

**Meeting of the Special Committee on the
Charter of the United Nations and
On the Strengthening of the Role of the Organization**

(22 February 2022)

India's Statement

Mr. Chairman,

At the outset, I join other delegations to congratulate you on your election as Chair of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization. I also congratulate other members of the Bureau on their election.

Mr. Chairman,

2. India's views on the need for targeted sanctions by the Security Council are well known. They serve their purpose if they are issued when necessary and as a measure of last resort only after having tried all other options, and besides being applied so long as are necessary in accordance with the provisions of the Charter.

3. In this regard, the reported outcome of deliberations, by the Special Committee on proposals concerning issues of sanctions, have been instrumental in the Security Council increasingly issuing targeted sanctions against individuals and entities. As a result, the incidences of unintended harm to the third States or their citizens, have significantly reduced. However, lack of requests from States for assistance under Article 50 should not be considered as a ground to cease deliberations on this topic.

5. We take note of the role played by the General Assembly and the ECOSOC for assisting third States affected by the application of sanctions as outlined in the Secretary General's report. We also take note of the arrangements made in the Secretariat for assisting the third States affected by the application of sanctions. In this regard the Secretariat needs to be encouraged in playing a constructive role in exploring practical and effective measures in assisting the affected third States.

6. In the context of improvement in procedures, we call upon the Security Council to bring more transparency in working methods of its subsidiary bodies and strongly suggest to follow an evidence based approach in its Sanctions Committees.

Mr. Chairman,

7. It is increasingly becoming obvious that the Security Council is facing a crisis of identity, legitimacy and relevance. The answer to the crises lies in invoking and working through Charter provisions that provide for reform and change. We need a Council that is representative, credible, legitimate and fully equipped, rather than one that is a relic of the geo-political construct of 1940s. India has been championing the cause for Security Council reform. However, it is sheer disappointment to see no progress on this front. We call upon all member states to show their commitment to the reform process by supporting text-based negotiations, with the aim of achieving concrete outcomes in a fixed time frame through the framework of the Inter-Governmental Negotiations process.

Mr. Chairman,

8. We believe in multilateralism and peaceful settlement of disputes in accordance with international law. The UN represents our collective recognition that only cooperative and effective multilateralism can ensure peace and prosperity. Multilateralism can be successful only if the interaction between States is based on laws aimed at greater collective welfare.

9. One of the cornerstones of the UN is peaceful settlement of disputes. In this context, we commend the key role played by the International Court of Justice, the principal judicial organ of the UN.

10. India supports retention of the "Peaceful Settlement of the Disputes between States" on the agenda of the Special Committee. We recall that the Manila Declaration on Peaceful Settlement of Disputes is one of the seminal contributions of this Special Committee.

11. We welcome the further revised working paper of 2019 submitted by Ghana seeking to strengthen the relationship and cooperation between the United Nations and regional arrangements or agencies in the peaceful settlement of disputes. We look forward to effective discussion on the same.

12. We take note of the importance of the prohibition on the threat or use of force contained in the Charter. We are of the view that further clarification on the provisions of the Charter regarding use of force could contribute to the rule based international system. We, therefore, support the proposals to analyze the provisions of the charter regarding the use of force.

13. We also look forward to the discussion on the working paper submitted by Mexico with regard to the application of Article 51 in the light of its interrelation with Article 2(4).

Mr. Chairman,

14. We appreciate the Russian Federation's proposal for creation of a webpage and an update to the Handbook on the Peaceful Settlement of Disputes between the States. The consequent work done in this direction would be useful for all member States, in having access to the latest information on mechanisms for peaceful settlement of disputes. This would help facilitate greater usage of such mechanisms and promote the rule of law.

15. Finally, India supports all efforts towards updating the Repertory of Practice of the UN Organs and Repertoire of Practice of the Security Council as these are key sources of reference and effective means of maintaining the institutional memory of the Organization. We have recently, in 2021 contributed to Security Council Affairs Division (SCAD) Repertoire Trust Fund and we appreciate the continuing efforts of the Secretariat and the Secretary-General in updating these two publications and eliminating backlogs.

I thank you, Mr. Chairman.