

**STATEMENT BY**

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**PERMANENT MISSION OF INDIA TO THE UN**

**ON**

**“MEETING OF THE SPECIAL COMMITTEE ON THE  
CHARTER OF THE UNITED NATIONS AND  
ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION”**

**AT THE**

**75th SESSION OF THE  
UNITED NATIONS GENERAL ASSEMBLY**

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**Mr. Chairman,**

My delegation congratulates you and other members of the Bureau on your election to guide the meetings of the Special Committee. Let me assure you of our full cooperation and support in the deliberations of this Committee.

2. We **align with the statement delivered by the Islamic Republic of Iran** on behalf of the Non-Aligned Movement, and would like to supplement it with the following statement being delivered in our national capacity.

3. The 75<sup>th</sup> anniversary of the UN Charter offers us an opportune moment to reflect on the fulfillment of pledges undertaken by “we the peoples”. In this regard we consider the work of the “Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization” as important. The Special Committee’s mandate is well placed to play an important role in the interpretation of the provisions of the Charter of the United Nations.

**Mr. Chairman,**

5. States were not pushed into the United Nations, nor did they stumble into expressing allegiance to the Charter. Following the most devastating of world wars, each state that became a member of the UN believed that it owes to itself, as well as to all mankind, to create an effective organization to protect succeeding generations from the scourge of war; to reaffirm faith in fundamental human rights; to establish conditions for the respect of international law; and to pursue better standards of life for all.

6. **The values of the Charter have served us well.** The purposes and principles of the Charter have become the foundation of international law. **They represent a vision of all of humanity committing towards common objectives.** They have played their part in the journey of many Member States towards peace, security and international cooperation.

7. In this regard my delegation would like to reflect on **three specific issues**, which are under consideration of the Special Committee. These are: **peaceful settlement of disputes; maintenance of international peace and security; and assistance to third States affected by the application of sanctions.**

**Mr. Chairman,**

8. The United Nations represents our collective recognition that only cooperative and effective multilateralism can ensure peace and prosperity in the

context of the range of inter-connected challenges that we face in our inter-dependent world. India strongly believes in multilateralism and peaceful settlement of disputes in accordance with international law.

9. Peaceful settlement of disputes is an important tool in the maintenance of international peace and security and to promote the rule of law. The States are obliged to settle their disputes by peaceful means, which is one of the fundamental principles under paragraph 3 of Article 2 of the UN Charter. Article 33 of the Charter strengthens this duty and provides various means by which parties can resolve their disputes, the Security Council also needs to promote pacific settlement of disputes through greater recourse to the International Court of Justice.

10. In this regard, we support in principle, the joint revised proposal of the Russian Federation and Belarus for an advisory opinion of the International Court of Justice on the legal consequences of the use of force by a State or a group of States without the express authorization of the Security Council under Chapter VII of the Charter when not in the exercise of the inherent right of self-defence. This may help to clarify the legal principles governing the right to and situations for the use of force under the UN Charter.

11. Further, India supports the retention of the 'Peaceful Settlement of Disputes between States' on the agenda of the Special Committee. We hope that member states will engage constructively on this.

**Mr. Chairman,**

12. According to the UN Charter, **maintenance of international peace and security** is the primary responsibility of the Security Council, which has to act on behalf of all the UN Member States in the discharge of its duties.

13. In certain situations, the Security Council authorizes sanctions under Chapter VII of the UN Charter. In such cases, sanctions could serve as an important tool in the maintenance of international peace and security. They serve their purpose only if they are used, **when necessary as a measure of the last resort having exhausted all other options**, and in accordance with the provisions of the UN Charter and not violating the principles of international law.

**Mr. Chairman,**

14. It is increasingly acknowledged that the Council today faces a crisis of identity and legitimacy, as well as relevance and performance. The globalisation of

terror networks; the weaponisation of new technologies; the inability to counter those resorting to subversive statecraft demonstrates the new and unknown challenges that the SC is concentrated with. Yet, we also need the Council as part of the political tool kit to address ongoing and equipped to tackle future threats to peace and security.

15. The answer to the crises that the Council is confronted with lies in invoking and working through Charter provisions that provide for reform and change. We need a Council that is representative, credible, and legitimate, rather than one that is a relic of the 1940s geo-political construct. There is no better time to look for ways to make the Council fit for purpose for the 21<sup>st</sup> century than during the 75<sup>th</sup> anniversary. India has been championing the cause for SC reform and has also strongly supported the common African position in this regard. Africa is one continent whose voice needs to be represented in the Council. Any further denial of this representation does not augur well for this august institution.

**Mr. Chairman,**

16. The Special Committee has, in its deliberations earlier, dealt with several proposals on issues of sanctions in the context of international peace and security. The Security Council is now increasingly issuing targeted sanctions against individuals and entities. We take note of the measures highlighted by the SG in his report A/75/145, for further improving the procedure and working methods of the Security Council in his regard.

17. We further take note of the role played by the General Assembly and the Economic and Social Council for assisting third States affected by the applications of sanctions under Article 50 of the Charter. We also take note of the arrangements made in the Secretariat for assisting the third States affected by the applications of sanctions. In this regard encourages the Secretariat to play a constructive role in exploring practical and effective measures in assisting the affected third States.

**Mr. Chairman,**

18. The Committee has before it some proposals, which need to be discussed. We appreciate the proposal of Ghana, which in general is aimed at strengthening the cooperation between the United Nations and the regional organizations. Where appropriate, the regional organizations could play an important role in the peaceful settlement of disputes between/among their member States in accordance with the provisions of the Charter. In this regard the recent role of ECOWAS in Mali is highly commendable and underlines the value proportion offered by regional organisations in the concept of peace and security.

**Mr. Chairman,**

19. India appreciates the Russian Federation's proposal with a view to establishing a **website on the peaceful settlement of disputes and updates to the Handbook on the Peaceful Settlement of Disputes between States**, which would be useful to all member States.

20. The *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* have considerable significance as sources of reference and as effective means of maintaining the institutional memory of the Organization, as well as in dissemination of the work of the Organization. In conclusion, we commend the continuing efforts of the Secretariat and the Secretary-General to update these two publications and to eliminate the backlog in their preparation.

**Thank you, Mr. Chairman.**

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