



# PHILIPPINES

## STATEMENT

Permanent Mission of the Republic of the Philippines to the United Nations

### **“General Exchange of Views”**

2023 Session of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

21 February 2023 10:00 AM – 1:00 PM

Conference Room 3, United Nations Headquarters

Mister Chair,

Thank you, Mister Chair, and our sincere congratulations on your election as the Chair of this Committee. You have our full support as you fulfill your important mandate.

At the outset, the Philippines aligns itself with the statement delivered by the Islamic Republic of Iran on behalf of the Non-Aligned Movement.

The Philippines attaches great significance to the work of the *Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization* as its establishment was an important advocacy of Mr. Carlos P. Romulo, the Filipino diplomat and statesman who signed the Charter of the United Nations on behalf of the Philippines in 1945.

We remain firm in the belief that this Committee has a vital role in the reform process of the United Nations, particularly in the examination of the legal aspects of the process. We echo the point that there are proposals before this Committee that inform this process and, if discussed and debated, could lead to concrete outcomes.

We recall that one of the Special Committee’s most important achievements is the Manila Declaration on the Peaceful Settlement of International Disputes (Manila Declaration), which marked its 40<sup>th</sup> year last November. Consistent with the General Assembly resolution encouraging the United Nations and member states to commemorate this anniversary, the Philippines is honored to conduct, on behalf of the Non-Aligned Movement, an interactive dialogue on the Manila Declaration focusing on “The Role of International Tribunals in the Peaceful Settlement of International Disputes.”

In revisiting the Declaration – which is an initiative of non-aligned countries – through an interactive dialogue with jurists, we hope that we can collectively recall how the Special Committee has contributed significantly to enhancing common understanding of the UN Charter, particularly on the principles and rules of the peaceful settlement of international disputes and the ways and means that it provides.

Mister Chair,

Last year, we had discussions on the subtopic “Exchange of information on State practices regarding the use of judicial settlement.” We reiterated the role of the International Court of Justice (ICJ) as the principal judicial organ of the UN, and encouraged resort to the ICJ in the peaceful settlement of disputes, having recognized the compulsory jurisdiction of the Court since 1972.

Under the Manila Declaration, States may entrust the solution of their differences to other tribunals by virtue of agreements already in existence or which may be concluded in the future. These would include, inter alia, the International Tribunal for the Law of the Sea (ITLOS) and the Permanent Court of Arbitration (PCA). The Philippine assumed its role as acting President of the PCA Administrative Council from January 2023 to December 2024 as a contribution to strengthening the peaceful settlement of international disputes.

We look forward to this session’s thematic discussion on the subtopic of “Exchange of information on State practices regarding the resort to regional agencies or arrangements” as an opportunity to share our experience in the Southeast Asia region.

Mister Chair,

On the maintenance of international peace and security, we reiterate 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 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 welcome Mexico’s updated proposal on the “Analysis of the application of Articles 2 (4) and 51 of the Charter of the United Nations” and look forward to the exchange of views on the operation, scope and limits of the right to self-defence, taking into consideration recent practice on submission of reports under Article 51, in particular concerning non-state actors.

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. They 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. We are pleased to have contributed to Trust Fund during the relevant period and will continue to support the efforts to eliminate the backlog in the Repertory.

We reiterate our support to improve the work methods of the Special Committee, noting its vital role in the assisting in the revitalization and strengthening of the organization, and we look forward to the substantive discussions on the proposals.

Thank you.