



Statement on behalf of the Republic of South Africa

by

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United Nations**

General Debate

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Chairperson,

We align ourselves with the statement delivered by the Islamic Republic of Iran on behalf of the Non-Aligned Movement.

I would like to congratulate you and the members of your bureau on your well-deserved election. Allow me to assure you of my delegation's cooperation and support throughout the work of the Special Committee. South Africa wishes to extend its gratitude to the previous Chair and the bureau for the job well done in steering the sessions of the Charter Committee in the previous year.

South Africa attaches great importance to the work of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization.

Chairperson,

In adopting the Charter which is the supreme law of the United Nations, the United Nations affirmed, its determination to save succeeding generations from the scourge of war, and reaffirmed faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained. United Nations committed to the maintenance of peace as its main purpose.

As we speak, tens of thousands of innocent Palestinians have been horribly murdered and continue to be murdered at the hands of Israel. A clear violation of the United Nations Charter and international law. The innocent Palestinians, majority of whom include women and children, are witnessing horrendous international crimes being committed against them on a daily basis. The Palestinian people today do not enjoy the maintenance of peace assured to them and the international citizenry as whole by the United Nations.

Chairperson,

We wish to remind that all Member States of the United Nations have an obligation to act consistent to the provisions of the Charter, respect the principles of international law, ensure protection and promotion of human rights, comply with international humanitarian law and ensure equal protection of all peoples.

Chairperson,

South Africa expresses gratitude to some of the institutions and organs of the United Nations, that have ensured compliance with their mandate of the maintenance of peace and promotion of international law which ensures the protection of the integrity of the Charter. The role played by the General Assembly in adopting resolutions confirming the commitment to the maintenance of peace should be commended. Similarly, the role played by the International Court of Justice as the principal judicial organ of the United Nations on the peaceful settlement of disputes in line with international law can never go unnoticed. The role of the ICJ has become even more

crucial in these times where the total disregard of the Charter and the principles of international law is a growing scourge.

Chairperson,

Given the grave disregard of the provisions of the Charter, international law and international humanitarian law, South Africa has had to resort to international judicial mechanisms such as the International Court of Justice and the International Criminal Court to seek justice for the people of Palestine.

We reiterate that the international community cannot proclaim the importance of international law and the importance of the UN Charter in some situations and not in others as if the rule of law only applies to a select few. For the Charter to enjoy the credibility it deserves, its provisions should be uniformly applied and not selectively. The commitment to the principles enshrined in the Charter will be realised if all Member States were to act in accordance with its provisions and the rule of law.

Chairperson

On 26 January 2024, the ICJ delivered its order on South Africa's request for provisional measures determining that Israel's actions in Gaza are plausibly genocidal. The Court was near unanimous in its order for provisional measures, which include that Israel shall take all measures within its power to prevent all acts of genocide as contained in Article II of the Genocide Convention, and prevent and punish direct and public incitement to do so. Israel furthermore is required to take effective measures to provide urgently needed basic services and humanitarian assistance. It must ensure effective measures are taken to prevent the destruction of evidence and ensure its preservation. Importantly, Israel is required to provide a report to the Court on the measures it has taken to give effect to these provisional measures within one month.

Despite the ruling, Israel is relentless in its commitment to commit genocide against the Palestinian people which led South Africa to requesting additional measures from the Court in terms of Article 75(1) of the Rules of the Court. We believe the United Nations organs such as the Security Council will ensure compliance by Israel of the ruling of the court in line with the Charter.

Chairperson,

We reiterate our commitment to the success of the committee in its work in protecting the Charter and ensuring that the organisation is strengthened.

I thank you.