



(Please check against delivery)

STATEMENT BY
MR. RAJA REZA RAJA ZAIB SHAH, CHARGE D'AFFAIRES
OF THE PERMANENT MISSION OF MALAYSIA TO THE UNITED NATIONS

ON AGENDA ITEM 84 ENTITLED "REPORT OF THE SPECIAL COMMITTEE ON
THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF
THE ROLE OF THE ORGANIZATION"
AT THE SIXTH COMMITTEE OF THE SIXTY-EIGHTH SESSION OF
THE UNITED NATIONS GENERAL ASSEMBLY

NEW YORK, 14 OCTOBER 2013

Mr. Chairman,

At the outset, allow me to align my statement with that made by the Islamic Republic of Iran on behalf of the Non-Aligned Movement (NAM). Malaysia wishes to record its appreciation to the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization for its report contained in document A/68/33.

2. Malaysia attaches great importance to the work of the Special Committee on the Charter of the United Nations (UN) and on the Strengthening of the Role of the Organization. It is the only mechanism within the UN system that openly discusses issues related to the UN Charter. It has played a positive role in the maintenance of international peace and security and promoting the peaceful settlement of disputes. As such, we believe that the proposals before the Special Committee merit in-depth consideration.

Mr. Chairman,

3. On the question of maintaining international peace and security, Malaysia continues to remain concerned on the impact of the application of sanctions. While we appreciate improvements made to some sanctions committees, we are in general against the application of sanctions. Sanctions hurt the people of a State while doing little to their intended target. In our view, sanctions should only be considered as a last resort and when there is a clear threat to international peace and security. They should not be considered for preventive measures. Sanctions should also be applied in accordance to the UN Charter and relevant principles of international law.

4. Malaysia takes note of the report of the Secretary General on the Implementation of the provisions of the Charter of the UN related to assistance to third States affected by the application of sanctions, A/68/226. We appreciate that the Security Council continues to shift from comprehensive economic sanctions to targeted sanctions, which have helped reduce the potential negative impact on third States. However, due to the wide and adverse impact of sanctions in an era of globalization and a world of economic interdependence, we believe that the issue should continue to be considered.

Mr. Chairman,

5. My delegation finds merit in the proposal to study the proper implementation of the Charter of the United Nations with respect to the functional relationship of its organs. Representing all 193 Member States, the General Assembly is the chief deliberative, policy-making and representative organ of the UN. Consequently, its role and authority must be preserved. The Special Committee, in accordance with its mandate as provided for by relevant General Assembly resolutions, is thus, an appropriate forum to consider this issue.

6. This proposal is also fitting considering the various instances of encroachment of the Security Council into issues that fall within the competence of other UN organs. My delegation views the issue of encroachment seriously and cannot emphasize enough the need for the principal organs of the United Nations to faithfully respect each other's mandate in accordance with the UN Charter.

7. Malaysia welcomes the progress made in compiling the *Repertory Practice of UN Organs* and towards updating the *Repertoire of the Practice of the Security Council*. We appreciate the work done by the Secretariat in its effort to eliminate the backlog in the Repertory thus far, and hope that further effort will be made particularly to volume III of the Repertory.

Mr. Chairman,

8. Again, my delegation wishes to stress the importance of the proposals before the Special Committee. We are concerned on the lack of progress in the consideration of those proposals. This is largely due to the lack of political will and also the working methods employed. We do not believe that there is an overlap of consideration of similar issues. On the contrary, the consideration of an issue by the Special Committee may in fact complement the consideration of the issue by another organ. It is obvious that there is a need to improve on the working methods and ensure that there is greater interaction and substantive discussions on proposals before the Special Committee. We hope that the proposals would be duly considered and analyzed at the Special Committee's next session.

I thank you.