,364 as at 30 June 2023. He noted that no contributions had been received during the period under review and thanked the Philippines for its subsequent generous contribution. In view of the importance of geographical diversity in contributors, he reiterated his appeal to delegations to raise interest among academic institutions in their countries or regions about participating in the preparation of studies.

48. **Ms. Ershadi** (Islamic Republic of Iran), speaking on behalf of the Movement of Non-Aligned Countries, said that the Special Committee should play a key role in the ongoing United Nations reform process, as mandated by the General Assembly in its resolution 3499 (XXX). As the negotiation and adoption of the Manila Declaration on the Peaceful Settlement of International Disputes had demonstrated, the Special

Committee had the potential to clarify and promote general international law and the provisions of the Charter. It had also been instrumental in the preparation of the *Handbook on the Peaceful Settlement of Disputes between States*, which needed to be updated in the light of new developments and State practice.

49. The United Nations was the central and indispensable forum for addressing 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. The Non-Aligned Movement attached great importance to strengthening the role of the United Nations and recognized the efforts being made to develop its full potential.

50. The Non-Aligned Movement remained concerned that the Security Council continued to encroach on the functions and powers of the General Assembly and the Economic and Social Council by addressing issues that fell within the competence of the latter organs and by attempting to set norms and establish definitions in areas that came within the purview of the General Assembly. The Organization should be reformed in accordance with the principles and procedures established by the Charter and in keeping with its legal framework. The Special Committee could contribute to the examination of legal matters in that process.

51. In the Special Committee, Member States received briefings from the Secretariat on all aspects of the introduction and implementation of sanctions imposed by the United Nations, in accordance with the annex to General Assembly resolution 64/115. In those briefings, it was important to maintain the comprehensive and balanced approach to the issue of United Nations sanctions reflected in that annex. In particular, the Non-Aligned Movement was interested to hear more about perceived objective assessments by the Security Council's sanctions committees of the short-term and long-term socioeconomic and humanitarian consequences of sanctions and the methodology used to assess their humanitarian implications. It also expected to hear information on the humanitarian consequences of the introduction and implementation of sanctions affecting the basic living conditions of the civilian population of a target State and its socioeconomic development and on third States that had suffered or might suffer as a result of the implementation of sanctions. The Secretariat should develop its capacity to assess the unintended side effects of sanctions.

52. Sanctions imposed by the Security Council remained an issue of serious concern to the members of the Non-Aligned Movement. The imposition of

sanctions should be considered as a last resort and only when there was a threat to international peace and security or an act of aggression, in accordance with the Charter. Sanctions were not applicable as a preventive measure in all instances of violation of international law, norms or standards. They were blunt instruments, the use of which raised fundamental ethical questions as to whether the suffering inflicted on vulnerable groups in the target country was a legitimate means of exerting political pressure.

53. The purpose of sanctions was not to punish or otherwise exact retribution on the population. Sanctions regimes should avoid unintended consequences in the target State or third States that might lead to violations of human rights and fundamental freedoms; they should not hinder humanitarian assistance from reaching the civilian population. The objectives of sanctions regimes should be clearly defined and based on tenable legal grounds, and their imposition should be for a specified time frame. They should be lifted as soon as the objectives were achieved. The conditions demanded of the State or party on which sanctions were imposed should be clearly defined and should be subject to monitoring and periodic review. The Movement also expressed its deep concern at the imposition of laws and coercive economic measures, including unilateral sanctions, against developing countries, which violated the Charter and undermined international law and the rules of the World Trade Organization. The Movement called upon countries that imposed unilateral sanctions to put an end to such sanctions immediately.

54. The Non-Aligned Movement supported all efforts to promote the peaceful settlement of disputes on the basis of international law and the Charter; the annual thematic debates on the means for the settlement of disputes was the result of an initiative of the Movement. In 2023, the Special Committee had held a constructive debate on State practices regarding the resort to regional agencies or arrangements, and the Movement looked forward to discussing other means of dispute settlement. Such annual thematic debates could contribute to the more efficient and effective use of peaceful means of dispute settlement and promote a culture of peace among Member States. Moreover, once the Special Committee had exhausted discussions on all the means of dispute settlement under Article 33 of the Charter, the inputs and materials collected for that purpose could provide a valuable basis for further deliberations and the achievement of concrete and result-oriented outcomes.

55. The Movement was concerned about the reluctance of some Member States to engage in meaningful discussion of proposals on the maintenance of peace and security and the peaceful settlement of

disputes. It reiterated the need for genuine political will to advance the long-standing issues on the Special Committee's agenda and invited Member States to submit practical new proposals. The Special Committee should redouble its efforts to examine proposals relating to the Charter and to strengthening the role of the United Nations. The Movement stood ready to engage in discussions with other groups on the establishment of a work programme for the Special Committee with a view to facilitating future discussions aimed at enhancing the ability of the United Nations to achieve its purposes.

56. The Non-Aligned Movement took note of the progress made by the Secretariat in updating both the *Repertory* and the *Repertoire*. However, it noted with concern that the backlog in the preparation of volume III of the *Repertory* had not been eliminated, and therefore called on the Secretary-General to address the issue as a matter of priority. It also welcomed the availability of the *Repertory* and the *Repertoire* on regularly updated dedicated websites.

57. **Mr. Ikondere** (Uganda), speaking on behalf of the Group of African States, said that, while the current report of the Special Committee (A/78/33) did not reflect the extent of its deliberations, the Group was confident that the Special Committee would be able to continue its important work in 2023. The Special Committee had the potential to play an important role in the United Nations, but its working methods and its tendency to let ideological battles take precedence over legal analysis had limited its impact. The Special Committee should continue its in-depth consideration of the proposals on its agenda, several of which merited careful scrutiny and would be examined constructively by the Group. It should also consider how to strengthen its own role while ensuring respect for the mandate of each organ of the United Nations.

58. The Group appreciated the Special Committee's consideration of the question of peaceful settlement of disputes and wished also to highlight the equally important role of preventive diplomacy in conflict prevention, the peaceful settlement of disputes and the promotion of a culture of peace. Given that the peaceful settlement of disputes was one of the fundamental pillars of the work of the United Nations, it welcomed the Special Committee's willingness to continue to analyse all the means set forth in that regard in Article 33 of the Charter.

59. The Manila Declaration on the Peaceful Settlement of International Disputes was among the major achievements of the Special Committee and had contributed to a better understanding and promotion of international law and the Charter. The Group hoped that

the Declaration would encourage delegations to revisit the means of peaceful settlement set forth in the Charter.

60. **Mr. Guerra Sansonetti** (Bolivarian Republic of Venezuela), speaking on behalf of the Group of Friends in Defence of the Charter of the United Nations, said that the principles of the Charter, including those of self-determination, sovereign equality, non-intervention in the internal affairs of States, and the obligation to refrain from the use or threat of use of force against the territorial integrity or political independence of any State, were as relevant in 2023 as they had been in 1945. Strict adherence to both the letter and the spirit of the Charter was fundamental to the implementation of the three pillars of the United Nations, as well as the establishment of a more peaceful and prosperous world and a truly just and equitable world order.

61. The Group reiterated its concern about the growing threats to the Charter arising from the policies of certain Governments seeking to exercise domination over independent and sovereign States, including through the use of modern neocolonial practices. Rising unilateralism, attacks on multilateralism, unfounded claims of exceptionalism, attempts to ignore the purposes and principles of the Charter or even to replace them with a new set of "rules" that had never been discussed in an inclusive or transparent manner, and selective or accommodative interpretations of its provisions, were matters of deep concern, since they fuelled global uncertainty, instability and tensions around the world.

62. The Special Committee could play an active and constructive role in enhancing the ability of the United Nations to achieve its purposes. The Group was therefore concerned by the unwillingness of some Member States to engage in any significant discussion of proposals that had been submitted to the Special Committee. It appealed to those States to demonstrate the political will required to enable the Special Committee to fulfil its mandate. In particular, there was an urgent need to make progress on the proposed guidelines on ways and means to prevent, remove, minimize and redress the adverse impacts of unilateral coercive measures. Such cruel, illegal and inhumane measures flagrantly violated the Charter and the most basic norms of international law and had an impact on the daily lives of over one third of the world's population. Member States therefore had a moral obligation to work together to minimize their negative impact, if not eliminate them entirely.

63. **Mr. Dunbar** (Saint Vincent and the Grenadines), speaking on behalf of the Community of Latin American and Caribbean States (CELAC), said that the fulfilment

of the Special Committee's mandate depended on the political will of Member States and on full implementation and optimization of its methods of work. Given the important functions of the Special Committee, Member States must make genuine efforts to that end by establishing a solid thematic agenda based on existing and newly identified topics that would permit optimal use of the resources assigned to the Special Committee by the General Assembly.

64. CELAC reiterated the importance of the obligation to settle disputes by peaceful means and recalled that the Charter provided the basic framework in that regard. It was important in that context for the Special Committee to continue its work on all issues relating to the maintenance of international peace and security as a contribution to strengthening the role of the United Nations. CELAC therefore welcomed the Special Committee's recommendation to undertake a thematic discussion under the item "Peaceful settlement of disputes", in order to examine the means of settling disputes under Chapter VI of the Charter and in accordance with the Manila Declaration on the Peaceful Settlement of International Disputes.

65. CELAC considered the question of the sanctions imposed by the United Nations, including due process, to be also of interest to the entire membership. CELAC therefore reiterated that, for sanctions to be effective and contribute to the maintenance of international peace and security, they must be enforced in accordance with the Charter and with other norms of international law. In particular, they must be based on reasonable evidence and comply with due process standards. When designing sanctions regimes, the Security Council must bear in mind the need to avoid unintended adverse consequences for the civilian population, including the potential humanitarian impact, such as on the availability and cost of food and energy resources. CELAC underlined the relevance of the document entitled "Introduction and implementation of sanctions imposed by the United Nations" annexed to General Assembly resolution 64/115 and called upon the Security Council to take it into account in its methods of work.

66. Furthermore, and in accordance with General Assembly resolution 67/96, the question of the implementation of the provisions of the Charter on assistance to third States affected by the application of sanctions under Chapter VII should continue to be considered, along with the proposals submitted thereon. Although no State had yet requested such assistance, it did not follow that the issue should be taken off the Special Committee's agenda. CELAC noted that in most cases, the Security Council had granted exceptions in

order to allow States to request an authorization of access to frozen funds for a variety of basic and extraordinary expenses.

67. CELAC welcomed the further revised working paper submitted by Mexico (A/AC.182/L.159) to discuss the application of Article 51 and supported its inclusion on the Special Committee's agenda for its 2024 session. The reports of the Secretary-General recognized the critical roles played by the General Assembly and the Economic and Social Council in mobilizing and monitoring, as appropriate, the economic assistance provided by the international community and the United Nations system to the third States affected by the application of sanctions. Also important in that regard was the work of the Secretariat in continuing to monitor and evaluate information relating to the economic and social problems in such third States, in order to offer solutions and evaluate requests made by those States to the Security Council under Article 50 of the Charter.

68. CELAC recognized the notable contribution of the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* to international law and to the international system, the work of the Secretariat in updating those important documents, and the efforts and progress made regarding the incorporation of the *Repertory* volumes in the United Nations website. CELAC appreciated the progress made in recent years concerning the backlog of the *Repertoire* and called for greater efforts to close the existing gap. It was grateful to those Member States that had contributed to the trust fund.

69. CELAC was concerned that the Special Committee had been unable to adopt its full report owing to a lack of consensus among its members during its previous two sessions and therefore urged all Member States to resume the normal practice at its 2024 session. Lastly, CELAC reaffirmed its responsibility concerning the revitalization of the work of the Special Committee to enable it to effectively discharge its mandate as an organ of the General Assembly.

70. **Ms. Popan** (Representative of the European Union, in its capacity as observer), speaking also on behalf of the candidate countries Bosnia and Herzegovina, the Republic of Moldova, Serbia and Ukraine, and, in addition, Georgia, Liechtenstein, Monaco and San Marino, said that the European Union welcomed the annual briefing on United Nations sanctions. It did believe, however, that sanctions must be implemented in full compliance with international law, in particular international human rights law and international humanitarian law. They must be fair and

clear and imposed with due respect for the rights of listed persons, including due process rights. Being fully committed to preserving the humanitarian space, the European Union welcomed the adoption of Security Council resolution 2664 (2022), which introduced a humanitarian exemption to asset freeze measures, and the inclusion of the reference to the Ombudsperson in resolution 2653 (2022) on Haiti, which was a step towards strengthening due process rights beyond the ISIL (Da'esh) and Al-Qaida sanctions list.

71. The European Union had been pleased to participate in the thematic debate on the resort to regional agencies or arrangements and looked forward to discussing other peaceful means of dispute settlement at the 2024 session of the Special Committee. There was merit in discussing non-political topics that did not duplicate discussions held elsewhere in the United Nations. The European Union was disappointed that, for the second consecutive year, the Special Committee had been unable to adopt a substantive report owing to one delegation's opposition to put on record what had been discussed during the meetings.

72. **Ms. Kupradze** (Georgia), speaking also on behalf of the Republic of Moldova and Ukraine, said that the three countries were disappointed that the Special Committee had once again been unable to adopt a substantive report in 2023 because one delegation had refused to allow the discussions to be reflected in the report. The delegation of the Russian Federation had abused the consensual practice of adopting reports paragraph by paragraph by excluding all the paragraphs that constituted the vital part of the report and were essential to the three countries, in violation of the principles and guidelines for international negotiations set out in General Assembly resolution 53/101.

73. What the world was witnessing in Ukraine was a repetition of the aggressive policy that had begun in Georgia and the Republic of Moldova in the early 1990s and had continued with the full-scale military aggression against Georgia in 2008 and attempts to forcibly change the borders of a sovereign State in Europe and subsequent occupation of the Abkhazia and Tskhinvali regions of Georgia. It was therefore clear that impunity encouraged further violations of the Charter. Despite mediation and diplomatic and judicial efforts, Russian military troops remained illegally stationed in the territories of Georgia and the Republic of Moldova. In addition, since 2014, the Russian Federation had been increasing its military presence in Ukraine, and had carried out an unjustified, unprovoked and premeditated full-scale military aggression in February 2022, while presiding over the Security Council.

74. Since the beginning of the Russian aggression in February 2014, Ukraine had done its utmost to have the conflict resolved by legal means, in particular through the International Court of Justice and ad hoc arbitration. Ignoring the Court's order of 19 April 2017, the Russian Federation had launched a new wave of full-scale military aggression against Ukraine on 24 February 2022, trampling on the principles of the Charter. It was no surprise that the Russian Federation had also ignored the Court's order of 16 March 2022 in the case concerning allegations of genocide, in which it had ordered the Russian Federation to immediately suspend its so-called military operations. The attempted illegal annexation of the Donetsk, Kherson, Luhansk and Zaporizhzhia regions of Ukraine by the Russian Federation was a serious aggravation of the dispute under the Convention on the Prevention and Punishment of the Crime of Genocide and one more violation of the Charter and international law.

75. At its eleventh emergency special session, the General Assembly had adopted six resolutions that demonstrated the overwhelming support of Member States for the sovereignty, territorial integrity and political independence of Ukraine and the principles of the Charter and underlined the need to reach a comprehensive, just and lasting peace in Ukraine. Although Ukraine continued to exercise its right to self-defence in order to repel the aggression and liberate its territories, it remained committed to using all available legal means to hold the aggressor State accountable.

76. The Russian Federation was continuing its illegal occupation of Georgian territory and its illegal military presence in the occupied Georgian regions of Abkhazia and Tskhinvali. It was also intensifying the annexation process in both regions, installing barbed wire fences and other artificial barriers along the occupation line, continuing its illegal detention and kidnapping of Georgian citizens, closing the occupation line and restricting freedom of movement, thus creating dire security, humanitarian and human rights situations on the ground. Statements regarding the deployment of a Russian naval base in the occupied region of Abkhazia further exacerbated the volatile security environment in both Georgia and the wider Black Sea region.

77. Nevertheless, Georgia continued to pursue a policy of peaceful conflict resolution based on de-occupation of those regions and reconciliation and confidence-building between the communities divided by the occupation. It also remained committed to addressing the situation peacefully, including through the Geneva International Discussions and the Incident Prevention and Response Mechanism. Georgia would also continue to seek judicial remedy and in that context,

wished to recall the landmark ruling of 21 January 2021 of the European Court of Human Rights, in which the Court had ruled that the Russian Federation had exercised effective control over the regions in question during and after the August 2008 war and was therefore responsible for the massive human rights violations committed there.

78. On 7 March 2023, the Court had ruled that the Russian Federation had also exercised effective control over the region of Abkhazia even before the August 2008 war and was fully responsible for the human rights violations there. Furthermore, in 2022, the International Criminal Court had concluded its investigation on the situation in Georgia and had issued arrest warrants against the representatives of the illegal occupation regime in connection with war crimes committed during the military aggression of 2008 and had uncovered the alleged role of a senior Russian military officials in that regard.

79. The Republic of Moldova continued to seek a negotiated solution for the withdrawal of the Russian troops stationed on its territory since 1993, while preserving peace across the country, including in its breakaway Transnistrian region. The Republic of Moldova reiterated its call for the demilitarization of the region, including the complete, unconditional and immediate withdrawal from its territory of the Russian troops stationed there illegally and the removal and destruction of the ammunition from the Cobasna stockpile. It also emphasized the commitments made by the Russian Federation at the Summit of the Organization for Security and Cooperation in Europe held in Istanbul in 1999 to withdraw its military forces and armaments from the territory of the Republic of Moldova.

80. The United Nations should continue to take concrete actions and decisions to respond to threats to international peace and security as long as the people of Georgia, the Republic of Moldova and Ukraine remained under threat and suffered from the use of force against their sovereignty, territorial integrity and political independence. The adoption of a comprehensive report of the Special Committee was key to addressing the violations of the Charter and upholding the efforts for a peaceful settlement of disputes.

81. **Ms. Patton** (United States of America) said that her delegation had participated in the Special Committee's annual thematic debate on the resort to regional agencies or arrangements as a means of peaceful settlement of disputes, focusing its remarks on the increasingly significant role that regional

organizations had played in securing peace, preventing disputes from escalating into violence and serving as potential source of compliance frameworks, including for human rights, international humanitarian law and trade.

82. Carefully targeted sanctions adopted by the Security Council remained a vital instrument in furtherance of the Council's mandate to maintain international peace and security. Her delegation therefore continued to support international engagement on their implementation. Sanctions imposed directly by Member States outside the framework of the United Nations remained an appropriate, effective and legitimate foreign policy tool, enabling States to address threats to national security and issues of international concern, such as human rights abuses. The United States had taken concrete action to minimize the unintended consequences of sanctions, including advancing, in collaboration with Ireland, the landmark Security Council resolution [2664 \(2022\)](#), which had created a carveout for humanitarian efforts in all United Nations sanctions regimes.

83. With respect to new subjects for consideration by the Special Committee, her delegation continued to believe that the Special Committee should welcome proposals that were practical, non-political and non-duplicative. It regretted that the Special Committee was being used as a forum for airing disputes that would be more productively addressed through bilateral engagement or in other forums of the United Nations.

84. Regrettably, the Special Committee had once again been unable to adopt a substantive report accurately memorializing the contributions and deliberations of Member States, owing largely to one delegation's continued refusal to approve wording that accurately characterized the denunciations made by Member States of acts that violated the Charter, which the Special Committee was tasked to uphold. While it was natural for Member States to disagree on important matters before the Special Committee, the integrity of the historical record and the continuity of the Special Committee's work required such divergent positions to be accurately and clearly indicated. Her delegation called for a return to the well-established tradition of accurately representing the exchange of views by Member States.

85. **Mr. Evseenko** (Belarus) said that the issue of sanctions was an important item on the Special Committee's agenda. While they could be imposed in exceptional circumstances, based on the Charter and international law, as an extreme measure to influence a State, sanctions should not be indiscriminate or punitive

or cause suffering for vulnerable groups. The Special Committee's annual thematic debate on the means for the settlement of disputes facilitated a more effective and productive use of such means and contributed to creating a culture of peace among Member States. His delegation advocated further consideration of peaceful means of dispute settlement, including those referenced in Article 33 of the Charter.

86. Despite the politicization of its work, which had impeded progress on certain issues, the Special Committee continued to be one of the few platforms for discussing important issues related to the interpretation of the Charter and the introduction of amendments thereto. The outcomes of its discussions could serve more than an academic purpose if they were adopted as legal practice by States. His delegation's full statement would be made available to the Secretariat for posting on the Sixth Committee's website.

87. **Mr. Arrocha Olabuenaga** (Mexico) said that, in accordance with its mandate, established by the General Assembly in its resolution 3499 (XXX), the Special Committee was entrusted with the task to examine in detail the observations received from Governments concerning suggestions and proposals regarding the Charter with regard to the maintenance and consolidation of international peace and security. Accordingly, Mexico had submitted a proposal for an analysis on the application of Article 2, paragraph 4, and Article 51 of the Charter, contained in document [A/AC.182/L.159](#). Although the proposal was fully in line with General Assembly resolution 77/109 and with the Special Committee's mandate, some States had once again prevented its inclusion in the Special Committee's programme of work.

88. At the same time, political differences had prevented the adoption of the Special Committee's full annual report for a second straight year. The abuse of the practice of consensus sent a negative message to the international community about the relevance of the Special Committee's work and the importance of its discussions. His delegation hoped that the trend could be reversed at the 2024 session of the Special Committee. The proposal submitted by Mexico was meant to encourage a technical and legal discussion, rather than a political one, and contained the call for the creation of a repository of Member State positions on the operation, scope and limits of the right to self-defence, which was an issue of general interest.

89. Given the current challenges to international peace and security, it was more relevant and necessary than ever to create a space in which all Member States could share their views on the recent practice affecting the

interpretation of Article 51 in the context of the use of force, including against non-State actors such as terrorist groups, and the precedent that could be established for future cases.

90. **Ms. Lito** (United Kingdom) said that, as a subsidiary body of the General Assembly established to discuss the maintenance of international peace and security in all its aspects, the Special Committee must abide by the decisions of the General Assembly, including those related to the invasion of Ukraine, which involved the most serious breach of the Charter by the Russian Federation. It was therefore unfortunate that the Special Committee had once again been unable to reach consensus on the adoption of its full annual report.

91. **Mr. Skachkov** (Russian Federation) said that his delegation played an active role in the work of the Special Committee and in the effort to enhance its effectiveness. Unfortunately, many specialized, legal issues on the agenda were blocked year after year by the same delegations for purely political reasons. Those delegations, whose actions were responsible for the stagnation of the Special Committee's work, then turned around and complained about its supposed lack of effectiveness and sought to shorten the duration of its sessions, and even to have the Special Committee move to a biennial schedule. The Russian Federation did not support that approach.

92. The best way to increase the Special Committee's effectiveness would be to finally hold substantive discussions on the useful and relevant initiatives aimed at resolving the pressing legal issues facing the United Nations in its work concerning the peaceful settlement of disputes and the maintenance of international peace and security. Those initiatives included several initiatives proposed by the Russian delegation, either independently or together with other delegations. A case in point was the proposal to update the *Handbook on the Peaceful Settlement of Disputes* between States and to create a dedicated website on the peaceful settlement of disputes between States using existing resources.

93. The Special Committee could also consider the proposal submitted by the Syrian Arab Republic regarding the privileges and immunities of representatives of Member States and the abuse of its status by the host country, which grossly and consistently violated its obligations by seizing diplomatic property, refusing to issue entry visas to delegates and restricting the movement of employees of permanent missions and United Nations staff members on the basis of nationality. The issue was not about bilateral disagreements but about practices that violated the rights and interests of the Organization as a whole.

Discrimination against the representatives of individual States violated the fundamental principles of the United Nations, such as the sovereign equality of States, and impeded the fulfilment of international obligations.

94. The issue of sanctions was of particular importance. The impact of unilateral coercive measures, including their negative humanitarian consequences, could far exceed that of sanctions imposed by the Security Council. The indiscriminate nature of such measures caused significant suffering in third States. His delegation therefore advocated a comprehensive discussion on the proposal submitted by the Islamic Republic of Iran concerning the development of guidelines on ways and means to prevent, remove, minimize and redress the adverse impacts of unilateral coercive measures.

95. A number of promising issues on the horizon that were of interest to delegations fell under the purview of the Special Committee, including the monitoring of the implementation of Security Council resolutions, the fight against attempts to abuse the procedures of international courts in order to achieve short-term political goals, and the arbitrary broadening of the mandate of international investigation authorities. Another issue worth considering concerned the status and participation of non-governmental organizations in the work of United Nations bodies. Despite their self-proclaimed status as representatives of civil society as a whole, in practice, those organizations acted only in the interests of the “golden billion”, whose members had excess resources that they could direct to “lobbying” activities. Developing countries could hardly afford such luxury.

96. His delegation deeply regretted that the Special Committee had once again been held hostage by individual delegations that had attempted to include their politicized statements in the traditionally neutral text of the Special Committee’s report and had thereby foiled its adoption for the second year in a row. Political discussions had no place in the Special Committee or the Sixth Committee. His delegation hoped that all participants would take a more constructive approach at the 2024 session of the Special Committee.

97. **Mr. Khaddour** (Syrian Arab Republic) said that it was regrettable that some Member States continuously attempted to undermine the Special Committee by politicizing its work, leading to the adoption of only a condensed report for the second consecutive year. Those States had abused the principle of consensus by insisting on the inclusion of politicized paragraphs in the report, completely ignoring the mandate of the Special Committee to present a report that reflected an objective

account of the proposals and discussions undertaken by Member States.

98. The Special Committee should consider the proposals submitted by Member States, including the joint proposal of the Russian Federation and Belarus to request an advisory opinion from the International Court of Justice as to the legal consequences of the resort to the use of force by States without prior authorization by the Security Council, except in the exercise of the right to self-defence; the working paper submitted by Mexico, entitled “Analysis of the application of Article 51, in the light of its interrelation with Article 2 (4) of the Charter of the United Nations”; the proposal submitted by the Islamic Republic of Iran concerning the development of guidelines on ways and means to prevent, remove, minimize and redress the adverse impacts of unilateral coercive measures; and the proposal submitted by his delegation to consider the issue of privileges and immunities enjoyed by representatives of Member States and officials of the Organization that were necessary for the regular exercise of their functions. Such proposals affirmed the importance of guaranteeing the purposes and principles of the United Nations, with full respect for the Charter.

99. His delegation therefore hoped that the Special Committee would hold comprehensive and constructive discussions on them and produce an objective report at its 2024 session.

100. Some actors pursued policies with malicious intent to set aside the Charter by putting forward non-consensual concepts and establishing destructive precedents that ran counter to the purposes and principles of the Charter. As an alternative to an international system based on the Charter, they offered a rules-based system, which undermined security, stability and trust in international relations. Such attempts directly threatened the principles of sovereign equality, security and territorial integrity.

101. It was therefore paramount to support the work of the Special Committee, as it was the only forum in which to defend the Charter. The Special Committee also provided a framework for maintaining multilateralism in the face of unilateralism and arbitrary interpretations of international law and for addressing the attempts of some States to use the United Nations mechanisms to achieve their own political agendas at the expense of others. His delegation commended the Group of Friends in Defence of the Charter of the United Nations and its efforts to uncover attempts to violate or misinterpret the Charter.

102. **Mr. Mohammed** (Sudan) said that the use of sanctions by the Security Council raised ethical and

moral questions regarding their legitimacy, in particular, whether they were used to exert political pressure or punish a given population. To avoid any unintended impact on the target country, sanctions regimes must have clearly defined objectives and tenable legal grounds. They should be imposed for a specific time frame and lifted as soon as the objectives were achieved. Furthermore, the conditions demanded of the targeted States should be clear and subject to periodic review.

103. His delegation supported the international and regional efforts to promote the peaceful settlement of disputes. The role of the International Court of Justice should be strengthened. His delegation stressed the importance of the Manila Declaration on the Peaceful Settlement of International Disputes as a comprehensive framework for peaceful settlement and supported the position of the Non-Aligned Movement on the importance of ensuring that peaceful settlement was a focus of the Special Committee's annual deliberations.

104. His delegation applauded the Secretariat for the progress made in updating and addressing the backlog in the publication of the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*. The Secretariat should continue its efforts to publish both instruments in all the official languages and provide additional information on the United Nations website. The Special Committee should play an important role in the United Nations reform process, and its capacity must be strengthened so that it could have a greater impact in its areas of work.

105. **Mr. Al-Marri** (Qatar) said that the Special Committee played an important role in promoting and clarifying international law and the Charter and supported the United Nations reform process. In order to reach consensus on the content of the Special Committee's annual report at the 2024 session, Member States must make a greater effort to overcome their differences. His Government attached great importance to the settlement of disputes by peaceful means and was a recognized mediator in regional and international disputes. The peaceful settlement of disputes was a long and difficult process; however, it was much less costly than war.

106. **Mr. Mora** (Cuba) said that the importance of the Special Committee's mandate was reaffirmed by the attempts of certain countries to reinterpret the Charter to promote their own agendas of political interventionism and interference in the internal affairs of States, in particular developing countries. The United States of America, for example, had imposed coercive unilateral measures on various States, including the economic, commercial and financial blockade against the people of

Cuba, merely for freely exercising their right to self-determination and giving themselves the political and social system that they preferred. It had furthermore interfered in the economic relations between Cuba and other countries.

107. As the appropriate forum for negotiating amendments to the Charter and formulating recommendations on its implementation, the Special Committee should encourage full discussion of any proposed resolutions, decisions or actions by United Nations organs with implications for the implementation of or compliance with the Charter. Unfortunately, the attempts to impede the work of the Special Committee had been even more tangible in 2023, as various delegations had adopted an aggressive and singular stance during the discussions on peaceful means of dispute settlement which had impeded the adoption of the remaining chapters of the Special Committee's report.

108. The initiatives that some Member States had been presenting for a number of years attested to the Special Committee's importance. The delegations criticizing the Special Committee for its lack of results forgot that they were the ones that systematically refused to discuss substantive proposals and made it difficult for any decision to be made. His delegation supported the Special Committee's current agenda and welcomed the proposals submitted by Belarus, the Russian Federation, Ghana, Mexico, the Syrian Arab Republic, the Islamic Republic of Iran and the Movement of Non-Aligned Countries. His delegation urged other delegations to study the proposal it had submitted with a view to reaching a consensus.

109. His delegation condemned the double standard applied by some countries to the work of the Special Committee, which was at the root of the unfortunate scenario that had played out during its 2023 session. All delegations should comply with the Special Committee's working methods and procedures and put them into practice in the future.

110. **Ms. Flores Soto** (El Salvador) said that, during the Special Committee's annual thematic debate on the means for the settlement of disputes, her delegation had shared its views on the ability of regional and subregional organizations to facilitate compromise between parties in the free choice of means of peaceful settlement of disputes. In that connection, the Special Committee should base its future discussions on Article 33 of the Charter and the Manila Declaration on the Peaceful Settlement of International Disputes, with a focus on other peaceful means chosen by the parties. Her delegation encouraged the Special Committee to

consider the list of other peaceful means included in General Assembly resolution 77/109 in an indicative and non-exhaustive manner, including exchange of information and communication, and implementation and compliance committees.

111. **Ms. Ijaz** (Pakistan) said that threats to peace, including the use or threat of use of force, foreign interventions and breaches of the right to self-determination, were increasingly prevalent. The ongoing tragedy in the State of Palestine was a distressing example of those challenges, made all the more poignant by the recent failure of the Security Council to adopt a resolution calling for a ceasefire. Her delegation therefore hoped that the General Assembly, the Secretary-General and the specialized agencies of the United Nations would be able to secure the opening of humanitarian corridors to ensure the delivery of food, water, medicine, fuel and other essential supplies to the Palestinians.

112. The struggle of peoples under foreign occupation to achieve self-determination and national liberation was legitimate under international law; those peoples had the right to use all possible means to achieve their freedom. It was the suppression of that struggle that was illegal. Under the Charter, States had the right to self-defence in the face of attacks on their sovereignty and territorial integrity, but a State that forcibly occupied a foreign territory could not justify its actions by invoking the right to self-defence. In that connection, her delegation supported the working paper submitted by Mexico, in which it had proposed the creation of a space for a legal discussion of the application of Article 51, in the light of its interrelation with Article 2, paragraph 4, of the Charter.

113. Current and future threats to international peace and security could be addressed only through multilateral cooperation within the framework of the Charter and by adherence to its purposes and principles. The deficiencies in addressing such threats did not denote a failure of the United Nations bodies but rather a failure of Member States to empower them and to agree on collective action. In that connection, the Special Committee must do more to promote respect for the Charter and ensure the effective functioning of the United Nations system, beginning with the successful adoption of its annual report. The Security Council should also be comprehensively reformed through the ongoing intergovernmental negotiations with a view to making it more transparent, representative, accountable, democratic and effective.

114. Member States must exploit the full potential of the General Assembly to achieve meaningful progress

across the three pillars of the United Nations. The United Nations multilateral disarmament mechanisms should perform their assigned functions on the basis of agreed principles and objectives. The advisory and bridging role of the Peacebuilding Commission should be strengthened in order to facilitate more informed decision-making by the Security Council, the General Assembly and the Economic and Social Council. The International Court of Justice and other judicial mechanisms could play a critical role in resolving conflicts and disputes; the Court's jurisdiction should be mandatory on issues that were on the agenda of the Security Council. Lastly, the General Assembly should promote inclusive dialogue on legal matters of global concern.

The meeting rose at 6 p.m.