



**PERMANENT MISSION OF CUBA TO THE  
UNITED NATIONS**

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**STATEMENT BY THE CUBAN DELEGATION AT THE SPECIAL  
COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND  
ON THE STRENGTHENING OF THE ROLE OF THE  
ORGANIZATION**

**New York, 17 February 2021**

Mr. Chairman,

Cuba is firmly committed to the principle of peaceful settlement of disputes and prevention of conflicts through the use of the means established by international law.

We appreciate the discussion of the subtopic on “Exchange of information on State practices regarding the use of arbitration”, agreed in paragraph 5(a) of UNGA resolution 75/140, in order to continue to encourage States to invoke peaceful mechanisms in the settlement of their disputes.

Cuba believes that the most effective way to support any process using the methods of peaceful settlement of disputes provided for in Article 33 of the Charter of the United Nations, including arbitration, is through the exercise of the principle of good faith, impartiality and independence, as well as ensuring that such processes are carried out in full respect for the principles of sovereignty, territorial integrity, non-use or threat of use of force and non-interference in the internal affairs of States.

In accordance with paragraph 1 of Article 33 of the Charter, it is the responsibility of each State to prevent armed conflicts between States and, to that end, to use the instruments and fora provided for the peaceful settlement of disputes.

Likewise, our country notes with concern the growing tendency of the Security Council to excessively and hastily invoke Chapter VII of the Charter, without having exhausted all means for the peaceful settlement of disputes, when it is known that war,

confrontation, hostility and sanctions have never been and will never be the way to maintain international peace and security.

Mr. Chairman,

International arbitration, according to Article 37 of the Hague Convention of 1907 on the Pacific Settlement of International Disputes, has for its object “the settlement of disputes between States by judges of their own choice and on the basis of respect for law. Recourse to arbitration implies an engagement to submit in good faith to the award”.

In this regard, arbitration is constituted by mutual consent of the States Parties to a specific dispute; therefore they retain considerable control over the process through the power to appoint arbitrators of their own choice, a matter that distinguishes it from a judicial process.

Bearing in mind the addressed issues, we encourage all States to ponder on the possibility of resorting to

arbitration mechanisms in the settlement of their disputes, including its provision in bilateral and multilateral treaties for cases of divergence arising from the interpretation and application of treaties.

Thank you.