



# INDIA भारत

**Permanent Mission of India to the UN  
New York**

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**Meeting of the Special Committee on the Charter of the United Nations  
(Monday, 21 February 2023)**

**Statement**

Mr. Chairman,

At the outset, my delegation congratulates you on your election as Chair of this Committee. I also congratulate other members of the Bureau on their 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. India attaches importance to the work of the Special Committee in accordance with its mandate. The Special Committee is well placed to play an important role in the clarification and interpretation of the provisions of the Charter, with a view to ensure their implementation.

3. United Nations is based on the principles of sovereign equality that is all States have equal status regardless of their size. India's vision has been of a world as one large family and its dreams have been woven around the theme of peaceful co-existence. India believes that the advancement of the rule of law at national level is essential for the protection of democracy, human rights and fundamental freedoms, as well as for socio-economic growth. This should be the primary objective of all States.

Mr. Chairman,

3. My delegation aligns itself, in general, with the statement made by the Islamic Republic of Iran on behalf of the NAM, and in our national capacity, we make the following five observations:

i) **First**, as a founding member of the UN, India has consistently displayed its commitment to uphold the purposes and principles of the UN Charter. We remain committed to upholding the rules-based international order, underpinned by international law, premised upon respect for the sovereignty and territorial integrity of all States, resolution of international disputes through peaceful negotiations and free and open access for all to the global commons.

ii) **Second**, at the core of India's call for reformed multilateralism, lies the reform of the UN Security Council, reflective of the contemporary realities of today. When power structures continue to reflect the status-quo of a bygone era, they also start reflecting a lack of appreciation of contemporary geopolitical realities. *Our Common Agenda* and the *Summit of the Future* will only deliver results, if they respond to the growing calls for reformed multilateralism. Reform is the need of the day.

iii) **Third**, the objective of the United Nations as reflected in Chapter I of the UN Charter will be better served, when each of its Principal Organs work in harmony focusing on their mandates. The principal organs of the United Nations have specific roles and functions and should act in accordance with the purposes and principles of the United Nations as defined in the Charter. There have been recent attempts to assume the work in the Security Council, which are better done in specialized agencies and organs created for the purpose. We do not favor this trend both as a matter of propriety and pragmatism.

iv) **Fourth**, article 50 of the UN Charter confers the right on third States confronted with special economic problems, which may arise because of the Security Council sanctions, to consult the Security Council for a solution. This obliges the Security Council to find definitive solution to the problems of the affected third States. Of late, the unintended consequences of sanction measures, including humanitarian consequences, are being increasingly emphasized by the member states and other stakeholders. It is also necessary to ensure that legitimate trade and economic activities of the concerned state and its regional partners are not impacted adversely. It is, therefore, important for the Security Council to fully consult all the key regional countries before considering any such measures because, more often than not the impact of sanctions is felt not just by the country but by its entire region. It is of continuing interest for many delegations to discuss the substantive nature of Article 50 of the Charter.

v) **Fifth**, peaceful settlement of disputes is an important tool in the maintenance of international peace and security and in the promotion of the rule of law. The

States have the responsibility to settle their disputes by peaceful means, which is a fundamental principle under paragraph 3 of Article 2 of the UN Charter. Article 33 of the UN Charter further strengthens this duty and provides the means which the parties to a dispute can choose freely. My delegation supports the continued existence of the topic 'Peaceful Settlement of Disputes between States' on the agenda of this Special Committee.

3. In concluding Mr. Chairman, we commend the continuing efforts of the Secretariat and the Secretary-General to update the Repertory of Practice of United Nations Organs and the Repertoire of the Practice of the Security Council and to remove the backlog in their preparation. We take note of the working papers as well as the proposals submitted to the Committee and look forward to engaging in discussion on these. I thank you.

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