



General Assembly

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

18–26 February 2020

Draft report

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II. Maintenance of international peace and security

1. The Special Committee considered the question of the maintenance of international peace and security during the general exchange of views held at its 293rd and 294th meetings, on 18 February, and at the 1st meeting of the Working Group of the Whole, on 19 February.

2. In their general comments, a number of delegations reaffirmed their commitment to the Charter and multilateralism, and reiterated that the reform of the Organization should be carried out in accordance with the principles and procedures established in the Charter and preserve the legal framework of the Charter as a constitutional instrument. It was underlined that the General Assembly remained the chief deliberative, policymaking and representative organ of the United Nations. A number of delegations reiterated their concern at the continuing encroachment by the Security Council on the functions and powers of the Assembly and the Economic and Social Council by addressing issues that fell within the competences of those organs and the attempts to enter areas of setting norms and establishing definitions which fell within the purview of the Assembly. The view was expressed by some delegations that there was a need to achieve the right balance envisaged in the Charter between the functions and powers of the principal organs of the Organization. It was further emphasized that the Special Committee was the appropriate forum for examining the legal aspects of those issues.

A. Implementation of the provisions of the Charter relating to assistance to third States affected by the application of sanctions

3. The Special Committee considered the question of the implementation of the provisions of the Charter relating to assistance to third States affected by the application of sanctions during the general exchange of views held at its 293rd and



294th meetings, on 18 February, and at the 1st meeting of the Working Group of the Whole, on 19 February.

4. During the general exchange of views on the issue, several delegations emphasized the importance of the consideration of assistance to third States affected by the application of sanctions. The view was expressed that the Security Council should take a prudent and responsible approach to the issue in order to minimize the adverse impact of sanctions on the general public and third States. While it was acknowledged that no formal requests for assistance had been made since 2003, it was noted that the item should be retained for preventive purposes. It was also suggested that the shift from comprehensive to targeted sanctions had reduced the need to explore practical and effective measures of assistance to third States affected by sanctions.

Briefing

5. At its 1st meeting, the Working Group of the Whole was briefed by representatives of the Department of Political and Peacebuilding Affairs and the Department of Economic and Social Affairs on developments relating to paragraph 13 of the report of the Secretary-General (A/74/152), as requested by the General Assembly in paragraph 5 of its resolution 74/190. The representatives informed the Working Group that the shift from comprehensive to targeted sanctions had minimized unintended consequences for third States and that the Secretariat had received no requests from Member States invoking Article 50 of the Charter since 2003. The representatives also provided general information about the mechanisms available to monitor and evaluate sanctions regimes, to prevent adverse consequences of sanctions, to strengthen dialogue with Member States and to provide, upon request by the Security Council, assistance to third States affected by the application of sanctions.