

**STATEMENT DELIVERED BY LEMLEM FISEHA MINALE, ON
BEHALF OF THE FEDERAL DEMOCRATIC REPUBLIC OF
ETHIOPIA**

**AT THE MEETING OF SPECIAL COMMITTEE ON THE CHARTER
OF THE UNITED NATIONS AND ON THE STRENGTHENING OF
THE ROLE OF THE ORGANIZATION; SEVENTY SEVENTH
SESSION OF THE GENERAL ASSEMBLY:**

**PEACEFUL SETTLEMENT OF DISPUTES - MEANS FOR
PEACEFUL SETTLEMENT OF DISPUTES (REGIONAL
AGENCIES/ ARRANGEMENTS**

23 FEBRUARY 2023

1. Congratulations on your appointment to chair the work of the special committee. You have our full support. Aligning with the statement delivered on behalf of NAM by the representative of Iran, I will add the following remarks in my national capacity.
2. The Charter of the United Nations is unambiguous in its requirement for states to resolve their disputes using peaceful means. In coming up with this cardinal principle, framers of the Charter, representatives of our own member states deliberately left a great margin of appreciation and freedom of choice for states in their decision to resort to a means to employ, in the resolution of the disputes. The Charter does not prescribe how, when and which method states must use to resolve their disputes. It however requires us to use peaceful means to prevent disputes from turning into conflicts and to end conflicts whenever they arise.
3. Furthermore, the Charter provides for antecedent principles that guarantee sovereignty and sovereign equality, prohibition of the use and threat of use of force and confines the mandates of UN organs only to issues that threaten global peace and security. It further recognizes the prerogative of member states to join other international organizations, and demonstrates deference to regional agencies to resolve disputes between member states.
4. We comprehend Article 52 of the UN Charter in its direct and original meaning. The UN security council must give way and deference for regional organizations that are seized of an issue. The Council should not undercut regional organizations and it should allow the comparative advantages of regional mechanisms to provide intimate platform and incentive for resolving their issues.

5. As a country that paid the ultimate price from the disintegration of international order during the time of League of Nations, Ethiopia has undying support to maintenance of a multilateral order based on the UN Charter and preservation of viable and competent regional organizations. Ethiopia also believes in the need to give Primacy to regional agencies and arrangements. In this regard we continue to be fully invested in the enhanced role and respect for the mandate of our regional organizations of African Union and the Inter-governmental Authority in Development. In our efforts, we are inspired by regions that attained a great level of integration out of their security interdependence to form a regional organization that they call “project of peace”.

Mr. Chair,

6. Regional and local peculiarity as well as conflicts stemming from historical legacies, especially colonization necessitates serious adjustments to the design of our economies, resource utilization schemes, security relations, and many other aspects of public life between states. This requires accommodation of the interest of the disfranchised, redistribution of resources, renegotiation of treaties and alignment of entitlements to give the rightful place for the ones that were previously advertently or inadvertently marginalized. This rigorous and daunting undertaking is best handled at the regional level.

Allow me to provide an African context to this important subject matter;

7. Africa provides a compelling example for the need to resort to regional solutions. Immediately after its founding the OAU gave member states conducive space and incentive to reach mutually acceptable remedy for the thorniest issues. A case in point is the agreement between African States at the early days of the OAU to maintain international boundaries as they were put by colonial powers. This principle, adopted at the first OAU Heads of States Assembly held in Cairo in 1964, after a prolonged negotiation, averted

impending and future wars. It is worthy to note, such a resolution would have not been reached except within the framework of a regional organization, and between member states that share a similar historical legacy. This agreement has averted so many existing and future wars and tensions which, if they had been treated in any other mechanism would have gotten no remedy.

8. In 1994, the thirteenth Assembly of African Heads of States held in Tunis adopted the “declaration on a code of conduct for inter-African relations”. The Declaration recognized “the time has come to take our destiny into our own hands and to seek African solutions to the problems besetting our continent”. Accordingly, states agreed to intensify our efforts towards finding just, effective and lasting solutions by peaceful means. Following that, in the year 2000, the Constitutive Act of the African Union is adopted with an objective for peaceful resolution of conflicts among member states of the Union through such appropriate means as may be decided upon by the Assembly.
9. This is the historical and present day reality for the African Continent that is increasingly resorting to regional mechanisms to resolve disputes. The journey is difficult yet with a promise to success.

Mr. Chair,

10. We fully concur with the views expressed in relation to the principle of “free choice of states”. This cardinal principle is not antithesis to resort to regional mechanisms. Contrarily, it upholds the free choice of states to be part of regional arrangements and agencies and resort to them in the incidence of disputes. It constitutes the flexibility embedded in the requirement to use only peaceful means to resolve disputes between member states.
11. Regional agency membership, is established through a legal undertaking on the part of the contracting parties. Once such membership is established, the state commits to accept and abide by the principles, objectives and authority

of the organization. Unless the state withdraws or varies the terms of its membership, there is no legal ground, unless in violation of the UN Charter and international law, to put forth conditions and ultimatums on the requirement to resort to regional organizations for resolution of disputes.

12. However, we recognize this is not without its challenges. We have seen creation of unnecessary friction and escalation, mostly at the cost of sustainable and peaceful resolution of issues. Forum shopping is also a real risk. We also observed undercutting of regional mechanisms as a tactic to sustain untenable status-quo that in the first place led to emergence of disputes. We acknowledge this creates alarm in the community of nations.

13. However, escalation of rhetoric and resort to actions that intensify disputes and create an appearance of global tension including through the threat to use force constitute a concurrent transgression against the UN Charter and the regional instruments. Such approach is not only unlawful but also counterproductive, as it increases mistrust and discourages good faith efforts to reach mutually acceptable negotiated solutions. This should lead us to insisting on resort to regional mechanisms and halt to any approach that undermines them.

14. Disputes, especially those in the twenty first century can only be sustainably managed and resolved using a *win-win* method. Zero sum victories are a story of the past. Therefore, we reiterate our position in support of finding just, effective and lasting solutions by peaceful means. We also recognize the mandate and comparative advantage of regional mechanisms to resolve disputes within and among their constituting states and call for the need to give primacy to regional mechanisms.

I thank you

