



General Assembly

Seventy-third session

55th plenary meeting
Monday, 17 December 2018, 10 a.m.
New York

Official Records

President: Ms. Espinosa Garcés. (Ecuador)

The meeting was called to order at 10.10 a.m.

Reports of the Third Committee

The President (*spoke in Spanish*): The General Assembly will consider the reports of the Third Committee on agenda items 28, 29, 65, 69 to 74, 109, 110, 123 and 137.

I request the Rapporteur of the Third Committee, Ms. Katharina Konzett-Stoffl of Austria, to introduce the reports of the Committee in one intervention.

Ms. Konzett-Stoffl (Austria), Rapporteur of the Third Committee: It is a great privilege for me to introduce to the General Assembly the reports of the Third Committee submitted under the agenda items allocated to it by the Assembly, namely, items 28, 29, 65, 69, 70 to 73, 74, 109, 110, 123 and 137.

The reports, contained in documents A/73/581 to A/73/593, include the texts of draft resolutions and decisions recommended to the General Assembly for adoption. For the convenience of delegations, the Secretariat has issued document A/C.3/73/INF/1, which contains a checklist of actions taken on the draft proposals contained in the reports before the Assembly.

Under agenda item 28, entitled “Social development”, including sub-items (a), (b) and (c), the Third Committee recommends, in paragraph 31 of its report contained in document A/73/581, the adoption of six draft resolutions.

Under agenda item 29, entitled “Advancement of women”, the Third Committee recommends, in

paragraph 37 its report contained in of document A/73/582, the adoption of four draft resolutions and, in paragraph 38, the adoption of one draft decision.

Under agenda item 65, entitled “Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions”, the Third Committee recommends, in paragraph 16 of its report contained in document A/73/583, the adoption of two draft resolutions.

Under agenda item 69, entitled “Report of the Human Rights Council”, the Third Committee recommends, in paragraph 11 of its report contained in document A/73/584, the adoption of one draft resolution.

Under agenda item 70, entitled “Promotion and protection of the rights of children”, the Third Committee recommends, in paragraph 56 of its report contained in document A/73/585, the adoption of three draft resolutions and, in paragraph 57, the adoption of one draft decision.

Under agenda item 71, entitled “Rights of indigenous peoples”, the Third Committee recommends, in paragraph 8 of its report contained in document A/73/586, the adoption of one draft resolution.

Under agenda item 72, entitled “Elimination of racism, racial discrimination, xenophobia and related intolerance”, the Third Committee recommends, in paragraph 26 of its report contained in document A/73/587, the adoption of two draft resolutions.

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org>).

18-44315 (E)



Accessible document

Please recycle



Under agenda item 73, entitled “Right of peoples to self-determination”, the Third Committee recommends, in paragraph 24 of its report contained in document A/73/588, the adoption of three draft resolutions.

Under agenda item 74, entitled “Promotion and protection of human rights”, the Third Committee recommends, in paragraph 9 of document A/73/589, the adoption of one draft resolution and, in paragraph 10, the adoption of one draft decision.

Under sub-item (a), entitled “Implementation of human rights instruments”, of agenda item 74, entitled “Promotion and protection of human rights”, the Third Committee recommends, in paragraph 21 of its report contained in document A/73/589/Add.1, the adoption of one draft resolution.

Under sub-item (b), entitled “Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms”, of agenda item 74, entitled “Promotion and protection of human rights”, the Third Committee recommends, in paragraph 162 of its report contained in document A/73/589/Add.2, the adoption of 17 draft resolutions.

Under sub-item (c), entitled “Human rights situations and reports of special rapporteurs and representatives”, of agenda item 74, entitled “Promotion and protection of human rights”, the Third Committee recommends, in paragraph 88 of its report contained in document A/73/589/Add.3, the adoption of five draft resolutions.

Under sub-item (d), entitled “Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action”, of agenda item 74, entitled “Promotion and protection of human rights”, the Third Committee wishes to advise the Assembly that no action was required under that sub-item.

Under agenda item 109, entitled “Crime prevention and criminal justice”, the Third Committee recommends, in paragraph 45 of its report contained in document A/73/590, the adoption of nine draft resolutions and, in paragraph 46, the adoption of one draft decision.

Under agenda item 110, entitled “International drug control”, the Third Committee recommends, in paragraph 10 of its report contained in document A/73/591, the adoption of one draft resolution.

Under agenda item 123, entitled “Revitalization of the work of the General Assembly”, the Third Committee recommends, in paragraph 6 of its report contained in document A/73/592, the adoption of one draft decision.

Finally, under agenda item 137, entitled “Programme planning”, the Third Committee wishes to advise the Assembly that no action was required under that item.

I would like to thank my fellow Bureau members—the Chair of the Committee, Ambassador Mahmoud Saikal, Permanent Representative of Afghanistan; and the Vice-Chairs, Ms. Lahya Itedhimbwa Shikongo of Namibia, Mr. Martin Kováčik of Slovakia and Mr. Edgar Andrés Molina Linares of Guatemala, as well as the Secretary of the Committee, Mr. Moncef Khane, and his able team, for their unwavering support and sound advice in the management of the proceedings of the Third Committee. Finally, I am grateful to all Third Committee experts for their support to the Bureau and for their friendship.

In conclusion, I would like to respectfully commend the reports of the Third Committee before the plenary of the General Assembly for its consideration.

The President (*spoke in Spanish*): I thank the Rapporteur of the Third Committee.

The positions of delegations regarding the recommendations of the Committee have been made clear in the Committee and are reflected in the relevant official records. Therefore, if there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the reports of the Third Committee that are before the Assembly today.

It was so decided.

The President (*spoke in Spanish*): Statements will therefore be limited to explanations of vote or position. I would like to remind members that, in accordance with General Assembly decision 34/401, a delegation should, as far as possible, explain its vote only once, that is, either in the Committee or in plenary meeting, unless that delegation’s vote in plenary meeting is different from its vote in the Committee. I would also like to remind members that explanations are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Third Committee, I would like to advise representatives that we are going to proceed to take decisions in the same manner as was done in the Committee, unless the Secretariat is notified otherwise in advance. That means that, where separate or recorded votes were taken, we will do the same. I would also hope that we may proceed to adopt without a vote those recommendations that were adopted without a vote in the Third Committee. The results of the votes will be uploaded and available on the PaperSmart portal.

Before proceeding further, I would like to draw the attention of members to a note by the Secretariat, in English only, entitled “List of proposals contained in the reports of the Third Committee”, which has been circulated as document A/C.3/73/INF/1. The note has been distributed desk-to-desk in the General Assembly Hall as a reference guide for action on draft resolutions and decisions recommended by the Third Committee in its reports.

Members will find in column 4 of the note the symbols of the draft resolutions and decisions of the Third Committee, with the corresponding symbols of the reports for action in the plenary in column 2 of the same note. For reports containing multiple recommendations, the draft resolution or decision number is contained in column 3 of the note.

Members are reminded that additional sponsors are no longer accepted now that draft resolutions and decisions have been adopted in the Committee. Any clarification about sponsorship in the Committee reports should be addressed to the Secretary of the Committee.

Furthermore, members are reminded that any corrections to the voting intention of delegations after the voting has concluded on a proposal should be made directly to the Secretariat after the meeting. I would seek members’ cooperation in avoiding any interruptions to our proceedings in that regard.

Agenda item 28

Social development

(a) Implementation of the outcome of the World Summit for Social Development and of the

twenty-fourth special session of the General Assembly

(b) Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family

(c) Literacy for life: shaping future agendas

Report of the Third Committee (A/73/581)

The President (*spoke in Spanish*): The Assembly has before it six draft resolutions recommended by the Third Committee in paragraph 39 of its report.

We shall now take decisions on draft resolutions I to VI, one by one. After all the decisions have been taken, representatives will have an opportunity to explain their vote or position on any or all of the draft resolutions.

We turn first to draft resolution I, entitled “Volunteering for the 2030 Agenda for Sustainable Development”. The Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution I was adopted (resolution 73/140).

The President: Draft resolution II is entitled “Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly”. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Eswatini, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti,

Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, South Sudan, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Israel, Papua New Guinea, United States of America

Abstaining:

None

Draft resolution II was adopted by 188 votes to 3 (resolution 73/141).

The President (*spoke in Spanish*): Draft resolution III is entitled "Inclusive development for and with persons with disabilities". The Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution III was adopted (resolution 73/142).

The President (*spoke in Spanish*): Draft resolution IV is entitled "Follow-up to the Second World Assembly on Ageing". The Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution IV was adopted (resolution 73/143).

The President (*spoke in Spanish*): Draft resolution V is entitled "Follow-up to the twentieth anniversary of the International Year of the Family and beyond". The Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution V was adopted (resolution 73/144).

The President (*spoke in Spanish*): Draft resolution VI is entitled "Literacy for life: shaping future agendas". The Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution VI was adopted (resolution 73/145).

The President (*spoke in Spanish*): May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 28 and its sub-items (a), (b) and (c)?

It was so decided.

Agenda item 29

Advancement of women

(a) Advancement of women

(b) Implementation of the outcome of the Fourth World Conference on Women and of the twenty-third special session of the General Assembly

Report of the Third Committee (A/73/582)

Draft amendment (A/73.L.56)

The President (*spoke in Spanish*): The Assembly has before it four draft resolutions recommended by the Third Committee in paragraph 37 of its report, as well as one draft decision recommended in paragraph 38 of the same report. In connection with draft resolution I, the General Assembly has before it a draft amendment circulated in document A/73/L.56.

I shall first give the floor to representatives who wish to speak in explanation of vote before the voting.

Mr. Mohamed (Sudan): I would like to commend your work, Madam President, during this session, and the tireless efforts of the Chair of the Third Committee and his Bureau in pursuit of multilateralism and in bringing differing opinions in the Third Committee to the degree of consensus that multilateralism allows and to the degree that we can adhere to that principle,

the embodiment of world peace. In that context, we have tried our best to do away with paragraphs and concepts that might affect or compromise our general quest for the greatest possible level of consensus and for enhancing multilateralism. Taking that principled position into account, we would like to make the following statement. I will now speak with regard to the draft amendment we are requesting.

(spoke in Arabic)

Through draft amendment A/73/L.56, my delegation requests the deletion of the sixteenth preambular paragraph of draft resolution I, entitled “Trafficking in women and girls”, recommended in the report of the Third Committee (A/73/582). The paragraph mentions the International Criminal Court (ICC), and we request the draft amendment for the following reasons.

First, we asked for the paragraph to be rejected during the informal consultations on the draft resolution because it gives the untrue impression that the ICC is the only authority that has the jurisdiction to try certain crimes. Furthermore, it ignores the fact that not all countries are party to the Rome Statute, under which the ICC was established, and that the ICC is a stand-alone organ that has nothing to do with the United Nations except through their Relationship Agreement.

Secondly, my delegation believes that a draft resolution containing a paragraph that references the ICC in isolation from other international mechanisms ignores the fact that there are many national, regional and international mechanisms that are achieving considerable success with regard to the issues under consideration. That is why we proposed some amendments to the paragraph during the informal consultations with a view to striking a balance, and suggested alternative language and options with a view to ultimately achieving consensus on the draft resolution. In fact, we spared no effort in that regard. Unfortunately, however, those efforts were fruitless and our position fell on deaf ears. Despite the fact that the topic of the draft resolution is a very important one, the selective methods used really left us with no choice but to propose an amendment, because it is unacceptable to impose a specific legal system as a main reference and benchmark for all.

My delegation would also like to stress that fighting impunity has been and remains a priority for the Sudan, within the framework of the principle of respect for international law, which ensures justice and equality

among countries and preserves national sovereignty. In that regard, my country is concerned about attempts to globalize the ICC and the Rome Statute as a legal system and benchmark that must be imposed on all Member States, despite the sovereign right of States to voluntarily accede or not accede to a given agreement.

Thirdly, we have an established and clear position on the reference to the ICC, since it helps to politicize the language of Third Committee draft resolutions and undermines the Committee’s objectives and fundamental principles. Such references can also be used as a platform to promote the ICC while undermining the consensus, or the unanimity, on those draft resolutions in every instance.

I would like to thank those who will vote in favour of our amendment. We request the deletion of the sixteenth preambular paragraph and urge Member States to support our position and vote in favour of the proposed amendment.

Mr. Sparber (Liechtenstein): I have the honour to deliver this statement on behalf of Australia, Canada, Iceland, New Zealand, Norway, Switzerland and my own country, Liechtenstein.

We are once again deeply disturbed by one delegation’s attempts to challenge references to the International Criminal Court (ICC) in draft resolutions of the Third Committee that have been agreed language for many years.

The ICC is an independent organization with a strong institutional connection to the United Nations. It is the world’s first and only permanent international independent court with criminal law jurisdiction, and it has a key role to play in ending impunity where national courts are unwilling or unable to exercise jurisdiction over the most serious crimes under international law and in the protection of human rights. The ICC’s work is therefore vitally important within the scope of various Third Committee draft resolutions that will be adopted by the General Assembly today, including on trafficking in women and girls, the rights of the child, extrajudicial summary or arbitrary executions, and the situation of human rights in the Democratic People’s Republic of Korea.

We regret that once again we are confronted with draft amendments that undermine the important role of the ICC in ending impunity for grave human rights violations, and thereby upholding human rights,

which is one of the Assembly's core mandates, and that challenge language that has been included in the relevant texts for many years. We therefore call on all States to vote against all draft amendments that ask for the deletion of references to the ICC.

Mr. Kickert (Austria): I have the honour to speak on behalf of the European Union and its member States.

In all brevity, and so as not to duplicate the deliberations we already held in the Third Committee, I would just like to state that we deeply regret that the Sudan has once again introduced a draft amendment to draft resolution I, seeking to delete references to the International Criminal Court. That issue has already been considered in the Third Committee, and the outcome was a clear rejection of the draft amendment. As in the Third Committee, the 28 member States of the European Union will vote against the draft amendment, which is a deletion, and we call on all other States, particularly States parties to the Rome Statute of the International Criminal Court, to also vote no.

The President (*spoke in Spanish*): We shall now take decisions on draft resolutions I to IV and on the draft amendment, one by one.

We turn first to draft resolution I, entitled "Trafficking in women and girls". In connection with draft resolution I, the General Assembly has before it a draft amendment circulated in document A/73/L.56. In accordance with rule 90 of the rules of procedure, the Assembly shall first take a decision on the draft amendment. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Bahrain, Belarus, Burundi, Cameroon, China, Democratic People's Republic of Korea, Egypt, Eritrea, Iraq, Oman, Pakistan, Russian Federation, Saudi Arabia, Seychelles, Sudan, Syrian Arab Republic, Yemen

Against:

Afghanistan, Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bangladesh, Barbados, Belgium, Belize, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cabo Verde, Canada, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo,

Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Eswatini, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kiribati, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Mali, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Zambia, Zimbabwe

Abstaining:

Algeria, Angola, Bahamas, Bhutan, Brunei Darussalam, Cambodia, Ethiopia, India, Indonesia, Israel, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Malaysia, Mauritius, Morocco, Mozambique, Papua New Guinea, Qatar, Rwanda, Sao Tome and Principe, Singapore, South Sudan, Sri Lanka, Togo, Turkey, Uganda, United Arab Emirates, United States of America, Viet Nam

The draft amendment was rejected by 17 votes to 112, with 32 abstentions.

The President (*spoke in Spanish*): The Third Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 73/146).

The President (*spoke in Spanish*): Draft resolution II is entitled "Intensification of efforts to end obstetric fistula". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 73/147).

The President (*spoke in Spanish*): We turn next to draft resolution III, entitled "Intensification of efforts

to prevent and eliminate all forms of violence against women and girls: sexual harassment”, on which a separate recorded vote has been requested on operative paragraphs 8 (d) and 11.

I now call on the representative of the Netherlands on a point of order.

Mr. Oppenheimer (Netherlands): We are a little surprised by what is going on because we have not been informed about a vote. There is now suddenly a vote on draft resolution III, and we do not really know what we are voting on.

If we are voting on keeping the text as we agreed in the Third Committee, by all means let us go ahead. However, it is very unclear. I am looking at the screen and I am quite certain about the outcome of the voting, so I do not necessarily want to stop it, given that it looks positive. But we are confused about what is going on. Let us continue the voting, but we would like to understand what we are voting on.

The President (*spoke in Spanish*): The delegation of the United States has requested a vote on operative paragraphs 8 (d) and 11. The representative of the Netherlands is correct in saying that draft resolution III was adopted in the Third Committee without a vote.

We will now proceed to take action on draft resolution III. The Assembly will first take a decision on the proposal to delete paragraphs 8 (d) and 11. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Belize, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Cabo Verde, Cameroon, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Eswatini, Finland, France, Georgia, Germany, Greece, Guinea, Guinea-Bissau, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Malta, Mauritius,

Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Romania, Samoa, San Marino, Saudi Arabia, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, South Sudan, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

United States of America

Abstaining:

Angola, Barbados, Belarus, Bhutan, Burundi, Cambodia, Chad, Comoros, Democratic Republic of the Congo, Egypt, Equatorial Guinea, Ethiopia, Gambia, Ghana, Guatemala, Honduras, Iraq, Jamaica, Malaysia, Nepal, Nicaragua, Philippines, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Senegal, Sri Lanka, Sudan, Togo

Operative paragraphs 8 (d) and 11 were retained by 130 votes to 1, with 31 abstentions.

The President (*spoke in Spanish*): The Third Committee adopted draft resolution III without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution III, as a whole, was adopted (resolution 73/148).

The President (*spoke in Spanish*): Draft resolution IV is entitled “Intensifying global efforts for the elimination of female genital mutilation”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution IV was adopted (resolution 73/149).

The President (*spoke in Spanish*): We shall now turn to paragraph 38 of the report to take action on the draft decision, entitled “Documents considered by the General Assembly in connection with the item ‘Advancement of women’”. The Third Committee

adopted it without a vote. May I take it that the Assembly wishes to do the same?

The draft decision was adopted (decision 73/523).

The President (*spoke in Spanish*): May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 29?

It was so decided.

Agenda item 65

Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Report of the Third Committee (A/73/583)

The President (*spoke in Spanish*): The Assembly has before it two draft resolutions recommended by the Third Committee in paragraph 16 of its report.

I shall now call on those representatives who wish to speak in explanation of vote or position before action is taken on draft resolutions I and II.

Ms. Schoulgin Nyoni (Sweden): I am honoured to make this statement today on behalf of the five Nordic countries: Denmark, Finland, Iceland, Norway and my own country, Sweden.

The work on draft resolution II, on the Office of the United Nations High Commissioner for Refugees (UNHCR), the so-called UNHCR omnibus resolution, is traditionally facilitated by one of the Nordic countries. This year it has been our privilege to facilitate the draft resolution in Geneva and to present it to the General Assembly in New York.

The subject matter of the draft resolution is the mandate and work of the United Nations refugee agency, UNHCR. It is a humanitarian, non-political text, dealing with the common ground that will enable UNHCR to continue to work in the interests of us all and, most essentially, for the benefit of refugees and other persons of concern under its mandate.

This year, as delegations are aware, is an especially important one for the UNHCR omnibus draft resolution. The New York Declaration stipulates that the global compact on refugees is to be presented to the Assembly for its consideration in conjunction with the UNHCR draft resolution. The compact is the tool kit that will

help us deliver a more effective response, putting the rights and potential of refugees and their hosts at the heart of a more comprehensive approach.

We look forward to assessing our common progress at the first Global Refugee Forum, to be held in one year's time. We commend UNHCR for the comprehensive and transparent process of consultation it conducted with Member States in Geneva to develop the global compact on refugees, and we underline the importance of its implementation. Once implemented and supported, it has the potential to strengthen international solidarity and responsibility, sharing and paving the way for a more effective, collective response to one of the central global challenges of our time.

The UNHCR omnibus resolution has to date always been adopted by consensus in the General Assembly and has never been adopted by vote. Our colleagues in Geneva worked hard for over a month to agree on important changes and additions to this year's draft resolution. At its adoption in the Third Committee some weeks ago, an overwhelming majority of Member States expressed their support for it and the work of UNHCR.

As a facilitator of this year's draft resolution and on behalf of the Nordic countries, I today encourage all Member States to support it and vote in favour of its adoption by the General Assembly.

Mr. Schulz (Germany): I have the honour to deliver this statement on behalf of France, the Netherlands and my own country, Germany.

Two years ago we adopted the New York Declaration for Refugees and Migrants, recognizing that more equitable burden- and responsibility-sharing is indispensable if we want to provide sustainable solutions for the world's refugees and those who host them. The global compact on refugees is a major step in that direction. It is, however, not only a historical necessity but also a great opportunity to modernize and enhance refugee responses. It will serve as a toolbox to address and respond effectively to various situations that may arise and as a platform to build new partnerships. Its real added value will be its capacity to mobilize more States and stakeholders around common objectives, with mutual commitments to address needs at national and regional levels.

The development of the global compact on refugees was guided and inspired by the practical application of

the comprehensive refugee response framework over the past two years. The framework has been a catalyst for change and has generated positive, concrete results for refugees and host communities in a number of countries. Its roll-out in Central America and the Horn of Africa are great examples of what such broad-based processes can deliver on the ground.

By affirming the compact, we demonstrate once more our shared conviction that solidarity and cooperation are the only way to effectively address today's refugee movements. Germany, France and the Netherlands have contributed their share and will continue to do so. We strongly commend the Office of the United Nations High Commissioner for Refugees (UNHCR) for its leadership in the significant and sometimes difficult process it was tasked with, culminating in the first-ever global compact on refugees. We sincerely thank the Swedish facilitation team for its relentless efforts, which led to the successful completion of this year's draft resolution on the UNHCR (draft resolution II.)

Germany, France and the Netherlands stand firmly behind the global compact on refugees and look forward to starting its implementation through the adoption of the UNHCR omnibus draft resolution by the General Assembly. That will signal a tangible shift towards a new, comprehensive way of approaching refugee protection and solutions. It will also confirm the political will and ambition of the international community in addressing forced displacements worldwide.

Germany, France and the Netherlands will vote in favour of the adoption of the draft resolution before us. We urge all Member States to do the same. Let us seize this unique, probably once-in-a-generation, opportunity to open a new chapter in our joint endeavour: to provide support and solutions to the millions of refugees around the world and those who generously host them.

Mr. Al-Khalil (Syrian Arab Republic) (*spoke in Arabic*): The global compact on refugees is the outcome of consultations, and not negotiations. It is therefore not binding on Member States.

My delegation reiterates that there is a need for commitment to the principles of professionalism, neutrality and non-politicization, while respecting the Charter of the United Nations. The Office of the United Nations High Commissioner for Refugees should increase its efforts to facilitate the voluntary return of refugees, including Syrian refugees, and to support the relevant efforts of the Syrian Government. Racist

practices, discrimination and xenophobia against refugees, including Syrians, must also be eliminated.

Ms. González (Bolivarian Republic of Venezuela) (*spoke in Spanish*): Venezuela recognizes the importance of draft resolution II in the context of implementing the commitments of the 2016 New York Declaration for Refugees and Migrants. We appreciate the efforts of the Office of the United Nations High Commissioner for Refugees (UNHCR) in proposing a global compact for refugees, which could be implemented voluntarily according to the guiding principles.

Much work remains to be done to ensure that the concerns of developing countries and the main host countries are taken into account during the implementation of the compact. We welcome the support in the text for the voluntary return and repatriation, as it fully recognizes the rights of citizens to remain in their countries of origin if they so wish. We wish to highlight that this right must never be prevented or affected by the implementation of coercive unilateral measures or other forms of neocolonialism, blockades or foreign intervention aimed at paralysing the economic and social development of States.

Venezuela recognizes the positive contributions of the global compact. However, we must warn that its implementation must strictly adhere to its guiding principles and to the purposes and principles of the United Nations. We urge against any effort to convert it into a tool for intervention that could be used by some States. No manipulation or selective interpretation of its objectives should be accepted, nor should its provisions be made more flexible.

We therefore urge that due respect be paid to UNHCR's mandate, established by the statute of resolution 428 (V), of 1950, and resolution 46/182, on strengthening coordination for emergency humanitarian relief and humanitarian principles. Humanitarian principles are fundamental and must guarantee the non-politicization of its implementation, in particular when linked to mechanisms for the distribution of burden and responsibilities, such as support platforms or forums on refugees.

For those reasons Venezuela will vote in favour of this draft resolution.

The President (*spoke in Spanish*): We will now take decisions on draft resolutions I and II one by one.

Draft resolution I is entitled “Assistance to refugees, returnees and displaced persons in Africa”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 73/150).

The President (*spoke in Spanish*): Draft resolution II is entitled “Office of the United Nations High Commissioner for Refugees”. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Equatorial Guinea, Estonia, Eswatini, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, South Sudan, Spain, Sri

Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Hungary, United States of America

Abstaining:

Dominican Republic, Eritrea, Libya

Draft resolution II was adopted by 181 votes to 2, with 3 abstentions (resolution 73/151).

The President (*spoke in Spanish*): Before giving the floor to speakers in explanation of vote on the resolutions just adopted, may I remind delegations that explanations are limited to 10 minutes and should be made by delegations from their seats.

Ms. Bogyay (Hungary): Hungary is a strong, long-time supporter of the Office of the United Nations High Commissioner for Refugees (UNHCR) and its mandate. We reaffirm our commitment to the full implementation of the 1951 United Nations Convention relating to the Status of Refugees and its 1967 Protocol. We are grateful to UNHCR and humanitarian personnel for their tireless work to deliver a humanitarian response to the needs of refugees, internally displaced persons and other persons of concern.

Budapest hosts the UNHCR regional office and shared service centre for Central Europe, with generous long-term support from the Hungarian Government, which is, again, a token of Hungary's commitment to UNHCR and the cause it represents. However, the Hungarian Government has decided not to join the global compact on refugees. As Hungary indicated during the negotiations on the document in Geneva, the Government considers that the existing international legal framework adequately addresses refugee and asylum matters; consequently, the Government considers that there is no necessity for a new instrument in that regard. It is also concerned that the differentiation between refugees and migrants, as well as the voluntary nature of responsibility-sharing, are not adequately reflected in the compact.

For those reasons, the Hungarian Government is not in a position to agree with paragraphs 23 and 24 of resolution 73/151, which affirm and call for the implementation of the global compact on refugees. Therefore, Hungary voted against resolution 73/151.

Mr. Kashaev (Russian Federation) (*spoke in Russian*): We voted in favour of resolution 73/151. We thank the sponsors and the delegation of Sweden for preparing the draft. We believe that the effect of the work of Office of the United Nations High Commissioner for Refugees (UNHCR) on strengthening international protection for refugees, internally displaced persons and stateless persons is relevant and necessary. We will continue to provide comprehensive support to UNHCR.

Regarding the global compact on refugees, we would like to note the following. We believe that the compact will facilitate the protection of the rights and improvement of the situation of refugees and will strengthen the effectiveness of the work of UNHCR within its existing mandate. We would once again like to reiterate our position on the use of responsibility-sharing. We interpret that term, under the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, as the solidarity of the global community in addressing the problem of refugees.

We also believe that a decision to host refugees can be taken only by the host country, in accordance with its national legislation and its international obligations. The rights of refugees do not extend to persons who have committed crimes against peace, war crimes or crimes against humanity. We believe that the responsibility of States to grant labour rights, social support and Government assistance to refugees applies only to refugees who are legally present in the territory of that country. We also believe that climate change, environmental degradation and natural disasters cannot be construed under international law as reasons for refugee displacement.

Given those considerations, we believe the provisions in the global compact on refugees are not legally binding and do not place any obligations, including legal and financial obligations, on the Russian Federation.

Ms. Shoman Khot (Jordan): I would like to reiterate my country's support for resolution 73/151. In that regard, we would like to explain the following points with regard to the global compact on refugees.

Throughout the process, the delegation of Jordan indicated clearly its position with regard to the New York Declaration for Refugees and Migrants, the comprehensive refugee response framework and the global compact on refugees. As a major traditional host country, we believe in the importance of operationalizing the principles of solidarity and burden- and responsibility-sharing and of establishing the necessary mechanisms or arrangements to implement them.

The New York Declaration committed to more equitable burden- and responsibility-sharing, as well as to support for host countries and communities. There was also a commitment to strengthen the resilience of host countries and communities and of community-based development programmes that benefit both refugees and host communities. It is our understanding that the compact does not alter that. That understanding and the points that follow from it guide our position on the New York Declaration, the comprehensive refugee response framework and the compact.

Nothing in the text or the context of implementation of the compact, the comprehensive refugee response framework and the New York Declaration may be interpreted as altering what is stipulated in the 1951 Convention relating to the Status of Refugees, which clearly states that the Convention shall not apply to persons who are at present receiving protection or assistance from organs or agencies of the United Nations other than the Office of the United Nations High Commissioner for Refugees.

Nothing in the New York Declaration, the compact or the comprehensive refugee response framework may be interpreted in a way that would extend the scope or change the definition of the term refugee, confirm rights or expand the scope of protection to subjects that do not enjoy them, or redefine the principle of non-refoulement and/or extend its scope of application to categories that this principle had not intended to cover in the 1951 Convention, when State security is at risk or we rightly interpret the sovereign right of a State to control its border.

Jordan does not consider itself bound or committed to regional or international instruments listed to which it is not party, or to guidelines or other international decisions, conclusions or resolutions on which we made clear our position, or to reports and outcomes of non-intergovernmental processes that we have not

participated in or endorsed. That is true, for example, with respect to the instruments on statelessness and migration. The same position also applies to references and footnotes.

Refugee status ceases once the reason that had led to identifying the status as stipulated in the 1951 Convention ceases to exist. Countries of origin should receive their nationals upon that eventuality. States must readmit their returning nationals and ensure that they are received without undue delay.

On solutions, our understanding is that other local solutions referred to are temporary and are interim solutions that are subject to international cooperation and solidarity and burden-sharing. The root causes of flight in countries of origin should be addressed and relevant solutions in those countries should be found to prevent movement in the first place or, should movement take place, to create the conditions for return.

Mr. Iglesias Mori (Chile) (*spoke in Spanish*): Chile welcomes resolution 73/151 in line with our national legislation, in particular the provisions of Law No. 20430, which regulates the matter in our country. We reaffirm Chile's long-standing contribution to the international community with respect to refugees, which we will always continue. Chile considers the needs of asylum seekers in the light of our country's available means and resources.

The President (*spoke in Spanish*): We have heard the last speaker in explanation of vote on this item. The Assembly has thus concluded this stage of its consideration of agenda item 65.

Agenda item 69

Report of the Human Rights Council

Report of the Third Committee (A/73/584)

The President (*spoke in Spanish*): The Assembly has before it a draft resolution recommended by the Third Committee in paragraph 11 of its report, entitled "Report of the Human Rights Council". We will now take a decision on the draft resolution. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin,

Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Eswatini, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iraq, Jamaica, Kenya, Kiribati, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Belarus, Israel, Myanmar, United States of America

Abstaining:

Albania, Andorra, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Iran (Islamic Republic of), Ireland, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uzbekistan

The draft resolution was adopted by 121 votes to 4, with 60 abstentions (resolution 73/152).

The President (*spoke in Spanish*): Before giving the floor to those representatives who wish to speak in explanation of vote on the resolution just adopted, may I remind delegations that explanations are limited to 10 minutes and should be made by delegations from their seats.

Mr. Poveda Brito (Bolivarian Republic of Venezuela) (*spoke in Spanish*): The Bolivarian Republic of Venezuela voted in favour of resolution 73/152, on the basis of a position of principle. We reaffirm the importance of this subsidiary body of the General Assembly as the supreme body on this very important matter with regard to cooperation and dialogue with States.

However, Venezuela affirms its condemnation of the adoption of resolutions and special procedures or any other mechanism on the human rights situation in specific countries. Furthermore, we reject the selective manner in which this process is handled and its politically motivated objectives, which constitute a violation of the principles of the Charter of the United Nations. Therefore, Venezuela disassociates itself from document HRC/39/1.

The continued practice of the selective adoption of resolutions regarding human rights situations in specific countries goes beyond the competencies of the Human Rights Council and violates the principles of universality, objectivity and non-selectivity with which all human rights topics should be approached. Cooperation and dialogue are the appropriate means, as well as essential principles, for achieving the effective promotion and protection of human rights. In that regard, we support the positions reiterated by the Movement of Non-Aligned Countries in this area.

Venezuela calls for strengthening the positive progress made since the establishment of the Human Rights Council. We wish to see the Universal Periodic Review adopted as the preferred formula for cooperation when addressing human rights matters. We also call for the practice of selective adoption of resolutions by countries to be eliminated, as it undermines the mandate of the Human Rights Council.

Ms. Ndayishimiye (Burundi) (*spoke in French*): I would like to make the following statement following the adoption of resolution 73/152.

While we support the report in its entirety, my delegation would like to reiterate its position of principle. We are concerned by certain aspects of the report, especially as concerns the resolution, which targets and singles out specific countries, including Burundi. Burundi remains convinced that any progress in the area of human rights must come through dialogue, cooperation and the Universal Periodic Review mechanism.

Without repeating what we already stated at the Third Committee, my delegation would like to dissociate itself from the section of the report that targets Burundi, in particular all passages pertaining to the Commission of Inquiry on Burundi.

The President (*spoke in Spanish*): We have heard the last speaker in explanation of vote on the resolution just adopted.

May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 69?

It was so decided.

Agenda item 70

Promotion and protection of the rights of children

(a) Promotion and protection of the rights of children

(b) Follow-up to the outcome of the special session on children

Report of the Third Committee (A/73/585)

Draft amendment (A/73/L.59)

The President (*spoke in Spanish*): The Assembly has before it three draft resolutions recommended by the Third Committee in paragraph 56 of its report, as well as one draft decision recommended by the Committee in paragraph 57 of the same report. In connection with draft resolution III, the Assembly has before it a draft amendment circulated in document A/73/L.59.

Before giving the floor to representatives who wish to speak in explanations of vote before the voting, may I remind delegations that explanations are limited to 10 minutes and should be made by delegations from their seats.

Mrs. Ahmed (Sudan): As previously and clearly stated, my delegation has serious reservations regarding the inclusion in draft resolution III of any references

to the jurisdiction of the International Criminal Court (ICC) and the gratuitous use of the draft resolution to call for, propagate and exert unacceptable pressure on Member States to include such references and language, which jeopardize the ongoing peacebuilding efforts in my country aimed at safeguarding the rights of children in the Sudan.

As Member States are aware, the delisting of the Sudan from the group of States in which the rights of children are violated, in the context of the currently de-escalating conflict in Darfur, is a milestone achievement. Since the year 2003 and throughout the long period during which we addressed the conflict in Darfur, the International Criminal Court has been an impediment to peace. All efforts towards lasting peace were hampered by the ICC simply because of its interference, which has always been malignant since its entry into force in 2002. At best, the ICC is a threat to stability and peace in my country.

The ICC is not an organ of the United Nations, in spite of the repeated attempts by some parties to maintain otherwise at meetings of the Main Committees of the General Assembly. Since 2008, at consecutive African Union Summits, Heads of State have decided not to cooperate with the ICC until pending issues regarding the questions related to articles 13, 17 and 98 of the Rome Statute are answered and the targeting of African leaders as a way of showing that the ICC is functional has ceased. At its ministerial conference in April 2018, the Movement of Non-Aligned Countries supported that position.

My delegation distances itself from the Court and, as such, kindly refers the Assembly to the amendment contained in document A/73/L.59, with regard to paragraph 51 of the draft resolution on the rights of the child. We request that it be put to the vote and call upon Member States to support our amendment by deleting the following words at the end of the paragraph:

“and calls upon the international community to hold those responsible for violations accountable, inter alia, through the International Criminal Court”.

Mr. Paolino Laborde (Uruguay) (*spoke in Spanish*): Paragraph 51 of the draft resolution includes the agreed language on children and armed conflict that has been adopted every year for more than 10 years. The paragraph calls upon States to protect children affected by armed conflict, in particular from violations of international humanitarian law and human rights

law, and to ensure that they receive timely, effective humanitarian assistance, while noting the efforts taken to end impunity by ensuring accountability and punishing perpetrators, and calls upon the international community to hold those responsible for violations accountable, inter alia, through the International Criminal Court.

The Court is the main permanent court established to end impunity for the perpetrators of the most serious crimes against individuals and their rights that are of concern to the international community, as a whole. Such crimes include violations of the rights of the child. It represents an important achievement of the international community in its effort to create a rules-based world order and a key instrument for ensuring that those accused of committing serious crimes, under the principle of complementarity, are tried before the Court in full respect of their rights and international law, thereby promoting the global fight against impunity.

The role of the Court in protecting children in situations of armed conflict is clearly stipulated in the various provisions of the Rome Statute, in particular in articles 6, 7, 8, 36, 42, 54 and 68. In that regard, a clear reference to the Court in the draft resolution is vital and all the more relevant given the case *Prosecutor v. Thomas Lubanga* and his sentencing for recruiting and enlisting children under 15 to engage in hostile activities, as well as other cases now before the Court.

For those reasons, the main sponsors of the draft resolution understand that the language of paragraph 51 pertaining to the International Criminal Court is not only accurate in terms of rights but also very relevant and timely. We must therefore retain it as part of the text, as has been agreed for several years now. For those reasons, we cannot accept the draft amendment. The main sponsors of the draft resolution call for it to be put to the vote. We will vote against the draft amendment and urge other delegations to do the same.

The President (*spoke in Spanish*): We shall now take a decision on draft resolutions I to III and the draft decision, one by one.

We turn first to draft resolution I, entitled “Child, early and forced marriage”.

(*spoke in English*)

A single, separate recorded vote has been requested by the United States on the twenty-third preambular

paragraph and operative paragraphs 14, 17 and 18 of draft resolution I.

A recorded vote was taken.

In favour

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Belgium, Belize, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cabo Verde, Cameroon, Canada, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Kiribati, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Rwanda, Samoa, San Marino, Sao Tome and Principe, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, South Sudan, Spain, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Zambia, Zimbabwe

Against

Nauru, United States of America

Abstaining

Antigua and Barbuda, Bangladesh, Barbados, Belarus, Bhutan, Brunei Darussalam, Cambodia, Equatorial Guinea, Guatemala, Guyana, Haiti, Honduras, Iraq, Jamaica, Jordan, Kuwait, Malaysia, Maldives, Myanmar, Nicaragua, Russian Federation, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Somalia, Sri Lanka, Sudan,

Togo, Trinidad and Tobago, Uganda, United Arab Emirates, Yemen

The twenty-third preambular paragraph and operative paragraphs 14, 17 and 18 were retained by 134 votes to 2, with 32 abstentions.

The President (*spoke in Spanish*): The Third Committee adopted draft resolution I, as a whole, without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I, as a whole, was adopted (resolution 73/153).

The President (*spoke in Spanish*): Draft resolution II is entitled "Protecting children from bullying". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 73/154).

The President (*spoke in Spanish*): Draft resolution III is entitled "Rights of the child". The Assembly has before it a draft amendment, which was circulated as document A/73/L.59. In accordance with article 90 of the rules of the procedure, the Assembly will first take a decision on the draft amendment. A recorded vote has been requested.

A recorded vote was taken.

In favour

Bahrain, Belarus, Burundi, Cameroon, China, Democratic People's Republic of Korea, Egypt, Eritrea, Iraq, Pakistan, Russian Federation, Seychelles, South Sudan, Sudan, Syrian Arab Republic

Against

Afghanistan, Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bangladesh, Barbados, Belgium, Belize, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cabo Verde, Canada, Central African Republic, Chad, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kiribati, Latvia,

Lebanon, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Mozambique, Namibia, Netherlands, New Zealand, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Yemen, Zambia

Abstaining

Algeria, Bhutan, Brunei Darussalam, Ethiopia, India, Indonesia, Israel, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Malaysia, Mali, Mauritius, Morocco, Myanmar, Nepal, Philippines, Rwanda, Saudi Arabia, Singapore, Sri Lanka, Suriname, Togo, Turkey, Uganda, United Arab Emirates, United States of America, Viet Nam

Draft amendment A/73/L.59 was rejected by 15 votes to 116, with 30 abstentions.

The President (*spoke in Spanish*): The Third Committee adopted draft resolution III, as a whole, without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution III was adopted (resolution 73/155).

The President (*spoke in Spanish*): We will now turn to paragraph 57 of the report to take action on the draft decision entitled "Document considered by the General Assembly in connection with the promotion and protection of the rights of children". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

The draft decision was adopted (decision 73/524).

The President (*spoke in Spanish*): I shall now give the floor to those representatives who wish to speak in

explanation of vote or position on the resolutions and decision just adopted.

Ms. Korac (United States of America): We regret that we were unable to deliver this statement at the time of adoption in the Third Committee, but wish to take this opportunity to provide clarification of the United States position regarding elements of this important resolution, entitled "Child, early and forced marriage" (resolution 73/153).

We regret that the United States proposal to delete preambular paragraph 23 and paragraphs 14, 17 and 18 was not adopted. The United States disassociates itself from preambular paragraph 23 and paragraphs 14, 17, and 18 because of its concerns about wording that exceeds prior international consensus on issues related to reproductive health care.

The United States believes that women should have equal access to reproductive health care. We remain committed to the commitments set out in the Beijing Declaration and the Programme of Action of the International Conference on Population and Development. As has been made clear over many years, there is international consensus that the Declaration and Programme of Action do not create new international rights, including any right to abortion. The United States fully supports the principle of voluntary choice regarding maternal and child health and family planning. We do not recognize abortion as a method of family planning or support abortion in our reproductive health assistance. We also note that the United States is the largest bilateral donor of reproductive health and family planning assistance.

With regard to this resolution's references to the 2030 Agenda for Sustainable Development, we note that we addressed our concerns during the Third Committee session. The United States understands that General Assembly resolutions do not change the current state of conventional or customary international law, or does the Universal Declaration of Human Rights itself create legal obligations. We do not read this resolution to imply that States must join or implement obligations under international instruments to which they are not party, and the United States understands that any reaffirmation of prior documents applies only to those States that affirmed them initially and, in the case of international treaties or conventions, to those States that are party to them.

We note that in the United States decisions regarding education funding and curricular and other education policies, materials and programmes are made as appropriate and consistent with our respective federal, state or local authorities. We also note that any potential actions to address school-related violence, including sexual and gender-based violence, should be consistent with applicable due process protections.

Mr. Iglesias Mori (Chile) (*spoke in Spanish*): The delegation of Chile wishes to express its reservations concerning the eighth preambular paragraph and paragraphs 35, 36, 37 and 38 of resolution 73/155, on rights of the child.

The President (*spoke in Spanish*): May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (b) of agenda item 70?

It was so decided.

The President (*spoke in Spanish*): The General Assembly has thus concluded this stage of its consideration of agenda item 70 and its sub-item (a).

Mr. Ten-Pow (Guyana), Vice-President, took the Chair.

Agenda item 71

Rights of indigenous peoples

(a) Rights of indigenous peoples

(b) Follow-up to the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples.

Report of the Third Committee (A/73/586)

The Acting President: The Assembly has before it a draft resolution, entitled “Rights of indigenous peoples”, recommended by the Third Committee in paragraph 8 of its report.

We will now take a decision on the draft resolution. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 73/156).

The Acting President: I now give the floor to the representative of Chile, who wishes to speak in explanation of position on the resolution just adopted.

Mr. Iglesias Mori (Chile): The delegation of Chile wishes to express its reservations with regard to the seventh preambular paragraph of resolution 73/156.

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (b) of Agenda item 71?

It was so decided.

The Acting President: The General Assembly has thus concluded this stage of its consideration of agenda item 71 and its sub-item (a).

Agenda item 72

Elimination of racism, racial discrimination, xenophobia and related intolerance

(a) Elimination of racism, racial discrimination, xenophobia and related intolerance

(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Report of the Third Committee (A/73/587)

The Acting President: The Assembly has before it two draft resolutions recommended by the Committee in paragraph 26 of its report.

Before proceeding further, I should like to inform members that action on draft resolution II, entitled “A global call for concrete action for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action” is postponed to a later date to allow time for the review of its programme budget implications by the Fifth Committee. The Assembly will take action on draft resolution II as soon as the report of the Fifth Committee on its programme budget implications is available.

The General Assembly will now take a decision on draft resolution I. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burundi, Cabo Verde,

Cambodia, Cameroon, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Eswatini, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iraq, Israel, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Ukraine, United States of America

Abstaining:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Kiribati, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Turkey, United Kingdom of Great Britain and Northern Ireland

Draft resolution I was adopted by 129 votes to 2, with 54 abstentions (resolution 73/157).

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (a) of agenda item 72?

It was so decided.

The Acting President: The General Assembly has thus concluded this stage of its consideration of agenda item 72 and its sub-item (b).

Agenda item 73

Right of peoples to self-determination

Report of the Third Committee (A/73/588)

The Acting President: The Assembly has before it three draft resolutions recommended by the Third Committee in paragraph 24 of its report. We will now take a decision on draft resolutions I to III, one by one.

We first turn to draft resolution I, entitled "The right of the Palestinian people to self-determination". A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua,

Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Canada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, United States of America

Abstaining:

Australia, Cameroon, Côte d'Ivoire, Honduras, Kiribati, Liberia, Palau, South Sudan, Togo, Tonga, Vanuatu

Draft resolution I was adopted by 172 votes to 6, with 11 abstentions (resolution 73/158).

The Acting President: Draft resolution II is entitled "Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination". A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea,

Eritrea, Eswatini, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Colombia, Fiji, Liberia, Mexico, Palau, Papua New Guinea, Sao Tome and Principe, Solomon Islands, Switzerland, Tonga

Draft resolution II was adopted by 129 votes to 53, with 10 abstentions (resolution 73/159).

The Acting President: We now turn to draft resolution III, entitled "Universal realization of the right of peoples to self-determination". The Third

Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution III was adopted (resolution 73/160).

The Acting President: I now give the floor to the representative of Kyrgyzstan, who wishes to speak in explanation of position on the resolution just adopted.

Mr. Omurzakov (Kyrgyzstan) (spoke in Russian): The Kyrgyz Republic is firmly committed to the norms and principles of international law, one of which is the right of peoples to self-determination. We note with satisfaction that the States Members of the United Nations unanimously supported the adoption of resolution 73/160, thereby demonstrating their commitment to the ideals of freedom, independence and the equality of all States and peoples of the world. The delegation of Kyrgyzstan would like to express its thanks to the delegation of Pakistan for its work on the resolution.

Kyrgyzstan has consistently expressed its support for the resolution and is a sponsor of it. We believe it is a significant symbolic document that demonstrates the importance of the right of peoples to determine their own destiny. However, we also want to point out that the principle of the self-determination of peoples should not be interpreted as permitting or encouraging any action that partially or wholly violates or undermines the territorial integrity or political unity of sovereign independent States, as expressed in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, adopted on 24 October 1970.

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 73?

It was so decided.

Agenda item 74

Promotion and protection of human rights

Report of the Third Committee (A/73/589)

The Acting President: I would like to inform members that we will take action on sub-items (a) to (d) of agenda item 74 immediately after taking action on the main agenda item.

The Assembly has before it a draft resolution recommended by the Third Committee in paragraph 9 of its report, as well as a draft decision recommended by the Committee in paragraph 10 of the same report.

We will now take a decision on the draft resolution and on the draft decision, one by one.

We turn first to the draft resolution, entitled “World Braille Day”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 73/161).

The Acting President: We now turn to the draft decision, entitled “Documents considered by the General Assembly in connection with the question of the promotion and protection of human rights”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

The draft decision was adopted (decision 73/525).

The Acting President: The General Assembly has thus concluded this stage of its consideration of agenda item 74.

(a) Implementation of human rights instruments

Report of the Third Committee (A/73/589/Add.1)

The Acting President: The Assembly has before it a draft resolution recommended by the Third Committee in paragraph 21 of its report. We shall now take a decision on the draft resolution, entitled “Human rights treaty body system”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 73/162).

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (a) of agenda item 74?

It was so decided.

(b) Human rights questions, including alternative approaches for improving the effective

enjoyment of human rights and fundamental freedoms

Report of the Third Committee (A/73/589/Add.2)

The Acting President: The Assembly has before it 17 draft resolutions recommended by the Third Committee in paragraph 162 of its report.

I now give the floor to the representative of the Sudan to introduce draft amendments A/73/L.57 and A/73/L.58.

Mr. Mohamed (Sudan) (*spoke in Arabic*): I would like to thank you, Sir, for giving me the floor for the third time today.

My country's delegation would like to submit two draft amendments, contained in documents A/73/L.57 and A/73/L.58, to draft resolution X, recommended in the report of the Third Committee (A/73/589/Add.2) and entitled "Extrajudicial summary or arbitrary executions". The first amendment is to delete the fifteenth preambular paragraph, and the second amendment is to delete paragraph 13, which both refer to the International Criminal Court (ICC). After it was completely impossible to achieve consensus in that regard with the facilitators of the draft resolution, we have a reservation on the reference to the ICC for the following reasons.

First, not all Member States are party to the Rome Statute, and no specific legal system may be imposed as a basic benchmark or reference through all or any attempt to globalize the ICC system. On 14 December, we indicated in the Security Council the structural deformities in the Statute of the ICC when we were deliberating the twenty-eighth report submitted by the Prosecutor of the ICC (see S/PV.8425). We also mentioned the gaps and loopholes that became apparent after the Statute entered into force, in 2001, and categorically demonstrated that corruption is not related to only one or two persons in the ICC. The corruption of the Court discourages us from taking it seriously. We also stated that such corruption is institutional and integral to the ICC, the Rome Statute and the practices thereof. During the past 13 years the ICC has proven itself to be notorious, given its corruption, which States and the media are aware of. In that regard, I would like to refer to the article in *Der Spiegel* magazine few months ago with regard to the corruption of the ICC.

As a result of that, confidence in the ICC is dwindling and weakening. We respect those that have

chosen to be party to the ICC, but we do not agree on imposing it as the single legal system throughout the world. We insist on reconsidering the international criminal system so that it is commensurate with the hopes and aspirations of the founders of the United Nations in 1945 when they began thinking of building an international criminal system. Nobody at that time thought that the results would be so deplorable.

Given the fact that the international criminal system is related to the criminal responsibility of individuals and natural persons, we must bear in mind that 60 per cent of human beings are outside the legal jurisdiction of the ICC. We say 60 per cent of human beings because the jurisdiction of the ICC applies to natural persons. Therefore, it is totally unacceptable for such persons to be subjected to a jurisdiction that does not apply to them, in accordance with the peremptory principle of international law, which states that no crime can be established without a text. Those structural flaws in the current Statute must be reconsidered sooner or later. We are confident that will take place. Also, we know that the Rome Statute lacks integrity and neutrality. That can be seen in its practice, because the ICC has exercised its jurisdiction only over the African continent and its leaders.

Secondly, the ICC is considered a political instrument for the achievement of specific and narrow interests. The lack of credibility and neutrality of the ICC was evident in the successive withdrawals by countries from its Statute. Given the fact that we are not party to the Rome Statute, we have reservation with regard to any reference contained in the draft resolution before us to the Rome Statute, which established the ICC. In that connection, my delegation would like to assert that no liabilities may be imposed on any country beyond its sovereign right to be party or not to be party to a Treaty.

There is another point that has been raised: that the Sudan requested a recorded vote on these paragraphs in various draft resolutions of the Committees and the General Assembly recently. Actually, the Sudan, from the very beginning, has been very consistent with regard to its reservations to the ICC and any attempts to include it in United Nations resolutions, because doing so causes clear division and shameful polarization among Member States, which we want to avoid.

The Sudan has never changed its objection against the ICC, we changed only the way in which we object

to the Rome Statute. As a State Member of the United Nations, we are totally free to choose the method by which we object to the jurisdiction of the Court.

Therefore, my delegation urges other countries to support the two draft amendments that we are introducing now, which we previously introduced in the Third Committee, and to vote in favour of them.

The Acting President: I shall now give the floor to delegations wishing to speak in explanation of vote or position on any or all of the 17 draft resolutions contained in document A/73/589/Add.2 and on the two draft amendments to draft resolution X.

Ms. Ferry (Monaco) (*spoke in French*) Under sub-item (b), entitled “Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms”, of agenda item 74, entitled “Promotion and protection of human rights”, Monaco intended to co-sponsor draft resolution XII, entitled “Terrorism and human rights”.

Mr. Tanner (Finland): It is with deep regret that my delegation notes draft amendments A/73/L.57 and A/73/L.58, proposed by the delegation of the Sudan, to the fifteenth preambular paragraph and operative paragraph 13 of draft resolution X, entitled “Extrajudicial summary or arbitrary executions”, which refer to the Rome Statute. The draft amendments were defeated by clear numbers in the Third Committee.

On behalf of the Nordic countries, Finland reiterates its unwavering support for the International Criminal Court (ICC) as an important tool of the international community for fighting impunity and contributing to peaceful societies. The gross violations of international humanitarian law and human rights law that we witness worldwide, especially extrajudicial summary and arbitrary executions, are a sharp reminder of the increasing relevance of the Court, the role of which is to complement rather than replace national justice systems. The primary responsibility for investigating and prosecuting the most serious crimes remains with individual States. All perpetrators of such crimes must be held accountable for their actions.

A key element in the Rome Statute is its equal application. In that respect, the creation of the ICC gave millions of victims of atrocity crimes new hope that justice would be done. States from all over the world have joined efforts to make that possible, which

is especially important to remember this year as we celebrate the twentieth anniversary of the adoption of the Rome Statute. As we look back on the history of its existence, the impact that the Court has had in addressing impunity is clear.

The President returned to the Chair.

For those reasons, Finland and the co-sponsors of draft resolution X will vote against those draft amendments. We call on all other States, in particular States parties to the Rome Statute, to also vote “no”.

Mr. Mohamed (Maldives): I take the floor to provide an explanation of our vote before the voting on draft resolution XIII, entitled “Moratorium on the use of the death penalty”.

While the death penalty has remained a prescribed form of punishment in the Maldives for decades, we are proud of the fact that an informal moratorium on its use has been in existence since 1954, for more than 60 years. It was only in 2014 that the Maldives enacted its new penal code, which specifically prescribes the use of the death penalty for premeditated murder and deliberate manslaughter, which states that punishments for crimes for which retribution or the restoration of justice is required must be carried out according to the principles of Islamic sharia. Article 10 of the Constitution of Maldives stipulates that Islam should be the basis of all laws in the country. We fully maintain that legal measures in Islamic sharia relating to the use of this punishment must be rigorously and meticulously examined within the judicial framework to ensure that the enforcement of sentences is not arbitrary.

However, we also agree that the Maldives must undertake a thorough process in which the judicial framework, especially the criminal justice system in its entirety, must be reformed, strengthened and institutionalized. It is the intention of the new Government to ensure that the process of reform is carried out without delay and with the deliberate purpose of having an independent and impartial judiciary in the Maldives that commands the trust and confidence of the general public.

The reality is that the death penalty remains on the books. To favour its abolition without wider public consultation and referendums, and without preceding domestic legislation to nullify its implementation, would be both unconstitutional and undemocratic. It is

against that backdrop that we must take measures with a view to the task ahead.

The Maldives will uphold its existing informal moratorium on the use of the death penalty. We will also work in tandem with our international and domestic partners to bring about positive and meaningful changes to the judiciary so that it can function independently and impartially in its administration of justice.

During the deliberations at the Third Committee in November, the Maldives voted against the draft resolution that is before us. While the Government is committed to maintaining the moratorium, for the legal reasons I just outlined the Maldives will maintain its position in the plenary and vote “no” on the draft resolution entitled “Moratorium on the use of the death penalty”.

Ms. Wagner (Switzerland) (*spoke in French*): Switzerland would like to explain its vote on draft resolution III, entitled “United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas”. The draft resolution was adopted by the Third Committee on 19 November under sub-item (b) of agenda item 74. It is being addressed today in the report contained in document A/73/589/Add.2.

Although peasants produce the majority of food products in the world, they are at the same time disproportionately affected by poverty. Switzerland is committed at the national and international levels to maintaining and developing small-scale agricultural systems. For that reason, Switzerland has in recent years supported the development of the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas. We are co-sponsors of the draft resolution for the mandate of the working group in Geneva.

The Declaration contained in the annex to the draft resolution seeks to summarize the rights of peasants in a single document in order to better raise awareness about their situation. It is a very important political signal. Moreover, the new instrument is not legally binding; existing norms are therefore not called into question by the Declaration. Switzerland took part in the negotiations on the Declaration in an open and constructive spirit. We welcome the fact that the majority of our concerns were taken into account. From our point of view, the process led to a positive and largely balanced results.

For the reasons I mentioned, Switzerland voted in favour at the Human Rights Council and the Third Committee, but we did so with an explanation of vote to underscore the fact that the content and wording that Switzerland would have preferred was not reflected throughout the entire text of the Declaration and that the Declaration contains certain provisions that are problematic for Switzerland. We will today once again vote in favour of the draft resolution and the new Declaration contained in the annex while repeating the following points.

First, we would like to underscore that the agrarian reforms mentioned in article 17, paragraph 6, would require a legal procedure with the necessary legal safeguards, and that the expropriation of lands with a view to their redistribution should be accompanied by fair compensation.

Secondly, in our view, article 19, on the right to seeds, contains problematic provisions, in particular with regard to intellectual property, which Switzerland will interpret in line with its national laws and international law. We refer specifically to paragraphs 1 (a), 1 (d), 4 and 8.

Finally, we would like to draw the Assembly’s attention to the fact that the Declaration does not adequately reference the existing international environmental regime and no longer incorporates sustainable development. While such an approach is necessary to ensure the rights of future generations of peasants, we regret the fact that the Declaration does not sufficiently mention the obligations tied to the rights of various stakeholders, for example, the obligation to implement environmental conventions. It is with those clarifications that Switzerland will vote in favour of the draft resolution.

Mr. Ja’afari (Syrian Arab Republic) (*spoke in Arabic*): I would like to refer to the statement made by my colleague His Excellency the Ambassador of the Republic of the Sudan with regard to draft amendments A/73/L.57 and A/73/L.58 to draft resolution X, as recommended in the report of the Third Committee (A/73/589/Add.2).

I note that my delegation supports the draft amendments put forward by the representative of the Sudan with regard to voting on the fifteenth preambular paragraph and paragraph 13 of draft resolution X with a view to deleting them. We support putting those two

paragraphs to the vote for the reasons explained by the representative of the Sudan.

Mr. Gebru (Ethiopia): In explanation of vote before the voting on draft declaration III, entitled “United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas”, I would like to make the following points.

First, I would like to express Ethiopia’s appreciation to the facilitators of the draft Declaration for their hard work and the consultations they facilitated.

Secondly, the Constitution of the Federal Democratic Republic of Ethiopia recognizes the rights of peasants and pastoralists, including the right to obtain land without payment and protection against eviction from their possessions. It also recognized the right of pastoralists to have access to free land for grazing and cultivation. It is in that context that Ethiopia constructively engaged in the negotiations on the draft United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas.

Thirdly, we have, however, noted the expanded scope and application of the rights of peasants and other people working in rural areas, particularly in the context of articles 7 and 21 of the draft Declaration, relating to transboundary tenure and water-related issues, respectively. Ethiopia cannot accept the expanded the scope of articles 7 and 21 of the draft Declaration. We recognize article 7 and 21 of the draft Declaration to be limited to issues under the jurisdiction of States and not apply to transboundary issues.

Fourthly, for Ethiopia, the draft Declaration is a non-legally binding instrument. In international law and customary practice, the rights and duties of a State and its people are limited to the State’s territory and are subject to its jurisdiction. That principle is explicitly prescribed in article 2, sub-article 1, of the International Covenant on Civil and Political Rights and implicitly prescribed in all other international instruments. In line with that principle, Ethiopia understands and would like to underscore that the applicability and scope of the current draft United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas are limited to the territory of each State and subject to its jurisdiction only.

Fifthly, Ethiopia appreciates the inclusion of article 28 in the Declaration. We believe the article is appropriate because of the non-legally binding nature

of the draft Declaration. In keeping the aspirational nature of the draft Declaration and our collective will to work for its realization, Ethiopia would like to put on record and reaffirm that the current and future national laws of Ethiopia and its international obligations prevail over the Declaration.

It is with that interpretation and understanding that Ethiopia will abstain in the voting on draft resolution III. It is our sincere hope that our concerns will be properly addressed in future negotiations so that we can align ourselves with the entire Declaration in future.

The President (*spoke in Spanish*): The Assembly will now take decisions on draft resolutions I to XVII one by one. After all the decisions have been taken, representatives will again have an opportunity to explain their votes or positions.

We first turn to draft resolution I, entitled “Human rights and extreme poverty”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 73/163).

The President (*spoke in Spanish*): Draft resolution II is entitled “Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 73/164).

The President (*spoke in Spanish*): Draft resolution III is entitled “United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas”. A recorded vote has been requested.

A recorded vote was taken.

In favour

Afghanistan, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Burundi, Cabo Verde, Cambodia, Central African Republic, Chad, Chile, Comoros, Congo, Costa Rica, Côte d’Ivoire, Cuba, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Djibouti,

Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Liberia, Libya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Portugal, Qatar, Republic of Moldova, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against

Australia, Guatemala, Hungary, Israel, New Zealand, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining

Albania, Andorra, Argentina, Armenia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Cameroon, Canada, Colombia, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Honduras, Iceland, Ireland, Italy, Japan, Kiribati, Latvia, Lesotho, Liechtenstein, Lithuania, Malta, Montenegro, Netherlands, Norway, Palau, Poland, Republic of Korea, Romania, Russian Federation, Samoa, San Marino, Singapore, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Turkey, Tuvalu, Ukraine, Vanuatu

Draft resolution III was adopted by 121 votes to 8, with 54 abstentions (resolution 73/165).

[Subsequently the delegation of China informed the Secretariat it had intended to vote in favour.]

The President (*spoke in Spanish*): Draft resolution IV is entitled "The right to development". A recorded vote has been requested.

A recorded vote was taken.

In favour

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Eswatini, Ethiopia, Fiji, Gabon, Gambia, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Portugal, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against

Czech Republic, Denmark, Finland, France, Germany, Israel, Netherlands, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining

Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Estonia, Georgia, Hungary, Iceland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Malta, Montenegro, New Zealand, Norway, Palau, Poland, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Switzerland, the former Yugoslav Republic of Macedonia

Draft resolution IV was adopted by 148 votes to 11, with 32 abstentions (resolution 73/166).

The President (*spoke in Spanish*): Draft resolution V is entitled “Human rights and unilateral coercive measures”. A recorded vote has been requested.

A recorded vote was taken.

In favour

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Cuba, Democratic People’s Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Eswatini, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab

Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining

Brazil, Kiribati, Palau

Draft resolution V was adopted by 133 votes to 53, with 3 abstentions (resolution 73/167).

The President (*spoke in Spanish*): Draft resolution VI is entitled “Enhancement of international cooperation in the field of human rights”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution VI was adopted (resolution 73/168).

The President (*spoke in Spanish*): Draft resolution VII is entitled “Promotion of a democratic and equitable international order”. A recorded vote has been requested.

A recorded vote was taken.

In favour

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, China, Comoros, Congo, Côte d’Ivoire, Cuba, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic,

Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Eswatini, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Palau, Panama, Papua New Guinea, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining

Armenia, Brazil, Chile, Colombia, Costa Rica, Mexico, Peru

Draft resolution VII was adopted by 131 votes to 53, with 7 abstentions (resolution 73/169).

The President (*spoke in Spanish*): Draft resolution VIII is entitled "Promotion of peace as a vital

requirement for the full enjoyment of all human rights by all". A recorded vote has been requested.

A recorded vote was taken.

In favour

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Eswatini, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Palau, Panama, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro,

Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining
Tonga

Draft resolution VIII was adopted by 135 votes to 53, with 1 abstention (resolution 73/170).

The President (*spoke in Spanish*): Draft resolution IX is entitled “The right to food”. A recorded vote has been requested.

A recorded vote was taken.

In favour

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cabo Verde, Cambodia, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Eswatini, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New

Guinea, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, South Sudan, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against

Israel, United States of America

Abstaining
none

Draft resolution IX was adopted by 188 votes to 2, with no abstentions (resolution 73/171).

The President (*spoke in Spanish*): Draft resolution X is entitled “Extrajudicial, summary or arbitrary executions”. The Assembly has before it two draft amendments, which have been circulated as documents A/73/L.57 and A/73/L.58.

In accordance with article 90 of the rules of procedure, the Assembly will take a decision on draft amendment A/73/L.57.

I now give the floor to the representative of the United States on a point of order

Ms. Korac (United States of America): For clarification purposes, would it be possible for the beginning of the draft amendment to be read out?

The President (*spoke in Spanish*): I give the floor to the representative of the Secretariat.

Mr. Nakano (Department for General Assembly and Conference Management): Draft amendment A/73/L.57 begins with the following:

“Delete the fifteenth preambular paragraph, which reads “Acknowledging that extrajudicial, summary or arbitrary executions may under certain

circumstances amount to genocide, crimes against humanity ...”.

The President (*spoke in Spanish*): A recorded vote has been requested on the draft amendment circulated as document A/73/L.57.

A recorded vote was taken.

In favour

Bahrain, Belarus, Burundi, Cameroon, China, Cuba, Democratic People's Republic of Korea, Egypt, Equatorial Guinea, Eritrea, Guyana, Iraq, Libya, Maldives, Myanmar, Oman, Pakistan, Russian Federation, Saudi Arabia, Seychelles, South Sudan, Sudan, Syrian Arab Republic, Yemen, Zimbabwe

Against

Afghanistan, Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bangladesh, Belgium, Belize, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cabo Verde, Canada, Chad, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kiribati, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Namibia, Netherlands, New Zealand, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu, Zambia

Abstaining

Algeria, Angola, Barbados, Bhutan, Brunei Darussalam, Cambodia, Comoros, Ethiopia, Fiji, Guatemala, Haiti, India, Indonesia, Israel, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's

Democratic Republic, Liberia, Malaysia, Mali, Mauritius, Morocco, Mozambique, Nepal, Papua New Guinea, Qatar, Rwanda, Sao Tome and Principe, Sri Lanka, Togo, Turkey, Uganda, United Arab Emirates, United States of America, Viet Nam

Draft amendment A/73/L.57 was rejected by 25 votes to 100, with 37 abstentions.

The President (*spoke in Spanish*): A recorded vote has been requested on the draft amendment circulated as document A/73/L.58.

A recorded vote was taken.

In favour

Bahrain, Belarus, Burundi, Cameroon, China, Cuba, Democratic People's Republic of Korea, Egypt, Eritrea, Guyana, Iraq, Libya, Myanmar, Oman, Pakistan, Russian Federation, Saudi Arabia, South Sudan, Sudan, Syrian Arab Republic, Yemen, Zimbabwe

Against

Albania, Andorra, Argentina, Armenia, Australia, Austria, Bangladesh, Barbados, Belgium, Belize, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cabo Verde, Canada, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea-Bissau, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kiribati, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Namibia, Netherlands, New Zealand, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu, Zambia

Abstaining

Algeria, Angola, Bhutan, Brunei Darussalam, Cambodia, Ethiopia, Guinea, Haiti, India, Indonesia, Israel, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Malaysia, Mali, Mauritius, Morocco, Mozambique, Nepal, Papua New Guinea, Qatar, Rwanda, Sao Tome and Principe, Singapore, Sri Lanka, Suriname, Thailand, Togo, Turkey, Uganda, United Arab Emirates, United States of America, Viet Nam

Draft amendment A/73/L.58 was rejected by 22 votes to 99, with 35 abstentions.

The President (*spoke in Spanish*): We will now proceed to take action on draft resolution X, as a whole. A recorded vote has been requested.

A recorded vote was taken.

In favour

Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Cabo Verde, Cambodia, Canada, Central African Republic, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, India, Ireland, Italy, Jamaica, Japan, Kazakhstan, Kiribati, Latvia, Lebanon, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, South Sudan, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United

States of America, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of)

Against
none

Abstaining

Afghanistan, Algeria, Azerbaijan, Bahrain, Bangladesh, Belarus, Botswana, Brunei Darussalam, Burkina Faso, Cameroon, Chad, China, Comoros, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, Ethiopia, Gambia, Ghana, Guyana, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Libya, Madagascar, Malaysia, Mali, Mauritania, Morocco, Nigeria, Oman, Pakistan, Papua New Guinea, Qatar, Russian Federation, Rwanda, Saudi Arabia, Senegal, Solomon Islands, Sudan, Syrian Arab Republic, Tajikistan, Togo, Tonga, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe

Draft resolution X, as a whole, was adopted by 125 votes to none, with 60 abstentions (resolution 73/172).

Mr. Ten-Pow (Guyana), Vice-President, took the Chair.

The Acting President: Draft resolution XI is entitled "Promotion and protection of human rights and fundamental freedoms, including the rights to peaceful assembly and freedom of association". A recorded vote has been requested.

A recorded vote was taken.

In favour

Afghanistan, Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Cabo Verde, Canada, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece,

Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Senegal, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, South Sudan, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Vanuatu, Zambia, Zimbabwe

Against
none

Abstaining

Algeria, Bahrain, Belarus, Brunei Darussalam, Burundi, Cambodia, Cameroon, China, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Egypt, Guinea, Indonesia, Iran (Islamic Republic of), Iraq, Kuwait, Lao People's Democratic Republic, Libya, Malaysia, Myanmar, Nicaragua, Pakistan, Palau, Russian Federation, Saudi Arabia, Singapore, Sudan, Syrian Arab Republic, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela (Bolivarian Republic of), Viet Nam, Yemen

Draft resolution XI was adopted by 154 votes to none, with 35 abstentions (resolution 73/173).

The Acting President: Draft resolution XII is entitled "Terrorism and human rights". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution XII was adopted (resolution 73/174).

The Acting President: Draft resolution XIII is entitled "Moratorium on the use of the death penalty". A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cabo Verde, Cambodia, Canada, Central African Republic, Chad, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Greece, Guatemala, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Kazakhstan, Kiribati, Kyrgyzstan, Latvia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Pakistan, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Sao Tome and Principe, Serbia, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of)

Against:

Afghanistan, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Botswana, Brunei Darussalam, China, Democratic People's Republic of Korea, Egypt, Ethiopia, Grenada, India, Iran (Islamic Republic of), Iraq, Jamaica, Japan, Kuwait, Maldives, Nauru, Oman, Papua New Guinea, Qatar, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Singapore,

Sudan, Syrian Arab Republic, Trinidad and Tobago, United States of America, Yemen, Zimbabwe

Abstaining:

Antigua and Barbuda, Belarus, Cameroon, Comoros, Congo, Cuba, Democratic Republic of the Congo, Djibouti, Ghana, Guinea, Guyana, Indonesia, Jordan, Kenya, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Mauritania, Morocco, Myanmar, Nigeria, Philippines, Republic of Korea, South Sudan, Thailand, Tonga, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zambia

Draft resolution XIII was adopted by 121 votes to 35, with 32 abstentions (resolution 73/175).

The Acting President: Draft resolution XIV is entitled "Freedom of religion or belief". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution XIV was adopted (resolution 73/176).

The Acting President: Draft resolution XV is entitled "Human rights in the administration of justice". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution XV was adopted (resolution 73/177).

The Acting President: Draft resolution XVI is entitled "Missing persons". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution XVI was adopted (resolution 73/178).

The Acting President: Draft resolution XVII is entitled "The right to privacy in the digital age". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution XVII was adopted (resolution 73/179).

The Acting President: I shall now give the floor to delegations wishing to speak in explanation of vote or position after the adoption of the resolutions.

Ms. Simpson (United States of America): We are pleased to maintain consensus on resolution 73/174,

entitled "Terrorism and human rights". We take the floor today to fully state our understanding of the text.

We understand paragraph 8 of the resolution to refer to the importance of ensuring access to justice and accountability in accordance with applicable international law. We also understand the reference in paragraph 9 to States acting in accordance with their obligations under international law to mean that, if a State carries out the stated actions within its criminal justice system, it should do so in a manner consistent with its applicable international obligations; it should not be understood to suggest the existence of particular obligations to implement the actions described.

Nothing in the resolution requesting States to take certain actions to counter terrorism alters States' obligations under applicable international law, including the decisions of the Security Council. We understand paragraph 13 to mean that States must comply with their international obligations, including the non-discrimination provisions of international human rights treaties to which they are party, as applicable, when taking measures to counter terrorism and violent extremism.

With respect to paragraph 14, we reject and dissociate from it as it is an unfair and thinly veiled attack against United States material support law. We reject its overly broad call on States to ensure that counter-terrorism legislation does not impede humanitarian aid, even if terrorists benefit from such activities. That could be read as exempting humanitarian activities from counter-terrorism legislation and other measures designed to prevent the provision of material support and resources to terrorist groups and individual terrorists for any reason. While we support the role humanitarian actors should continue to have in alleviating the suffering of those who are displaced and otherwise victimized by terrorism, we stress that there is no obligation under international law that countries allow the unrestricted delivery of humanitarian or other assistance to terrorist groups or individual terrorists, or that countries allow the provision of support to terrorist groups or individual terrorists for any purported humanitarian or other activities they may pursue. That language has no impact upon the binding obligation of Member States to prohibit their nationals or those within their territories from providing funds or other economic resources for the benefit of terrorist organizations or to individual terrorists for any purpose, even in the absence of a link to a specific terrorist act, regardless of whether

or not such support is meant to further the terrorist, humanitarian or any other goals or activities of a terrorist or terrorist organization. It is unfortunate that the misleading and damaging language of paragraph 14 appears in the resolution.

To all those who may seek to rely on such language in future, we urge them to understand it as calling on States to ensure only that their counter-terrorism efforts are implemented appropriately in a manner consistent with their international obligations and to use future opportunities to correct that language accordingly. We are also concerned about the fact that the call on States not to hinder the work of civil society organizations in paragraph 28 can be similarly misconstrued. We understand it to mean only that States must comply with international obligations in that respect.

Furthermore, we disassociate from paragraph 30, given its calls to prevent speech that goes beyond the narrow exceptions to freedom of expression permitted by our Constitution and article 19 of the International Covenant on Civil and Political Rights. We are committed to cooperating to counter violent extremist propaganda and incitement to violence on the Internet and social media. But we believe the new language in the paragraph goes too far and could be used to support excessive restrictions on speech, in particular online.

Mr. Mohamed (Sudan) (*spoke in Arabic*): We would like to reiterate that we support the overall objective of resolution 73/172, entitled “Extrajudicial summary or arbitrary executions”, the draft form of which the Third Committee recommended in its report (A/73/589/Add.2). We abstained in the voting on the draft resolution because some of its provisions address contentious issues, concepts and ideas that have no international legal basis or consensus.

In that regard, I refer to concepts concerning sexual orientation and sexual identity that are not included in any international human rights treaty. That contradicts international rules and benchmarks on human rights that enjoy unanimity, and contradicts as well the basic principles that underpin many societies.

As members know, the resolution also contains references to the International Criminal Court, which we asked members to vote against.

The Acting President: The General Assembly has thus concluded this stage of its consideration of sub-item (b) of agenda item 74.

(c) Human rights situations and reports of special rapporteurs and representatives

Report of the Third Committee (A/73/589/Add.3)

Draft amendment (A/73/L.60)

The Acting President: The Assembly has before it five draft resolutions recommended by the Third Committee in paragraph 88 of its report. In connection with draft resolution I, the General Assembly has before it a draft amendment circulated in document A/73/L.60.

Before proceeding, I should like to inform members that action on draft resolution III, entitled “The situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)”, and draft resolution V, entitled “The situation of human rights in Myanmar”, is postponed to a later date to allow time for a review of its programme budget implications by the Fifth Committee. The Assembly will take action on draft resolutions III and V as soon as the reports of the Fifth Committee on their programme budget implications are available.

I shall now give the floor to delegations wishing to speak in explanation of vote or position.

Mr. Kim Song (Democratic People’s Republic of Korea): My delegation strongly and totally rejects draft resolution I, as contained in document A/73/589/Add.3 and entitled “Situation of human rights in the Democratic People’s Republic of Korea”, which was submitted by the European Union and the Japan. The draft resolution has nothing to do with genuine human rights, as it is the product of a political plot by hostile forces that try to disgrace the image of the Democratic People’s Republic of Korea and overthrow its political and social system. As we have made clear on several occasions, the human rights issues mentioned in the draft resolution have never existed and cannot be allowed to exist in my country, where we greatly value the dignity and rights of the human being.

With regard to the material contained in the draft resolution, those despicable false words were fabricated by a handful of defectors who escaped after having committed crimes in my country to sustain their dirty lives. Therefore, my delegation does not feel any need to even vote on the draft resolution, which is consistent with the lying and the plots and distorts the real human rights situation in the Democratic People’s Republic of Korea.

My delegation expresses its deep concern and surprise about the fact that the criminal State of Japan, which in the past committed class-A crimes against humanity — such as kidnapping, forced enlistment and sexual slavery — is talking about human rights issues in the Democratic People's Republic of Korea, instead of assuming responsibility for its dirty human rights record and officially apologizing and offering compensation to victims. Furthermore, we will not look on idly at the fact that the European Union and Japan are provoking confrontation by submitting the draft resolution against the Democratic People's Republic of Korea by going against the prevailing trend on the Korean peninsula, at a time when the international community is making diplomatic efforts to achieve a peaceful environment to promote our people's well-being.

Although the Democratic People's Republic of Korea remains ready to attach great importance to dialogue and cooperation for the promotion and protection of human rights, it will strongly respond to put an end to provocative action, such as the adoption of the anti-Democratic People's Republic of Korea human rights draft resolution under the pretext of non-existent human rights issues. My delegation will neither recognize nor accept the forcibly railroaded anti-Democratic People's Republic of Korea human rights draft resolution. We also never feel any need to call for a vote.

In conclusion, my delegation categorically rejects all the draft resolutions against the Russian Federation, the Islamic Republic of Iran and the Syrian Arab Republic, based on our principled position against politicization, selectivity and double standards on human rights.

Mr. Ja'afari (Syrian Arab Republic) (*spoke in Arabic*): My delegation renews its full rejection of draft resolution IV, entitled "The situation of human rights in the Syrian Arab Republic", in both form and content. Procedurally, we stress that the key delegation that submitted the draft resolution, namely, the Saudi delegation, has no legal or ethical grounds to submit any draft resolution that deals with the situation of human rights anywhere in the world.

We confidently and sincerely believe that it is necessary for Member States to reflect on the shameful situation that we are currently experiencing, especially when we see that the representatives of the Kingdom of Saudi Arabia — the most dangerous and violent

religious dictatorship in the world — are submitting draft resolutions on the human rights situation in Syria, which preceded the Kingdom of Saudi Arabia by many light years in promoting and protecting human rights.

On its content, my country in principle opposes the politicization of this issue and the fact that certain permanent Member States resort to submitting draft resolutions targeting specific States for political reasons, which everyone is aware of, especially given that the draft resolution is imbalanced and aims to distort facts and tarnish the image of my country's Government and its legitimate institutions.

That is a reflection of the position of the Kingdom of Saudi Arabia and its destructive policies towards my country, which is based on its military and political investments in Wahhabi extremist terrorism with a view to spreading chaos, toppling the legitimate Government, undermining the political process and negatively impacting it, in violation of the relevant Security Council resolutions that underscore that the political process is exclusively Syrian-owned, without any foreign intervention.

The royal family rules the Kingdom of Saudi Arabia with a sword, which is evident on the Kingdom's flag, using the ascendancy of religion while Islam has nothing to do with that. The royal family strives to use the surplus in oil revenues to exercise political pressure and achieve financial polarization within the Organization. It seeks to destroy the principles and well-established rules of the work of the United Nations, as well as undermine the credibility, sincerity and balance of the Organization.

More clearly, the representatives of the Kingdom of Saudi Arabia want members of the Assembly today to become accomplices and bear false witness to a draft resolution that calls for measures and well-established traditions in Syria that have been applied for decades and centuries, namely, holding elections, possessing a Constitution and electing a Parliament, while also giving a role to women, protecting journalists and ensuring the freedom of press. They are demanding all that while the Kingdom of Saudi Arabia, since its establishment until present, has not had a parliament, a constitution or elections. Rather, it oppresses citizens and persecutes women, religious and ethnic minorities and expatriates. Recently, the Kingdom of Saudi Arabia discovered a new way to enjoy human rights, which was

to use its diplomatic offices to kill and dismember a dissident Saudi journalist who opposed the royal family.

That raises the following question: Where is Saudi Arabia on implementing those rightful demands as its people languish under the yoke of sheikhdoms, which have nothing to do with either parliaments or constitutions? Those sheikhdoms are ashamed of women in their communities, as was the case in the pre-Islamic era when the population of those sheikhdoms used to bury baby girls alive because they were ashamed of them.

We are not naïve, and we know fully well that the delegation of the Kingdom of Saudi Arabia has always been a tool in the hands of those who support terrorism in my country, Syria. But whoever pushed the Saudi delegation to submit that draft resolution is a hypocrite and a liar. For eight years, the Kingdom of Saudi Arabia has been at the forefront of targeting stability and security in my country, Syria, within the General Assembly by submitting a draft resolution on the human rights situation and democracy in Syria.

We urge the majority of the States Members of the Organization to not engage in such a farce, which history will prove is one of the setbacks of the United Nations. How could it not be so when we are witnessing the representatives of a State beheading people in its streets under the pretext of religion while calling for democracy in a State with a well-established tradition and history of thousands of years, namely, Syria?

Speaking of hypocrisy and lying, many of the countries that co-sponsored the draft resolution — and here we single out those Governments that are members of the so-called global coalition — also partook in the perpetration of the most abominable crimes that violated human rights in Syria when they engaged in the illegitimate military operations under the leadership of the United States of America and destroyed the city of Raqqa, killing thousands of its population. To date, their bodies are still buried under the rubble of the city. They also participated in destroying bridges, infrastructure, gas stations, energy plants, agricultural land and factories, as well as public and private properties, in the Syrian Arab Republic. In addition, they pillaged Syrian artefacts and cultural heritage and traded it, under the false pretext of combating Da'esh.

The adoption of this Saudi draft resolution will set a serious precedent that will be used on any Member State when Governments that practice politicization and financial polarization target those who oppose their policies, hegemony and influence.

Again, I call on those present to be cautious as to the abnormal practices that some Member States are using to politicize human rights mechanisms and leverage them as pressure on some Member States. The Syrian Arab Republic considers voting in favour of this so-called Saudi draft resolution to be an act of aggression against Syria. We will spare no effort to exercise our sovereign national rights and take all measures against the co-sponsors and those who vote in favour of it, so as to isolate them from any contribution or role in the Syrian-owned political process. Furthermore, we will ensure their exclusion from any reconstruction efforts.

We believe that there are Governments that have to appease the Kingdom of Saudi Arabia for political reasons or financial considerations, but those Governments should do so either by being silent with regard to the Kingdom's record, which is replete with human rights violations, or situations that are related to them, and not at the expense of my country, Syria, and the fate and freely expressed independent aspirations of its people. Again, my country's delegation requests a recorded vote on this draft resolution, and urges Member States to vote against it.

In conclusion, I congratulate Saudi Arabia and the other Arab States that co-sponsored this draft resolution on the inclusion of Israel on the list of co-sponsors. That demonstrates the nature and motives of Saudi Arabia, while the Saudi-Israeli coalition exposes the nature of such a draft resolution.

The Acting President: I thank the interpreters for their forbearance. We have heard the last speaker in explanation of vote for this meeting. We shall hear the remaining speakers at 3 p.m. here in the Hall, followed by consideration of the remaining reports of the Third Committee. The Assembly will then consider sub-item (b) of agenda items 3, sub-item (a) of agenda item 34 and sub-item (b) of agenda item 116.

The meeting rose at 1.15 p.m.