



# 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

21 February–1 March 2023

### Draft report

*Rapporteur:* Ms. Azela G. **Arumpac-Marte** (Philippines)

### I. Introduction

1. The Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization was convened in accordance with General Assembly resolution [77/109](#) and met at United Nations Headquarters from 21 February to 1 March 2023.
2. In accordance with paragraph 5 of General Assembly resolution [50/52](#), the Special Committee was open to all States Members of the United Nations.
3. The Special Committee held three meetings: the 304th and 305th meetings, on 21 February, and the 306th meeting, on 1 March. The Working Group of the Whole, established at the 304th meeting, held three meetings, from 22 to 24 February.
4. The session was opened by Gheorghe Leucă (Republic of Moldova), in his capacity as Chair of the previous session of the Special Committee.
5. At its 304th meeting, on 21 February, the Special Committee, bearing in mind the terms of the agreement regarding the election of officers reached at its session in 1981,<sup>1</sup> elected the following members of its Bureau:

*Chair:*

Zéphyrin Maniratanga (Burundi)

*Vice-Chairs:*

Melinda Vittay (Hungary)

Kavoy Anthony Ashley (Jamaica)

Yarden Rubinshtein (Israel)

*Rapporteur:*

Azela G. Arumpac-Marte (Philippines)

\* Reissued for technical reasons on 28 February 2023.

<sup>1</sup> See [A/36/33](#), para. 7.



6. The Bureau of the Special Committee also served as the Bureau of the Working Group of the Whole.
7. The Director of the Codification Division of the Office of Legal Affairs acted as Secretary of the Special Committee. The Principal Legal Officer of the Division acted as Assistant Secretary of the Special Committee. The Division provided substantive services for the Special Committee and the Working Group.
8. At its 304th meeting, the Special Committee adopted the following agenda:
  1. Opening of the session.
  2. Election of officers.
  3. Adoption of the agenda.
  4. Organization of work.
  5. Consideration of the questions referred to in General Assembly resolution [77/109](#), in accordance with the mandate of the Special Committee as set out in that resolution.
  6. Adoption of the report.
9. General statements touching on all or several items were made at the 304th and 305th meetings. Their substance is reflected in the relevant sections of the present report.
10. With regard to the question of the maintenance of international peace and security, the Special Committee had before it General Assembly resolution [64/115](#) and the annex thereto, entitled “Introduction and implementation of sanctions imposed by the United Nations”.
11. The Special Committee also had before it the following documents: a revised proposal submitted at the 1998 session by Libya with a view to strengthening the role of the United Nations in the maintenance of international peace and security;<sup>2</sup> a further revised version, submitted at the 2014 session, of the working paper submitted by Belarus and the Russian Federation at the 2005 session on an advisory opinion to be requested from the International Court of Justice as to the legal consequences of the resort to the use of force by States without prior authorization by the Security Council, except in the exercise of the right to self-defence;<sup>3</sup> and a revised working paper submitted by Cuba at the 2019 session on the strengthening of the role of the Organization and enhancing its effectiveness: adoption of recommendations.<sup>4</sup>
12. With regard to the question of the peaceful settlement of disputes, the Special Committee undertook its annual thematic debate on the means for the settlement of disputes, in accordance with Chapter VI of the Charter, including in particular those means referred to in Article 33 thereof, and consistent with the Manila Declaration on the Peaceful Settlement of International Disputes. During the debate, the discussions were focused on the subtopic “Exchange of information on State practices regarding the resort to regional agencies or arrangements”. The Special Committee had before it an explanatory note by the Non-Aligned Movement on the identification of “other peaceful means” of pacific settlement of disputes in Article 33 (1) of the Charter of the United Nations adopted in paragraph 5 (b) of General Assembly resolution [77/109](#).<sup>5</sup> The Special Committee also had before it a proposal, revised in 2014 by the Russian Federation, recommending that the Secretariat be requested to establish a

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<sup>2</sup> See [A/53/33](#), para. 98.

<sup>3</sup> See [A/69/33](#), para. 37.

<sup>4</sup> See [A/74/33](#), annex I.

<sup>5</sup> See [A/AC.182/L.162](#).

website dedicated to the peaceful settlement of disputes between States and to update the *Handbook on the Peaceful Settlement of Disputes between States*.<sup>6</sup>

13. At its 306th meeting, on 1 March, the Special Committee adopted its report on its 2023 session.

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<sup>6</sup> See [A/69/33](#), para. 52.