



Statement on behalf of the European Union and its Member States

by

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Delegation of the European Union to the United Nations

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

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— CHECK AGAINST DELIVERY —

Mr./Madam Chair,

I have the honour to speak on behalf of the European Union and its Member States.

The Candidate Countries North Macedonia*, Montenegro*, Ukraine, the Republic of Moldova and Bosnia and Herzegovina*, the potential candidate country Georgia, as well as Andorra and Monaco align themselves with this statement.

We congratulate you and the other members of the Bureau on your election. We also thank the staff of the UN Secretariat for the assistance in preparing this meeting.

On January 12th of this year, Secretary General Guterres urged all Member States “to uphold the vision and the values of the United Nations Charter and the Universal Declaration of Human Rights, and to abide by international law; to settle disputes peacefully, without recourse to the threat or use of force.”

The rule of law is key for the maintenance of international peace and security. A rules based international order - where norms of international law are adhered to and those breaching these norms are held accountable - is essential for lasting peace and security.

Mr./Madam Chair,

Maintenance of international peace and security is at the heart of the UN Charter. Article 2(4) of the Charter prohibits the threat or use of force against the territorial integrity or political independence of any State. The prohibition of aggression is a peremptory norm of international law that protects the fundamental values of the

* North Macedonia, Montenegro and Bosnia and Herzegovina continue to be part of the Stabilisation and Association Process.

international community. Russia's ongoing aggression against Ukraine is in breach of this peremptory norm of international law.

We recall that on the 2nd of March last year, with an overwhelming majority, the international community deplored in the strongest terms the aggression by the Russian Federation against Ukraine in violation of Article 2(4) of the Charter and demanded the Russian Federation to immediately cease its use of force against Ukraine and to unconditionally withdraw all of its military forces from its territory. This serious violation gives rise to state responsibility on the part of the Russian Federation. The international community must remain firmly committed to ensure accountability for the crimes committed in and against Ukraine.

Mr./Madam Chair,

Sanctions are a recurrent issue in this Committee, as some of the proposals put forward demonstrate. The EU firmly believes that sanctions must be implemented in full compliance with international law, in particular international humanitarian law, international human rights law and international refugee law. Sanctions must be fair and clear and respect the rights of listed persons, including due process rights. The EU is also fully committed to preserving the humanitarian space.

In this regard, we welcome the adoption of the UN Security Council Resolution 2664 on a humanitarian carve-out to asset freeze measures across UN sanctions regimes. The transposition of the resolution has been fast-tracked at EU level. We equally remain committed to the enhancement of due process standards in the implementation of all sanctions regimes. We welcome the reference in the Haiti Resolution 2653 to the Ombudsperson, as an adequate step towards strengthening due process rights beyond the ISIL (Da'esh) and Al Qaida sanctions regimes.

When fundamental tenets of the UN Charter, such as the principle that Member States shall refrain in their international relations from the threat or use of force are blatantly breached, we need to act swiftly and mobilize the necessary tools available to restore international peace and security. We believe that sanctions are part of the toolbox to do so, as well as elements of a comprehensive approach, which aims to promote international peace and security, respect for human rights, democracy, the rule of law and good governance.

Mr./Madam Chair,

We remain ready to contribute to the discussion on how to deal with various proposals made in this Committee provided they bring value added and they do not duplicate efforts made elsewhere.

Finally, we believe that there is scope to streamline the work and working methods of the Special Committee to deliver on its 2006 decision. This calls for a proper prioritization of the limited resources of the Secretariat and for a screening of all agenda items in terms of their relevance, aim and likelihood of reaching a consensus to avoid a duplication of efforts. In that regard, the Special Committee could consider whether meeting on a two-yearly basis would serve better such purpose.

I thank you.