



# MALAYSIA

PERMANENT MISSION TO THE UNITED NATIONS

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**STATEMENT BY  
STATEMENT BY H.E. AMBASSADOR HUSSEIN HANIFF  
PERMANENT REPRESENTATIVE OF MALAYSIA  
TO THE UNITED NATIONS  
AT THE MEETING OF THE SPECIAL COMMITTEE  
ON THE CHARTER OF THE UNITED NATIONS AND  
ON THE STRENGTHENING OF THE  
ROLE OF THE ORGANISATION  
NEW YORK, 17 FEBRUARY 2015**

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At the outset, I wish to congratulate you, Mr. Chairman, and members of the bureau on your election. The Malaysian delegation will give its full support and cooperation to you in steering the work of the Special Committee in its deliberations under your able stewardship.

2. Malaysia wishes to align itself with the statement made by the representative of the Islamic Republic of Iran on behalf of the Non-Alignment Movement (NAM).

3. 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 this Special Committee merits in-depth consideration.

4. On the various ways of resolving disputes through peaceful means as outlined under Chapter VI of the UN Charter, the importance of the International Court of Justice (ICJ) cannot be over emphasized. Being the principal judicial organ of the United Nations, the ICJ settles legal disputes between States as well as provides advisory opinions on legal matters referred to it by duly authorized UN organs and specialized agencies.

5. Malaysia is committed to the settlement of international disputes through peaceful means. Thus, we value the Court's adherence to its prescribed mandates and observance to the rule of law, which would in

turn, boosts the confidence of Member States in the Court's effectiveness in fulfilling its role as the principal judicial organ of the United Nations.

6. Malaysia's commitment is reflected by the fact that Malaysia has time and again peacefully resolved its disputes with its neighbours through the Court. At the same time, we would also be looking at other dispute resolution mechanisms for a satisfactory resolution of its disputes or claims.

7. On the proposal to study the proper implementation of the Charter of the UN with respect to the functional relationship of its organs, we have seen the need for concrete proposals to be made for discussion. Many Member States continue to underscore that the General Assembly remains the chief deliberative, policy-making and representative organ of the UN. Consequently, its role and authority must be preserved. The Special Committee is thus the appropriate forum when it comes to dividing the work of the UN principal organs.

8. We continue to be concerned by the encroachment of the Security Council into issues that fall within the competence of other UN organs. Therefore, we call for the principal organs of the United Nations to faithfully respect each other's mandate in accordance with the principles established by the UN Charter.

9. Malaysia is of the view that the long standing issues on the agenda of the Special Committee remain in part due to a lack of a consensus after many years of debates.

10. We welcome the progress made in compiling the Repertory Practice of UN Organs and towards updating the Repertoire of the Practice of the Security Council, as contained in document A/69/159. My delegation appreciates the work done by the Secretariat in its effort to eliminate the backlog in the Repertory. We look forward to more headway in the elimination of the backlog of the Repertory, particularly to eliminate the backlog in volume III of the Repertory.

11. Malaysia also appreciates 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, as contained in document A/69/119. In principle, we are against the application of sanctions. It generally hurts the people of a State instead of its intended target.

12. We note the improvements by the Security Council in shifting from comprehensive economic sanctions to targeted sanctions. We believe this shift will help to minimise the potential negative impact on third States. In

our view, sanctions should only be considered as a last resort and when there is a clear threat to international peace and security.

13. Malaysia welcomes the continued efforts by the Special Committee to identify new subjects for consideration in its future works with a view to contributing to the revitalization of the work of the United Nations. We also note that this year marks the 70<sup>th</sup> Anniversary of the United Nations and that the Special Committee is tasked to consider the question of an appropriate commemoration of the 70<sup>th</sup> anniversary of the UN Charter.

14. My delegation wishes to express our full support to the Special Committee in its consideration of all proposals concerning the question of the maintenance of international peace and security in all its aspects in order to strengthen the role of the United Nations, as adopted in Resolution 69/122. We believe that Member States need to show the political will in pursuing progress on the items reflected in the recent Report of the Special Committee (A/69/33).

Thank you, Mr Chairman.