



STATEMENT OF THE REPUBLIC OF THE PHILIPPINES

**delivered by
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**2021 Session of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role
of the Organization**

General Exchange Of Views

**75th Session of the United Nations General Assembly
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Thank you, Mister Chair. At the outset, the Philippines aligns itself with the statement delivered by the Islamic Republic of Iran on behalf of the Non-Aligned Movement.

I also join others delegations in congratulating you and your Bureau for your well-deserved election. You have our full support.

The work of the Special Committee is of much importance to the Philippines. Its establishment was one of the advocacies of Carlos P. Romulo, the Filipino diplomat who served as President of the General Assembly and then president of the UN Security Council four times. He noted that most of the Member States of the UN were not present during the UN's founding and so "did not have any chance to express their opinions on the Charter." Hence he advocated for a committee that

would enable discussion on a “restudy of the Charter” and substantive exchange of views on it.

One of the Committee’s most important achievements is the Manila Declaration on the Peaceful Settlement of International Disputes (Manila Declaration), which was adopted on 15 November 1982. An initiative of the non-aligned countries, its approval by consensus brought together states from various groups, clarified existing international law, and engendered common understanding on applicable principles and rules of peaceful settlement of international disputes as such and the ways and means provided for by the Charter and by general international law with emphasis on the role of the competent organs of the United Nations.

The Manila Declaration is one of the landmark outcomes of the Special Committee and is inextricably linked to the Committee’s mandate, role and functions. It is the first comprehensive plan and consolidation of the legal framework for the peaceful settlement of international disputes, building upon and promoting general international law, the UN Charter, and other key instruments such as the Friendly Relations Declaration. It reaffirms the member states’ commitment to Articles 2(3) and 33 of the UN Charter, which provide that parties to any dispute shall first settle disputes by peaceful means.

To highlight the normative and political significance of the Manila Declaration, the Philippines is introducing a recommendation encouraging the UN and member

states to commemorate the 40th anniversary of the Declaration through appropriate activities. We hope delegations support this and we also wish to thank those delegations who have already spoken in support of this initiative this morning.

On the maintenance of international peace and security, we continue to be of the view that sanctions should be imposed only as a measure of last resort, when there exists a threat to international peace and security, a breach of the peace or an act of aggression, and always in accordance with the Charter. We do not subscribe to the imposition of unilateral sanctions in violation of international law. While we recognize sanctions are an important tool for the Security Council, they should be in the form of accurately targeted measures. The objectives of sanctions regimes should be clearly defined, based on tenable legal grounds, imposed with a clear time frame, subject to monitoring and periodic review and lifted as soon as the objectives have been achieved.

We continue to support the proposal of Cuba on strengthening the role of the UN and enhancing its effectiveness.

We reaffirm our support for Ghana's proposal on strengthening the relationship and cooperation between the UN and regional arrangements or agencies in the peaceful settlement of disputes. Of course, parenthetically the respective mandates of the regional arrangements and agencies need to be taken into account. Ghana's proposal is consistent with the Manila Declaration, as it expresses a felt necessity to fill the gaps in the UN's work by improving coordination with regional organizations in

enforcement actions and conflict prevention, and by clarifying the Security Council's role in these matters.

We can support the inclusion of Mexico's proposal on "Analysis of the application of Articles 2 (4)¹ and 51² of the Charter of the United Nations" in the agenda of the Special Committee, under the item "Maintenance of international peace and security".

We note with appreciation progress made in the preparation of both the *Repertory of Practice of United Nations Organs*, and the *Repertoire of the Practice of the Security Council*. These are valuable tools in providing analytical studies of the UN's and the Security Council's application and interpretation of the articles of the UN Charter. But to be relevant they need to be available, hence the continuing need to address backlogs, and that they be made available in all UN official languages, as well as electronically and online. We reiterate our support for the use of the UN internship programme and cooperation with academic institutions for the preparation of studies. We will work on identifying academic institutions that can contribute to the preparation of studies for the *Repertory*, and support the initiative of the Secretariat

¹ Article 2. The Organization and its Members, in pursuit of the Purposes stated in Article 1, shall act in accordance with the following Principles.
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4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

² Article 51. Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

to invite academic institutions to which members of the International Law Commission are affiliated to consider contributing to the preparation of studies.

Thank you.