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

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Draft report

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II. Maintenance of international peace and security

1. The Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization considered the question of the maintenance of international peace and security during the general exchange of views held at its 312th and 313th meetings, on 18 February 2025, and at the 1st meeting of the Working Group of the Whole, on 19 February.

2. In their general comments, several delegations noted the eightieth anniversary of the establishment of the United Nations and emphasized the paramount importance of the Charter of the United Nations for the maintenance of international peace and security. Several delegations called upon all Member States to strengthen their commitment to the Charter, including through upholding its purposes and principles, such as refraining from the threat or use of force, respecting territorial integrity and the peaceful settlement of disputes, faithfully practising multilateralism and upholding the international system with the United Nations at its core and on the basis of international law. Concern was expressed over the selective or accommodative interpretation of the provisions of the Charter and attempts to replace the purposes and principles enshrined in the Charter with a new set of rules that had never been discussed in an inclusive and transparent manner.

3. Many delegations expressed serious concern about violations of the Charter and breaches of international law in ongoing conflicts in various regions of the world and reaffirmed the necessity of protecting the purposes and principles of the Charter and upholding international law. They reiterated their call for the redoubling of efforts towards the achievement of a just and lasting peace in accordance with the Charter.

4. A number of delegations expressed regret that the Special Committee had been unable to adopt a substantive report at its most recent three sessions owing to divergent views and a lack of consensus on difficult issues and expressed concern that the lack of a substantive report rendered it impossible to have an effective institutional



record of what had taken place during the sessions. Those delegations urged a return to consensus so that the Committee could adopt its report.

5. A number of delegations reiterated that the reform of the Organization should be carried out in accordance with the principles and procedures established in the Charter while focusing on preserving the legal framework of this 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 at the attempts to enter areas of setting norms and establishing definitions that fell within the purview of the Assembly. The view was expressed 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, which were encouraged to intensify cooperation and dialogue with one another. It was also emphasized that the Special Committee was the appropriate forum for examining the legal aspects of those issues.

A. Introduction and implementation of sanctions imposed by the United Nations

6. During the general exchange of views held at the 312th and 313th meetings of the Special Committee, on 18 February, and the 1st meeting of the Working Group of the Whole, on 19 February, reference was made to the issue of the introduction and implementation of sanctions imposed by the United Nations (see General Assembly resolution [64/115](#), annex).

7. During the general exchange of views and the 1st meeting of the Working Group of the Whole, a number of delegations noted that the Special Committee provided a channel of communication between Member States and the Secretariat regarding all aspects of the introduction and implementation of sanctions imposed by the United Nations. It was emphasized that sanctions should avoid double standards and selectivity. Others expressed the view that sanctions were blunt instruments, the use of which raised fundamental ethical questions as to their legitimacy, given that they could inflict suffering on vulnerable groups in the target country.

8. Delegations emphasized that sanctions should be implemented in full compliance with the provisions of the Charter and international law, including international humanitarian law and international human rights law, by ensuring that sanctions were fit for purpose, with clear and objective listing criteria. Some delegations welcomed the adoption of Security Council resolution [2664 \(2022\)](#) on a humanitarian exception to asset freeze measures across United Nations sanctions regimes.

9. The adoption of Council resolution [2744 \(2024\)](#), which introduced new procedures for delisting petitions submitted to the Focal Point Mechanism, and Council resolution [2734 \(2024\)](#), which extended the mandate of the Office of the Ombudsperson to the Security Council Committee pursuant to resolutions [1267 \(1999\)](#), [1989 \(2011\)](#) and [2253 \(2015\)](#) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities was also welcomed. The Secretary-General was congratulated for his continued efforts to assist States affected by sanctions imposed by the Council.

10. It was reiterated that sanctions should be imposed only as a measure of last resort when there existed a threat to international peace and security, a breach of peace or an act of aggression, and that they should be imposed in accordance with the Charter and on the basis of evidence. Some delegations considered that sanctions were not applicable as a preventive measure and should be predicated upon the exhaustion

of all other peaceful means. It was emphasized that the objectives of sanctions regimes should be clearly defined, so as to minimize the impact on the civilian population, and based on tenable legal grounds and imposed with a clear time frame, subject to monitoring and a periodic review, and lifted as soon as their objectives were achieved. It was noted that listed individuals and entities must have the right to challenge their inclusion through an effective review mechanism. It was also noted that the objectives of sanctions were not and should not be to punish or exact retribution on an entire population. Several delegations noted that sanctions should not produce unintended consequences in the target State or in third States that might lead to violations of human rights and fundamental freedoms, nor should they hinder humanitarian assistance from reaching the civilian population. It was further noted that there was a need to keep due process under constant monitoring.

11. Several delegations reaffirmed that sanctions were an important tool for ensuring the maintenance of international peace and security without recourse to the use of force. The view was expressed that, in order to be effective, sanctions must be properly implemented by all States Members of the United Nations. Further discussions on strengthening the implementation of sanctions were encouraged, including the termination of sanctions where an individual or entity would no longer need to be subjected to such sanctions, and the readjustment of sanctions where fundamental rights of an entire population were disproportionately affected. The view was also expressed that sanctions outside United Nations auspices did not fall within the scope of the Special Committee. It was noted that there was no conflict between sanctions imposed under the United Nations framework and autonomous sanctions and that the latter were considered legal and legitimate tools to achieve foreign policy, security and other objectives.

12. A number of delegations reiterated their concerns about the imposition of unilateral sanctions by States in violation of international law, including the Charter, principles such as sovereign equality and non-intervention in the internal affairs of States, the rules of the World Trade Organization and the international rule of law. It was noted that unilateral coercive measures, in particular economic sanctions and financial restrictions, could disproportionately harm civilian populations, exacerbate humanitarian crises and undermine fundamental rights, including the rights to development, health and life. The view was also expressed that unilateral coercive measures were punitive in nature and that sanctions should instead be imposed only in a multilateral context. Some delegations called for the practice of unilateral sanctions to cease immediately and emphasized that there was an urgent need to make progress on the subject.

13. Delegations expressed appreciation for the regular briefings by the Secretariat on the document entitled “Introduction and implementation of sanctions imposed by the United Nations”, contained in the annex to General Assembly resolution [64/115](#). It was once again suggested that the Secretariat should develop its capacity to properly assess the unintended side effects of sanctions imposed by the Security Council, as such capacity had not been sufficiently developed in the past, in order to fully assess the short-term and long-term socioeconomic and humanitarian consequences of the Organization’s sanctions regimes.

Briefing

14. At its 1st meeting, the Working Group of the Whole was briefed by a representative of the Department of Political and Peacebuilding Affairs on the document contained in the annex to General Assembly resolution [64/115](#), as requested by the Assembly in paragraph 4 of its resolution [79/125](#). The representative provided information on the elements of the document and general information about United Nations sanctions regimes, adjustments made to United Nations sanctions since the

previous briefing, developments in the implementation of sanctions following the adoption of Security Council resolution 2664 (2022), the adoption of resolution 2744 (2024), the role of the sanctions committees and expert panels in the implementation of sanctions, issues of due process, and the monitoring and review mechanisms. The briefing also referred to the Secretariat efforts to continue increasing the geographical diversity and gender balance among sanctions expert panels. She also responded to questions from delegations on several aspects of sanctions regimes.

15. Appreciation was expressed for the briefing and the efforts made to enhance the transparency of the procedures relating to sanctions and due process.

16. It was noted that strengthening due process was essential for the United Nations sanctions regimes, and reference was made to the adoption of Security Council resolutions 2744 (2024) and 2734 (2024). The Secretariat was asked what the key points were with regard to implementing resolution 2744 (2024) and ensuring the effectiveness of the Focal Point Mechanism. The Secretariat was also asked how the independence of the Ombudsperson could be further enhanced in the context of strengthening due process rights. The representative of the Department of Political and Peacebuilding Affairs stressed the importance of due process in the implementation of the measures and noted that the procedures pursuant to resolution 2744 (2024) would become effective once the focal point was appointed. It was noted that the structure of the Office of the Focal Point for Delisting would be similar to that of the Office of the Ombudsperson. She emphasized the importance of raising awareness of the existence and functioning of delisting procedures. In relation to the possible improvement of the work of the Ombudsperson, she recalled that the Office of the Ombudsperson was dependent on the Department of Political and Peacebuilding Affairs for administrative support but had a separate budget and enjoyed substantive independence.

17. The view was expressed that United Nations sanctions were to be implemented in full compliance with international humanitarian law, and the adoption of Security Council resolution 2761 (2024) was noted with appreciation. The Secretariat was asked about the impact of the humanitarian carveout to United Nations sanctions regimes, implementation challenges, and potential solutions. The representative of the Department of Political and Peacebuilding Affairs explained that sanctions committees were required to adopt Implementation Assistance Notices and underscored the need to increase awareness of the standing humanitarian exemption. In relation to challenges to implementation, a possible risk of overcompliance by financial institutions and other actors was noted, but the representative explained that the Emergency Relief Coordinator had observed that there had been a reduction in some delays that humanitarian actors faced to deliver or carry out their activities.

18. In the context of the termination of the mandate of the Panel of Experts for the Security Council Committee established pursuant to resolution 1718 (2006), the Secretariat was asked about the implementation challenges in connection with regimes with and without panels of experts and whether any specific challenges had emerged regarding the Democratic People's Republic of Korea sanctions regime since the Panel's termination. The representative of the Department of Political and Peacebuilding Affairs explained that sanctions committees were mandated by the Council to monitor the implementation of sanctions, and she noted that, where there was no panel of experts, the regimes lacked an independent monitoring mechanism. It was also noted that panels were often contacted for clarification regarding the implementation of sanction regimes.