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Chair: Mr. Doualeh (Djibouti)

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The meeting was called to order at 3.10 p.m.

Agenda item 74: Promotion and protection of human rights (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/76/L.55/Rev.1)

Draft resolution A/C.3/76/L.55/Rev.1: Ensuring equitable, affordable, timely and universal access for all countries to vaccines in response to the coronavirus disease (COVID-19) pandemic

1. **The Chair** said that the draft resolution had no programme budget implications.

2. **Mr. Aliyev** (Azerbaijan), introducing the draft resolution on behalf of the Movement of Non-Aligned Countries, said that achieving global immunization against COVID-19 was crucial to preventing, containing and ending transmission of the disease. The draft resolution under consideration aimed to boost international action, address vaccine-related challenges through the General Assembly, the only universal representative body, and demonstrate solidarity and determination in tackling the urgent and acute issue.

3. Presenting oral revisions to the text, he said that a new tenth preambular paragraph had been added, which read: “Recalling Security Council resolution [2532 \(2020\)](#) of 1 July 2020”.

4. The eleventh preambular paragraph had been deleted and replaced with the following: “Recognizing the appeals of the Secretary-General concerning the response to the impact of the COVID-19 pandemic, with a particular emphasis on countries in need”.

5. In the thirty-sixth preambular paragraph and paragraph 4, the word “gender-sensitive” had been replaced with the word “gender-responsive”.

6. The thirty-eighth preambular paragraph had been revised to read: “Noting the Strategy to Achieve Global COVID-19 Vaccination by mid-2022 developed by the Secretariat of the World Health Organization (WHO), which outlines the urgent actions required by the global community to vaccinate 40 per cent of the population of all countries against COVID-19 by the end of 2021 and 70 per cent by mid-2022, anchored in the principles of equity, quality, integration and inclusivity”.

7. Paragraph 3 had been revised to read: “Calls for the accelerated provision of 550 million more doses of COVID-19 vaccines to the COVID-19 Vaccine Global Access (COVAX) Facility by the end of December 2021

in order to get on track to ensure global access to vaccines to face the pandemic”.

8. Paragraph 15 would read: “Notes the most recent decision of the International Monetary Fund (IMF) to allocate special drawing rights to boost global liquidity and enhance the resilience of the international monetary system, as part of ongoing efforts to support a comprehensive response to and recovery from the COVID-19 pandemic and, in this regard, highlights the call for countries to consider voluntarily channelling of unutilized special drawing rights, in accordance with national laws and regulations, to the countries which are most in need, including middle-income countries, to better support sustainable development and a more inclusive recovery, and stresses the importance of ensuring equal access to such resources, to guarantee timely and universal access to COVID-19 vaccines”.

9. Considering the extraordinary and urgent nature of the issue, it was hoped that the Committee would adopt the draft resolution by consensus.

10. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Costa Rica, Kyrgyzstan, Paraguay, Serbia and Turkey.

11. He then noted that Brazil and Tajikistan also wished to become sponsors.

12. **The Chair** said that a recorded vote had been requested on the draft resolution.

13. **Mr. Hill** (United States of America), speaking in explanation of vote before the voting, said that advancing human rights and gender equality were at the forefront of effective COVID-19 recovery and response. The needs of and access to health services for people most disproportionately affected, especially those belonging to multiple minority groups, must be addressed. That principle should be at the core of the draft resolution, but unfortunately it was not.

14. The United States was disappointed that the text of the draft resolution did not reflect a negotiated consensus outcome of the Committee. It was also disappointed with how the draft resolution had been handled procedurally, as the text had been submitted very late in the session and there had not been an inclusive negotiating process to take into account the input of delegations. Although his delegation had made a good faith effort to negotiate on the language of the text, its concerns had been ignored. Moreover, it was regrettable that last-minute revisions had undone carefully crafted compromises, including on sanctions.

15. The United Nations should respect the independent mandates of other processes and institutions, including trade negotiations, and not involve itself in decisions, interpretations and actions in other forums, including the World Trade Organization (WTO). The United Nations was not the appropriate venue for such discussions, and the United States would not consider recommendations on such matters by the General Assembly or the Economic and Social Council, including calls to undermine incentives for innovation, such as technology transfer that was not voluntary and on mutually agreed terms, to be binding.

16. In addition, the draft resolution did not accurately capture all of the carefully negotiated and balanced language in the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) and the Doha Declaration on the TRIPS Agreement and Public Health of 2001, instead presenting an unbalanced and incomplete picture of that language.

17. In view of the above, his delegation would vote to abstain on the draft resolution.

18. *A recorded vote was taken on draft resolution A/C.3/76/L.55/Rev.1, as orally revised.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, 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, Cambodia, Cameroon, Canada, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czechia, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Eswatini, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, 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, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, North Macedonia,

Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, South Sudan, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, 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:

None.

Abstaining:

Armenia, Australia, Israel, Japan, Republic of Korea, United Kingdom of Great Britain and Northern Ireland, United States of America.

19. *The draft resolution, as orally revised, was adopted by 171 votes to none, with 7 abstentions.*

20. **Mr. Malovrh** (Slovenia), speaking on behalf of the European Union and its member States; the candidate countries Albania, Montenegro, North Macedonia and Serbia; the stabilization and association process country Bosnia and Herzegovina; and, in addition, Iceland, Norway and the Republic of Moldova, said that the draft resolution did not live up to the commitments adopted at the General Assembly and the Human Rights Council over the past 18 months. It was regrettable that the language on human rights, gender equality and the special needs of persons and groups in vulnerable situations had been watered down in the final version of the text. It was also regrettable that the text had focused on the access of countries, rather than of individuals, to vaccines and that it neglected other important priorities, such as the need to strengthen health systems and services.

21. In the belief that international cooperation and solidarity were paramount to combating COVID-19, the European Union had not opposed the draft resolution. However, it did not subscribe to some of the elements contained therein.

22. **Mr. Magosaki** (Japan) said that, considering his country's deep commitment to the global response to the COVID-19 crisis, it was all the more regrettable that his delegation had had to abstain from voting on the draft resolution, which it could have supported had there been

an adequate negotiation process. It was evident that the deliberations on the text had been premature, as so many of the comments made by Member States had yet to be reflected, notwithstanding the earlier oral revisions.

23. Japan had made clear that the draft resolution should not preclude any domestic measures in accordance with international law. There was much room for improvement in paragraph 19 to articulate that principle. Moreover, it was inappropriate to pre-empt the ongoing IMF discussions, including on options for channelling special drawing rights and the eligibility to use them, as in paragraph 15. It was deeply disappointing that such an important draft resolution, which merited consensus, had been presented prematurely despite many remaining flaws.

24. **Mr. Galstyan** (Armenia) said that the draft resolution was a setback compared to the international commitments already made over the past 18 months, including in General Assembly and Human Rights Council resolutions on the same topic. Along with several other delegations, his delegation had voiced its concerns about the draft resolution's lack of added value from the very outset. Furthermore, Armenia could not accept a humanitarian initiative from a country that was on record for having unleashed the largest military escalation during the COVID-19 pandemic, accompanied with gross violations of international humanitarian law and international human rights law and the denial of unhindered humanitarian access of the international community to the conflict zone. With that in mind, Armenia had voted to abstain.

25. **Mr. Kuzmenkov** (Russian Federation) said that ensuring the equal access of all countries to COVID-19 vaccines was crucial to effectively combat the pandemic and its consequences. His delegation was pleased that the full range of initiatives to strengthen the access of the world to COVID-19 vaccines had been noted in the draft resolution and that emphasis had been placed on the populations most in need, in particular older persons, the poor and persons with chronic diseases who were particularly vulnerable to the effects of COVID-19. The importance of improving medical infrastructure in developing countries and building their capacities in pharmaceutical manufacturing had been underlined, which was consistent with the approaches of his country in promoting the manufacturing of COVID-19 vaccines developed in the Russian Federation. His delegation welcomed the unambiguous call for States to refrain from taking any trade or economic measures that might adversely affect access to COVID-19 vaccines. Unlawful unilateral sanctions against developing countries undermined their efforts to combat the pandemic and its socioeconomic consequences. On the

basis of those considerations, his delegation supported and had voted in favour of the draft resolution.

26. **Ms. Elmansouri** (Tunisia) said that it was regrettable that, despite the efforts of the Chair and the consistent requests by a number of delegations, certain elements of the draft resolution continued to fall below the threshold of agreed language as adopted in Human Rights Council resolution 46/14 and other relevant General Assembly resolutions, including missing references to "gender-responsive" and "human rights-based" and to the need to provide universal health coverage without exposing users to financial hardship, with a special emphasis on vulnerable and marginalized segments of populations.

27. Her delegation also regretted the absence of the language agreed upon at the Human Rights Council referring to the impact of the pandemic on existing inequalities, including on persons belonging to all minorities, which was a comprehensive and all-encompassing term that included national, ethnic, religious and linguistic minorities. However, it welcomed the introduction of oral revisions that strengthened the draft resolution, making it more comprehensive and more compatible with the diversity of views among the States members of the Movement of Non-Aligned Countries and the United Nations Member States and more consistent with international human rights standards, which were necessary to build back better. As a main sponsor of the draft resolution, her delegation continued to support the initiative of the text and had voted in favour of it.

28. **Ms. Buist-Catherwood** (New Zealand), welcoming the adoption of the draft resolution, said that her delegation appreciated the inclusion in the text of language on the need for COVID-19 responses to fully respect human rights and to be gender-responsive and inclusive. However, since it was a Third Committee resolution, her delegation would have liked stronger language on human rights and consistency with previously agreed language in the Human Rights Council and in other relevant General Assembly resolutions. Furthermore, it shared the concerns of other delegations that the draft resolution would have been better placed as a General Assembly resolution under the agenda item on global health and foreign policy. Given the importance of the topic, a plenary resolution would have allowed more time for substantive discussions. It was therefore regrettable that consideration had not been given to that request and that the draft resolution had been submitted with little time for negotiation of the text.

29. **Mr. De La Mora Salcedo** (Mexico) said that, while his delegation had voted in favour of the draft resolution, it regretted the lack of transparency and adequate communication during the negotiation of the text, which had hindered the ability of various delegations to provide their input on it. His delegation supported the oral revisions introduced to the draft, although they had been the subject of a discussion to which his delegation had not been a party. However, certain elements of the draft resolution did not match the resolution adopted by the Human Rights Council, which should have been the benchmark.

30. Mexico considered that such forums as the Committee were important for reviewing the need to amend concepts that – as a result of the present pandemic situation – had been found to be technically incorrect. For example, “extensive immunization as a global public good” was a biological impossibility. For that reason, his delegation had reservations about the thirty-seventh preambular paragraph and paragraph 6 of the draft resolution, as it believed that a misconception should not be perpetuated simply because it was agreed language.

31. **Ms. Flückiger** (Switzerland) said that her delegation deplored the lack of attention paid to human rights, gender equality and marginalized groups in the draft resolution, which did not contain previously agreed language, including the language of the Human Rights Council resolution on the same subject. The significant weakening of the language was all the more reprehensible given that the draft resolution had been introduced in the Committee.

32. Her delegation was concerned that elements unrelated to the subject of the draft resolution had been inserted into the text, such as debt payment. Moreover, it did not believe that the draft resolution needed to address the issue of the channelling of special drawing rights, a discussion on which should be conducted at the IMF Executive Board. Any channelling must be voluntary and take into account national laws and regulations.

33. Lastly, her delegation regretted the way in which the negotiation process had been conducted, as the late presentation of the draft resolution had not allowed for the in-depth discussion required by such an important text. It also regretted the lack of transparency during the negotiation process and the absence of inclusive consultations.

34. **Ms. Brisbane** (Australia) said that, while her delegation was strongly in favour of the principles that the draft resolution sought to highlight, it could not fully support the text as drafted as it did not reflect the careful

balance achieved in its source texts. Although the draft had been reproduced from similar Human Rights Council resolutions, relevant human rights- and gender-related language found in the original text has been inexplicably removed, including references to marginalized groups, despite the premise of the resolution being the need to ensure equitable and universal access for all.

35. Support for human rights, progressive language on gender equality issues and recognition of marginalized groups were at the core of the Committee’s work; it was therefore not unreasonable for a draft resolution considered by the Committee to reflect that focus. If that had not been the intention of the drafters, then her delegation questioned whether the text would have been better presented in another forum.

36. In addition, her delegation had serious concerns about the process surrounding the introduction of the draft resolution. For such an important topic, it had been submitted at the last possible moment and there had not been adequate time for negotiations. Moreover, the text contained a number of concepts that did not enjoy consensus and that would have benefited from further discussion. It was regrettable that Member States had not had sufficient time to consider and debate the issue more fully.

37. In view of the priority given to the question of access to vaccines, her delegation was confident that there would be further opportunity to discuss such matters and looked forward to working constructively with all delegations in the future to find compromises that worked for everyone.

38. **Mr. Murphy** (Canada) said that, although his delegation had voted in favour of the draft resolution, it had significant concerns about the substance of the text and the process leading up to its adoption. At the outset, it had joined other delegations in questioning the appropriateness of replicating a Human Rights Council text in the Third Committee and whether such duplication of efforts in fact undermined the value of both bodies. Moreover, it was disappointing that the key human rights language previously agreed upon at the Human Rights Council had been removed from the present draft, including references to marginalized and vulnerable groups and acknowledgement of the centrality of gender-responsive programming in the collective efforts to strengthen vaccine equity. Those elements were critical.

39. Lastly, his delegation wished to disassociate itself from paragraph 19 of the draft resolution. In line with international law and the Charter of the United Nations, and with exceptions for humanitarian purposes, Canada

continued to employ the use of targeted and strategic sanctions in response to breaches of international peace and security, gross human rights violations and acts of significant corruption.

40. **Mr. Reed** (United Kingdom) said that an acceleration towards the end of the pandemic could only be achieved by ensuring equitable access to COVID-19 medical tools, including vaccines and the use and development of treatments. Consequently, in the vote on the draft resolution, his delegation had voted to abstain.

41. The United Kingdom was proud to have helped design the international structures that supported global production and access to COVID-19 vaccines, treatment and tools, and to be among their largest donors. His Government had committed approximately USD 740 million dollars to COVAX and had helped to raise a further 1 billion dollars through match funding, which would help to distribute over 1 billion doses of COVID-19 vaccines in up to 92 low- and middle-income countries by the end of the year.

42. The draft resolution covered critical issues that had, since the start of the pandemic, been the focus of extensive negotiations. With the support of Member States, those efforts had led to the production of consensual documents that were fundamental to the global COVID-19 response. The presentation of the draft resolution was an opportunity not to replicate or dilute those agreements, but rather to build upon them through a deeper consideration of the relevant issues, within the Committee mandates. It was therefore regrettable that the draft resolution had been presented without proper consultation or full reference to the work that had preceded it. It was disappointing to see changes made to the agreed language from consensus documents, including on health and gender. Furthermore, the language in paragraph 19 of the text was vague and ill-defined, and appeared to refer to measures that would not be in accordance with international law. Prioritizing international law in the introduction and implementation of any economic, financial and trade measures was crucial.

43. The United Kingdom was highly supportive of the allocation of special drawing rights and their use on a voluntary basis in order to support vulnerable countries. Nonetheless, it was concerning that paragraph 15 of the draft resolution misrepresented the viable special drawing rights channelling options supported by leaders of the Group of 20, which focused on channelling special drawing rights to the IMF concessional lending facility and new Resilience and Sustainability Trust, which focused on climate change and pandemic preparedness.

44. **Ms. Aliabadi** (Islamic Republic of Iran) said that the inhuman and illegal unilateral coercive measures that had taken place during the COVID-19 pandemic had led to destructive consequences, with serious effects on the health system in her country and the well-being of the Iranian people. Those illegitimate sanctions ran contrary to the purposes and principles of the Charter of the United Nations, international law and multilateralism. They had also been detrimental to food security, hampering access to health care services, medical products and affordable technology. The negative impact on public health had particularly affected women, children, older persons and persons with disabilities. The unilateral coercive measures taken by certain States had also impeded access by the Iranian people to vaccines, resulting in the deaths of many. It was crucial to ensure that there was no disparity between developing and developed countries in terms of timely access to affordable vaccines. Furthermore, the critical issue of the unilateral coercive measures had not been properly addressed in the draft resolution, which must be in line with national rules, regulations, and development priorities.

45. **Ms. Pongor** (Hungary) said that as a Member State committed to the efforts to ensure access to vaccines for all people worldwide, Hungary had voted in favour of the resolution. However, the thirty-first preambular paragraph was not in line with Human Rights Council resolution [46/14](#). Her delegation therefore disassociated itself from that paragraph.

46. **Ms. Xu Daizhu** (China) said that her delegation was glad to have voted in favour of the draft resolution. The vaccine was a powerful weapon against COVID-19, however fair vaccine distribution was far from being realized. Therefore, accessibility and affordability needed to be ensured as a matter of urgency, for the global public good and to ensure that no one was left behind. China had provided over 1.7 billion doses of the vaccine to more than 110 countries and international organizations. Her country was also developing various vaccine partnership initiatives with other countries and stood ready to cooperate with all parties in order to promote their implementation.

47. China would work to strengthen cooperation and would support joint research and development and production between vaccine enterprises and developing countries. Vaccines must be supplied to developing countries, with a view to reaching the global vaccination target proposed by WHO. Furthermore, WTO should make a timely decision with regard to vaccine intellectual property waivers and vaccine companies should transfer technology to developing countries. Cross-border trade cooperation also required

strengthening to ensure the smooth trade of vaccines and raw materials. There should be fair recognition of all kinds of vaccines based on the list compiled by WHO for emergency use. Financial support was also necessary for global vaccine cooperation, especially in order to allow developing countries to obtain vaccines.

48. **Monsignor Hansen** (Observer for the Holy See) said that issue of access to essential medication and other health care in the developing world must be addressed in order to avoid injustice. His delegation commended initiatives such as COVAX and welcomed additional commitments in that regard, including to address the need for diagnostic and therapeutic facilities in many parts of the world. Given that many developing countries had significantly scaled up health spending to address the crisis, the Holy See welcomed the suspension of debt payments for the poorest countries and encouraged further efforts in that regard, including debt forgiveness. Developed and developing countries and pharmaceutical companies should work together to increase the production of vaccines and of therapeutic facilities, including in developing countries themselves.

49. Lastly, the Holy See considered “sexual and reproductive health” to apply to a holistic concept of health that did not include abortion, access to abortion or access to abortifacients. In addition, his delegation considered the term “gender” to be grounded in biological sexual identity.

Agenda item 110: International drug control (A/C.3/76/L.14/Rev.1)

*Draft resolution A/C.3/76/L.14/Rev.1:
International cooperation to address and counter
the world drug problem*

50. **The Chair** said that the draft resolution had no programme budget implications.

51. **Mr. De La Mora Salcedo** (Mexico), introducing the draft resolution on behalf of the sponsors listed in the document, said that improving international drug policy, identifying new trends and promoting integrated actions should remain a priority for the United Nations system. The draft resolution recognized drug dependency as a multifaceted public health issue, as well as the need to strengthen rehabilitation capacities, including through mental health services and psychosocial support. It also recognized that the use of illegal drugs was inextricably linked to HIV/AIDS. Access should therefore be facilitated to drug prevention and treatment services that were based on scientific evidence and that promoted non-stigmatizing attitudes.

52. The draft resolution included a request for examples of concrete actions to tackle the world drug problem from a multisectoral perspective, with comprehensive responses based on public health, human rights, justice, peace and sustainable development. Much remained to be done to achieve a more comprehensive, balanced, fair and human global drug policy. In order to respond to the world drug problem, multilateralism and international cooperation were the best ways forward.

53. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Antigua and Barbuda, Argentina, Austria, Bahamas, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Colombia, Croatia, Cyprus, Czechia, Dominican Republic, Estonia, Greece, Guatemala, Hungary, Ireland, Israel, Italy, Jamaica, Japan, Latvia, Lebanon, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Morocco, Myanmar, Netherlands, North Macedonia, Palau, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Saint Vincent and the Grenadines, Serbia, Slovenia and Thailand.

54. He then noted that the following delegations also wished to become sponsors: Albania, Angola, Bangladesh, Burkina Faso, Cabo Verde, Chad, Costa Rica, Gambia, Guinea, Guinea-Bissau, Haiti, Kazakhstan, Malawi, Mali, Niger, Norway, Senegal, Slovakia, South Sudan, Togo, Trinidad and Tobago and Uganda.

55. *Draft resolution A/C.3/76/L.14/Rev.1 was adopted.*

56. **Ms. Hassan** (Egypt) said that, owing to the length of the text and the inclusion of controversial language, consensus was increasingly difficult to reach on draft resolutions on the topic. The complexities of the virtual format of negotiations further exacerbated the problem. Her delegation proposed that the draft resolution should be submitted biennially, rather than annually, so as to avoid duplication in the Committee’s discussions and support action to revitalize its work.

57. Paragraph 30 of the draft resolution contained a distorted version of language agreed upon within the Commission on Narcotic Drugs. Her delegation had repeatedly called for the deletion of the paragraph during the negotiations and therefore wished to disassociate itself from that paragraph.

58. **Mr. Van de Maele** (Canada) said that the draft resolution contained strong and progressive language that reflected the consensus reached in the Commission on Narcotic Drugs. That language notably included recognition of the Commission as a decision-making body whose primary responsibility was to address issues

of drug control, the need to share and to implement scientific best practices based on data in order to tackle and counter the world drug problem, as well as references to the Political Declaration on HIV/AIDS. However, some of those references had been removed; his delegation would have preferred more to remain included.

59. Despite its support for the vast majority of the text, his delegation would not be able to sponsor the draft resolution as it contained the suggestion that one of the mandates of the International Narcotics Control Board (INCB) was to monitor the compliance of Member States with the International Drug Control Conventions. However, that activity was not part of the role of INCB. His delegation nonetheless commended and supported the major contributions of INCB to international efforts to tackle and counteract the world drug problem, within the framework of its mandate, and would continue to support INCB in its relevant efforts.

60. **Mr. Hill** (United States of America) said that unfortunately the United States was once again not in a position sponsor the draft resolution. In particular, his delegation wished to disassociate itself from the language in paragraph 6 of the text, which called on Member States to take measures to achieve the goals and targets set out in the Political Declaration and Plan of Action of 2009. Given that those goals and targets had lapsed two years previously, it was regrettable that such outdated language remained. Moreover, the language did not include a reference to the full compendium of the international drug policy documents that were essential for representing the holistic approach to drug policy as agreed within the Commission on Narcotic Drugs.

61. His delegation also wished to disassociate itself from paragraph 101 of the draft resolution, as it once again misstated the treaty-mandated role of INCB. The text must be updated to reflect the proper role of INCB, which did not include the monitoring of State party compliance with conventions. Despite continuous efforts to update the draft resolution to correctly reference the treaty-mandated role of INCB and to honour the consensus reached by the Commission on Narcotic Drugs, inaccuracies remained on that issue. Nevertheless, the important work of INCB remained a critical element to supporting the efforts of States to achieve the purposes of the United Nations drug treaties. The United States fully supported the treaty-mandated role of INCB and underscored the need for the General Assembly to remain faithful to the mandates set out in the relevant treaties.

62. **Mr. Shamshidov** (Kyrgyzstan) said that the draft resolution was primarily intended to reaffirm the

agreements adopted by consensus that had been reached within the Commission on Narcotic Drugs. In that connection, the text should be produced collaboratively, in order to reflect the opinions of all countries, and be adopted on a biennial basis.

63. **Mr. Reed** (United Kingdom) said that his delegation regretted how little progress had been made that year in the light of the global challenge faced by the international community in addressing drug use. Working together was essential in order to ensure a positive impact, including through meaningful engagement and openness to discussions on new and emerging issues. In that regard, Member States should work together more collaboratively, including by engaging in new ideas for the future.

64. His delegation had two specific concerns regarding the language of the draft resolution. First, despite consensus at the Commission on Narcotic Drugs that stigma negatively impacted access to treatment for people who used drugs, the text continued to use the stigmatizing term “abuse”, which prevented progress from being made. Second, the weak language on HIV/AIDS was disappointing, particularly given that HIV transmission remained alarmingly high among people who used drugs, and international targets for its reduction had been missed. Efforts must therefore be redoubled in that regard.

65. The focus on the benefits of addressing drug use in a comprehensive and balanced manner was welcome. In the United Kingdom, an evidence-based approach was taken in responding to drugs in order to protect communities, including by bringing together the police, the health community and global partners to tackle the illicit drug trade, protect the most vulnerable and help those with drug dependencies towards recovery. His country remained committed to addressing the global drug situation through international cooperation.

66. **Mr. Pilipenko** (Belarus) said that the convening role of the United Nations Office on Drugs and Crime in countering the world drug problem should be supported, and further measures should be adopted to promote the universalization of the three United Nations drug control conventions and the full implementation by Governments of their obligations.

67. Given the challenges in combating drugs, it seemed inappropriate to seek to artificially accelerate the search for mutually acceptable solutions and the corresponding adoption of the annual draft resolution. Shifting to the biennial adoption of the draft resolution would provide the time needed to adopt a balanced, substantive and mutually acceptable text and would allow focus to be placed on improving the

implementation of the draft resolution and monitoring thereof.

68. Unfortunately, reference had been made in the draft resolution to the Political Declaration on HIV/AIDS of 2021, which did not reflect a consensual approach to countering the drug problem. The existing international legal and institutional framework for countering drugs was an important basis for national efforts and international cooperation in that area and should not be dismantled, including under the pretext of individual national circumstances.

69. To continue to provide rapid responses to global drug challenges, international cooperation among States, international and regional organizations and civil society should be strengthened in accordance with the principles of constructiveness and mutual acceptability.

70. **Mr. Al Khalil** (Syrian Arab Republic) said that the draft resolution would benefit from discussion on a biennial basis, as that would allow the General Assembly to focus on the most pertinent aspects of the world drug problem as identified by the Commission on Narcotic Drugs while keeping the text balanced and concise. A biennial presentation would also ensure efficient use of the Committee's time and resources. The draft resolution should not include contradictory elements that had not been agreed by consensus. Furthermore, the merging of two separate and disparate paragraphs from Commission resolutions into paragraph 28 of the draft resolution had not been a good idea.

71. **Mr. Bulgaru** (Russian Federation) said that it had become clear during the consultations that there was a desire to shift to considering the draft resolution on a biennial basis. The resolution had been designated an "omnibus" resolution primarily to reaffirm agreements reached within the Commission on Narcotic Drugs. Developments worthy of note occurred during major events, such as the ministerial segment of the Commission or special sessions. Biennial consideration would ensure that the text was balanced and meaningful, whereas annual consideration gave rise to additional challenges and new discussions, the place for which was obviously Vienna.

72. It was understood that an omnibus resolution should not include any elements that gave rise to confrontation or references to documents that did not enjoy consensus. The inclusion of such elements could undermine the unity in international cooperation in countering drugs and constituted an attempt to revise the existing international drug control system. The omnibus resolution should be produced through joint efforts based on consensus. The current version of the draft

resolution unfortunately contained a reference to a document that did not enjoy consensus, namely, the Political Declaration on HIV/AIDS of 2021, against which his delegation had voted. It was also inappropriate to cite several resolutions of the Commission on Narcotic Drugs in paragraph 30. Mixing together points that differed in essence could undermine the meaning of the previously agreed language, and such an approach should be avoided in future. His delegation hoped that the subsequent omnibus resolution would be considered without undue haste and in the spirit of transparent, trustful and constructive cooperation.

73. **Ms. Aliabadi** (Islamic Republic of Iran) said that the draft resolution should be considered biennially so that the General Assembly could focus on the most important aspects of the world drug problem. It should also be derived from common efforts and should not include challenging elements on which consensus had not been reached. In that context, the Islamic Republic of Iran dissociated itself from the reference to social marginalization in paragraphs 30 and to the Political Declarations on HIV/AIDS in paragraph 52.

74. **Monsignor Hansen** (Observer for the Holy See) said that, as had become apparent during the negotiations on the draft resolution, States' views on how to tackle the world drug problem varied significantly. Furthermore, proposals for the current draft resolution had been put forth that would have restricted its scope and impact by placing an unbalanced focus on some aspects of efforts to counter the world drug problem while significantly limiting the focus on others. Proposals had also been made to fundamentally change key terminology agreed upon within the Commission on Narcotic Drugs. Other proposals ventured into topics on which there was no consensus within the Committee and on which starkly opposing views existed.

75. Given those concerns, the Holy See was pleased that the final text of the draft resolution instead sought to maintain consensus, mirror the work of the Commission on Narcotic Drugs and echo the provisions of the Commission's major policy documents published in 2009, 2014, 2016 and 2019, recognizing that those documents were complementary and mutually reinforcing.

Agenda item 74: Promotion and protection of human rights (*continued*)

- (b) **Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms** (*continued*) (A/C.3/76/L.45/Rev.1)

Draft resolution A/C.3/76/L.45/Rev.1: Strengthening the role of the United Nations in enhancing periodic and genuine elections and the promotion of democratization

76. **The Chair** said that the draft resolution had no programme budget implications.

77. **Ms. Millard** (United States of America), introducing the draft resolution, said that the draft resolution supported the Electoral Assistance Division in its work to help democracies and countries undergoing democratization to build fair and sustainable national electoral systems. It also promoted the universality of democratic values based on the free will of peoples and their full participation in all aspects of public affairs, including the need for free and fair elections in which all citizens could participate. The draft resolution emphasized the importance including all women and girls in political processes and recognized the need to ensure political participation and voting by citizens who were marginalized and underrepresented.

78. Her delegation called upon Member States to uphold and promote the commitments that they had made in the Universal Declaration of Human Rights, in particular the commitment that the will of the people, as expressed through periodic and genuine elections, should be the basis of government authority. Moreover, her delegations condemned any manipulation of electoral processes that undermined the free expression of the will of the electors. Elections should be representative of a diverse and vast electorate, and all eligible citizens needed to be free to participate in order to derive a truly fair result.

79. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Antigua and Barbuda, Botswana, Bulgaria, Burkina Faso, Chad, El Salvador, India, Lebanon, Lesotho, Liberia, Liechtenstein, Madagascar, Morocco, Myanmar, Papua New Guinea, Peru, Poland, Republic of Korea, San Marino, Serbia, Slovakia, Thailand, Timor-Leste and Turkey.

80. **Mr. Nze** (Nigeria), speaking also on behalf of Algeria, Bangladesh, Belarus, Brunei Darussalam, Cameroon, Egypt, Indonesia, Iran (Islamic Republic of), Libya, Malaysia, Mali, Pakistan, Qatar, the Russian Federation, Saudi Arabia, Senegal, the Syrian Arab Republic and Yemen, presented a number of proposed oral amendments to the draft resolution. First, the controversial and undefined term “in all their diversity” should be deleted from the ninth and twenty-seventh preambular paragraphs. Second, in paragraph 7, the controversial list of groups should be replaced with the agreed-upon list of groups used in target 10.2 of Sustainable Development Goal 10.

81. The delegations of those countries strongly condemned all forms of direct or indirect discrimination against citizens that impeded the exercise of their right to participate in public affairs and deplored all forms of stereotyping, exclusion, intolerance or violence. In that context, it was essential that the General Assembly should adopt a principled, unified and objective position, devoid of non-agreed language and political motivations.

82. Given the gravity of the matter, it was regrettable that the main sponsors of the draft resolution had insisted on undermining the draft resolution by employing irrelevant, non-agreed language which had no basis in international human rights law. During the negotiation process, many Member States had made a straightforward request to use only consensual, agreed-upon language, especially in the ninth and twenty-seventh preambular paragraphs and in paragraph 7, which would have allowed many delegations to join consensus on all paragraphs of the draft resolution. As those calls had been ignored, there had been no alternative but to make the proposed oral amendments to the draft resolution in a genuine attempt to achieve consensus.

83. The political use of a noble cause to pass contentious concepts was unacceptable. The societies and cultures of the entire membership should be respected. He urged all delegations to vote in favour of the proposed amendments in order to restore balance in the draft resolution and prevent the weakening of its objectives.

84. **Ms. Korac** (United States of America), presenting an oral revision to the draft resolution, said that the phrase “including women and girls in all their diversity” should be replaced in the twenty-seventh preambular paragraph with the phrase “including all women and girls”.

85. **The Chair** said that a recorded vote had been requested by the representative of the United States of America on the proposed oral amendments to the draft resolution.

Statements made in explanation of vote before the voting

86. **Mr. Oddone** (Argentina), speaking also on behalf of Chile, Colombia, Costa Rica, Ecuador, El Salvador, Mexico, Peru and Uruguay, said that the application of international human rights law was governed by the principles of universality and non-discrimination, in accordance with article 1 of the Universal Declaration of Human Rights, which provided that all human beings were born free and equal in dignity and rights. No exceptions were allowed. All human beings had a right to protection under international human rights law, and,

consequently, States should guarantee the exercise of the right to participate in public affairs without distinction. States therefore needed to provide effective guarantees against the multiple and intersecting forms of discrimination to ensure that the rights of all persons were protected in line with international law.

87. The removal of language on diversity from the ninth preambular paragraph and the replacement of the comprehensive and inclusive list of forms of discrimination in paragraph 7 would weaken the draft resolution and would represent a step backwards for the international community. The multiple and intersecting forms of discrimination should be openly recognized in the draft resolutions of the Committee. The delegations of Argentina, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Mexico, Peru and Uruguay therefore opposed the proposed amendments.

88. **Mr. Malovrh** (Slovenia), speaking on behalf of the European Union and its member States; the candidate countries Albania, Montenegro, North Macedonia and Serbia; the stabilization and association process country Bosnia and Herzegovina; and, in addition, Georgia and the Republic of Moldova, said that the decision to present oral amendments to such an important draft resolution was regrettable.

89. The language used in the ninth preambular paragraph was the result of a long and inclusive negotiation process, in which all delegations had had to make compromises. Introducing last-minute oral amendments ran counter to the practice in the Committee and risked upsetting the fine balance between the different positions expressed in the text.

90. Respect for the diversity of women and their roles was a long-standing commitment, recognized notably in the Programme of Action of the International Conference on Population and Development and the Beijing Declaration and Platform for Action. Political systems could not function properly if they excluded women. The European Union and its member States remained committed to working towards ensuring the equal, full, effective and meaningful participation of women and youth in all their diversity, in all spheres and levels of public and political life. At a moment of increased pressure on gender equality, it was essential to ensure that all women were included, without any form of discrimination. That was the intention of the ninth preambular paragraph.

91. Paragraph 7 of the draft resolution placed no obligation on States to change their domestic laws, but simply suggested measures to ensure the inclusion of all individuals. No one should be denied the ability to participate in elections. It would send a dangerous

message if the Committee could not support the call against measures discriminating against citizens during the exercise of their right to participate in public affairs.

92. **Mr. Baror** (Israel) said that, as a traditional sponsor of draft resolutions on the topic, his delegation strongly supported the draft resolution under discussion as it touched upon one of the most fundamental elements required for the promotion and protection of human rights. He underscored the importance of an inclusive approach towards different and diverse groups and individuals suffering from different forms of discriminations – forms that, whether States admitted it or not, were often intersecting.

93. In that context, his delegation supported the inclusion of the phrase “women and girls in all their diversity” in the ninth and twenty-seventh preambular paragraphs, in addition to the reference to different groups and individuals who often suffered from discrimination in paragraph 7. In particular, his delegation appreciated the reference to persons suffering from discrimination on the basis of sexual orientation or gender identity, as such persons were consistently ignored by the Committee. His delegation would oppose any proposed amendments to those paragraphs.

94. **Mr. Reed** (United Kingdom) said that his delegation strongly supported the draft resolution and its recognition of the importance of periodic, inclusive and genuine elections. In particular, his delegation welcomed the recognition given to the important role played in the strengthening of democracy by all parts of society, including human rights defenders, women and wider civil society. It was important that their roles were recognized and that they were able to contribute on an equal basis.

95. His delegation was disappointed at the last-minute proposal of hostile amendments by the representative of Nigeria. In particular, the full list contained in paragraph 7 must be maintained, as it addressed all groups that were vulnerable and at risk of being discriminated against and prevented from participating in elections on an equal basis. The proposed amendment sought to deny that certain types of discrimination existed, thereby weakening the text.

96. The proposed amendments had not been put forward for discussion during the negotiations in the proper manner. His delegation was concerned that, in a text on elections and political participation, the countries that had made the proposed amendments had chosen to draw on language that did not include, among other things, political or other opinion. The Committee

should uphold the long-standing principle that human rights should be enjoyed on an equal basis.

97. **Mr. Magosaki** (Japan) said that, while his delegation agreed that the list of groups contained in paragraph 7 of the draft resolution could be controversial, it could not accept the proposed revision of the ninth preambular paragraph. The proposed revision would give the impression that the Committee was not opposed to discrimination on the basis of political views, or even that the paragraph no longer sought to address the topic of elections. His delegation hoped that all delegations that believed in genuine elections would support it in maintaining the original proposed text of paragraph 7.

98. **Mr. Lamce** (Albania) said that his delegation appreciated the open and inclusive negotiation process for the draft resolution. The strong focus in the draft resolution on democracy, gender, and political participation was welcome. It was also important that the references to the most vulnerable groups and the promotion of democratization were retained.

99. Groups of individuals in a vulnerable position, especially women and youth, were more likely to be denied their rights to free and fair elections and to democracy and were more often victims of discrimination with impunity. No one should be excluded from exercising the right to free and fair elections. Albania supported efforts and measures to ensure the inclusion and participation of all persons in public life, as the failure to do so would undermine democracy. For those reasons, and as one of the sponsors of the draft resolution, Albania supported the draft resolution and rejected all last-minute amendments.

100. **Ms. Millard** (United States of America) said that her delegation regretted the proposal of two hostile last-minute amendments that weakened the text and undermined the very groups that successive draft resolutions on the topic had assisted around the world for more than 20 years. Her delegation had engaged constructively with others throughout the negotiation process to present a balanced yet strong text focusing on gender and on ensuring the political participation of all persons in all stages of elections. It had even put forward a last-minute oral revision itself in order to further satisfy some delegations' concerns.

101. It was of extreme importance that references to the most vulnerable and marginalized groups in the context of elections remained in the draft resolution. Individuals belonging to a vulnerable group were more likely to be denied their right to vote in free and fair elections and were more often victims of discriminatory acts carried

out with impunity. The ninth preambular paragraph and paragraph 7 of the draft resolution were critical paragraphs for ensuring that all citizens were included in all stages of elections, including by having the ability to vote and run for office. No citizens should be denied the right to vote or to be elected through free and fair elections because of who they were. It sent a dangerous message to all vulnerable and marginalized groups mentioned in the text for the list in paragraph 7 to be cherry-picked on the floor of the General Assembly, as was taking place through the proposed amendments. Such actions could exacerbate the marginalization of those groups.

102. Her delegation had therefore called for a vote on the amendments presented by the representative of Nigeria. It would vote against both proposed amendments and encouraged other delegations to do the same.

103. **Ms. Allen** (Australia), speaking also on behalf of Canada, Iceland, Liechtenstein, New Zealand, Norway and Switzerland, said that the strong focus in the draft resolution on inclusion, especially of women, was welcome. In many countries, certain groups faced barriers to participation in public and political life, such as unpaid care and domestic work, sexual and gender-based violence, the impact of COVID-19, the limited accessibility of polling stations and discrimination or violence in law or in practice. For elections to be fully representative, and therefore effective, citizens must be able to participate in them on an equal basis. To that end, all Governments must work together to address factors which held some citizens back from equal participation in public and political life.

104. By seeking to change paragraph 7 of the draft resolution to exclude some key groups at risk of discrimination, the proposed amendments effectively suggested that some people could be discriminated against in electoral processes. A vote for the amendments was, therefore, a vote for discrimination.

105. The amendments proposed also watered down other key parts of the text and would weaken the draft resolution overall. It was of the utmost importance that the original list in paragraph 7 – containing the full range of grounds for discrimination – should be maintained. The delegations of Australia, Canada, Iceland, Liechtenstein, New Zealand, Norway and Switzerland would therefore vote against the proposed amendments.

General statements made before the voting

106. **Ms. Lombeh** (Liberia) said that, as a sponsor of the draft resolution, her delegation was saddened by the

last-minute presentation of hostile amendments to the ninth preambular paragraph and paragraph 7 because they created a text that had not been discussed during the consultations. Her delegation therefore called for the maintenance of the text of the draft resolution as it had been proposed by the facilitator. Her delegation would vote against the proposed amendments.

107. **Mr. Shahin** (Egypt) said that most of the proposed amendments had been presented more than once during the negotiations, and the rationale behind them had been discussed for many hours. They could therefore not be described as last-minute amendments. The agreed procedures of the Committee gave all delegations the right to propose amendments upon seeing the final proposed text of a draft resolution; the representative of the United States of America had made a welcome oral revision at the last minute too.

108. The terminology used in the ninth preambular paragraph and in paragraph 7 of the draft resolution did not enjoy international consensus. Most countries did not recognize the notions referred to in those paragraphs as legal categories. Owing to their fluidity, vagueness and subjectivity, those terms had no widely accepted legal meaning and were open to misinterpretation. His delegation could not agree with any interpretation of such terms that included categories on which international agreement had not been reached or that were not recognized in the national laws or policies of Egypt.

109. The proposed amendments were designed to restore balance to the text by making it more agreeable to all delegations. They had nothing to do with the core objectives of the draft resolution and did not exclude any groups. In fact, the proposed amendment to paragraph 7 drew on widely agreed language used in target 10.2 of the Sustainable Development Goals. His delegation would therefore vote in favour of the proposed amendments, and it invited all other delegations to do likewise.

110. **Mr. Salah** (Libya) said that his delegation welcomed the oral revision presented by the representative of the United States of America.

111. The controversial and non-consensus-based terms contained in the ninth preambular paragraph and in paragraph 7 added nothing to the draft resolution, but rather disregarded the religious and cultural contexts of many Member States, including Libya. His delegation had therefore joined others in supporting the proposed amendments and would vote in favour of them.

112. **Ms. Charikhi** (Algeria) said that it was surprising that some delegations had described the presentation of the proposed amendments as unforeseen. Her delegation

had engaged constructively throughout the negotiation process, during which at least 15 delegations had repeatedly asked for the same changes to be made. Those requests had been ignored, however.

113. Furthermore, it was frustrating that the same delegations that had called for a vote on draft resolution [A/C.3/76/L.55/Rev.1](#), on ensuring equitable, affordable, timely and universal access for all countries to vaccines in response to the COVID-19 pandemic, and had abstained during that vote were now lecturing other Member States on the meaning of inclusivity. Her delegation called on them to reflect on the real meaning of the word.

114. The proposed amendments had been introduced to reflect the fact that some countries, including Algeria, had their own cultural and religious values. Her delegation would vote in favour of respect for the cultural values of all Member States, free from the imposition of other States' cultural or religious values. That was the only objective of the proposed amendments; they were not aimed at excluding anyone, but rather they sought to make the text inclusive and holistic and to promote respect for other countries' values.

115. **Ms. Nour Ali** (Syrian Arab Republic) said that her delegation regretted the fact that some delegations had described the oral amendments as "hostile". The Syrian delegation had not been aware that exercising the right to present amendments to a text containing controversial language could be described that way. As everyone was aware, the customary practice was that Member States were permitted to voice their concerns regarding contentious language and hence oral amendments had been proposed after many delegations had expressed concerns during the negotiations. No one Member State had the right to dictate what any other country's position should be.

116. **Ms. Mozgovaya** (Belarus) said that, given the importance and relevance of the draft resolution, her delegation was deeply disappointed that the initiator had been determined to include wording that did not enjoy consensus. The position of Belarus and other States with regard to the wording in question was clear and unambiguous. Such wording had not been agreed internationally and ran contrary to the national laws of certain States. Her delegation could not support the draft resolution if it contained such wording and had therefore joined the sponsors of the proposed amendments.

117. **Ms. Aliabadi** (Islamic Republic of Iran) said that cultural diversity and differing religious values should be respected. Her delegation therefore supported the proposed amendments. She wondered whether there were any records of the informal negotiation sessions,

as they would demonstrate that the concerns raised by her delegation and others had been mentioned before the current meeting.

118. *At the request of the representative of the United States of America, a recorded vote was taken on the proposal to amend the ninth preambular paragraph of draft resolution A/C.3/76/L.45/Rev.1.*

In favour:

Algeria, Bahrain, Bangladesh, Belarus, Brunei Darussalam, Cambodia, Cameroon, China, Comoros, Democratic People's Republic of Korea, Djibouti, Egypt, Eritrea, Ethiopia, Gambia, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Kuwait, Lao People's Democratic Republic, Libya, Malaysia, Mali, Mauritania, Niger, Nigeria, Oman, Pakistan, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, Sudan, Syrian Arab Republic, Trinidad and Tobago, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Bosnia and Herzegovina, Brazil, Bulgaria, Cabo Verde, Canada, Chile, Colombia, Congo, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, India, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Myanmar, Namibia, Nepal, Netherlands, New Zealand, North Macedonia, Norway, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, Timor-Leste, Tunisia, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu.

Abstaining:

Angola, Benin, Bolivia (Plurinational State of), Botswana, Chad, Côte d'Ivoire, Jordan, Kenya, Madagascar, Mozambique, Sri Lanka, Togo.

119. *The proposal was rejected by 89 votes to 56, with 12 abstentions.*

120. *At the request of the representative of the United States of America, a recorded vote was taken on the proposal to amend paragraph 7 of draft resolution A/C.3/76/L.45/Rev.1.*

In favour:

Algeria, Bahrain, Bangladesh, Belarus, Brunei Darussalam, Cambodia, Cameroon, China, Comoros, Democratic People's Republic of Korea, Djibouti, Egypt, Eritrea, Ethiopia, Gabon, Gambia, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Kuwait, Kyrgyzstan, Libya, Malaysia, Mali, Mauritania, Niger, Nigeria, Oman, Pakistan, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, Sudan, Syrian Arab Republic, Trinidad and Tobago, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Bosnia and Herzegovina, Brazil, Bulgaria, Cabo Verde, Canada, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, India, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Myanmar, Nepal, Netherlands, New Zealand, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, Timor-Leste, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu.

Abstaining:

Angola, Benin, Bolivia (Plurinational State of), Botswana, Chad, Jordan, Kenya, Madagascar, Mozambique, Namibia, Sri Lanka, Togo, Tunisia.

121. *The proposal was rejected by 90 votes to 58, with 13 abstentions.*

122. **Ms. Shoman Khot** (Jordan) said that her delegation strongly supported the draft resolution. The

United Nations should play an important role in the promotion of democratic values and national governance on the basis of the rule of law and respect for the human and public rights of individuals.

123. Nonetheless, her delegation wished to express its reservations with respect to the twenty-fifth preambular paragraph, as neither international law nor established State practice equated the rights of citizens of a State to participate in public life with the rights of persons born in that State's territory. Under customary international law, no State was under the obligation to grant nationality to individuals born in its territory or to grant them the same rights to participate in public life and political processes as those held by the nationals of the State.

124. **Ms. Elmansouri** (Tunisia) said that her country remained attached to democracy as an irreversible path chosen by its people. Her delegation welcomed the focus in the draft resolution on the importance of including women, in all their diversity, in the electoral processes. It had therefore voted against the proposed amendment to the ninth preambular paragraph.

125. Paragraph 7 of the draft resolution contained terms that were not recognized by all countries, including Tunisia, and therefore might not be relevant to all contexts. Tunisia nonetheless recognized the right of all citizens to participate in public affairs with a view to building and maintaining a free public debate and a vibrant civil society. Democracy meant that all persons had a voice, even those with whom one disagreed or of whom one disapproved. Her delegation had therefore abstained in the vote on the proposed amendment to paragraph 7. Owing to its concerns regarding that paragraph, however, Tunisia had been unable to sponsor the draft resolution.

126. *Draft resolution A/C.3/76/L.45/Rev.1 as a whole, as orally revised, was adopted.*

127. **Mr. Kuzmenkov** (Russian Federation) said that there was no single model of democracy, and the responsibility for the organization of elections lay with Member States, while the United Nations should provide assistance upon request. The Russian Federation took a responsible approach to international law and its international obligations. His delegation therefore wished to disassociate itself from the reference in paragraph 14 of the draft resolution to the Declaration of Principles for International Election Observation and the Code of Conduct for International Election Observers, which had not been the result of intergovernmental expert agreement and had never been part of an intergovernmental process.

128. It was somewhat surprising that the draft resolution had been put forward by the United States, whose election process was seriously flawed. The United States electoral model was characterized by opaque elections, restricted voter access and a lack of options, with eligibility for election concentrated in the hands of the wealthy.

129. The consultations on the draft resolution had not been sufficiently transparent, and many constructive proposals by his and other delegations had been ignored. Concepts that were not universally recognized, such as "sexual orientation" and "gender identity", had appeared in the text. His delegation was therefore forced to disassociate itself from the consensus on the ninth preambular paragraph and paragraph 7.

130. **Mr. Nze** (Nigeria) said that his delegation strongly supported the aim of the draft resolution to advance fair and free elections. It was unfortunate that such an important topic had been used to introduce controversial, non-consensus-based matters.

131. His delegation opposed the inclusion of the concepts of sexual orientation and gender identity and the term "women in all their diversity", which were too often interpreted as having the same meaning, in United Nations resolutions, regardless of the context. As a member State of the Organization of Islamic Cooperation, Nigeria had supported its explanation of position on sexual orientation and gender identity issues in the context of the discussion of draft resolution [A/HRC/41/L.10/Rev.1](#), on the mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity.

132. His delegation was concerned at the introduction into the draft resolution of concepts and notions which had no legal foundation within any international human rights framework, and which contradicted the fundamentals of the universality of human rights. Those concepts, on which universal agreement had not been achieved, presented a particular set of values and lifestyles that were not accepted by the majority of societies and that directly impinged on the social, cultural and legislative specificities of Member States and their values.

133. His delegation wished to disassociate itself from the ninth preambular paragraph and from paragraph 7 of the draft resolution. Nigeria would never accept the adoption of those paragraphs as setting a precedent because they had not been adopted by consensus. His delegation had joined the consensus not because it agreed with the entire text, but because it would have been unfortunate if those two paragraphs had stood in

the way of the adoption of a resolution that advanced the promotion of free and fair elections.

134. **Mr. Joseph Dominique Ngor Ndiaye** (Senegal) said that his delegation joined the consensus on the draft resolution and took note of the oral revision introduced by the delegation of the United States of America.

135. Nonetheless, his delegation had supported the amendments introduced by the representative of Nigeria in order to distance itself from the terms used in those paragraphs, as those terms did not have a widely accepted legal or scientific meaning. The terms added nothing to the text and violated the specificities of many countries, including Senegal. His delegation did not agree with an interpretation of any terms that included categories that were not yet legally accepted at international level or in the national laws or policies of Senegal. Senegal would interpret these terms according to its internal realities. It wished to express its reservations with respect to the use of those terms in the draft resolution.

136. His delegation hoped that, in future, the authors of draft resolutions on the topic would be more open and would refrain from political motivations, as the linguistic approaches that they were employing divided the Committee more than they mobilized it towards essential action.

137. **Ms. Nour Ali** (Syrian Arab Republic) said that her delegation had joined the consensus on the adoption of the draft resolution. However, as sponsor of the proposed oral amendments, it wished to disassociate itself from the ninth preambular paragraph and from paragraph 7 as they contained contentious language of a fluid and subjective character. More importantly, those concepts did not align with Syrian law.

138. **Mr. Brans** (Netherlands) said that his country strongly believed in the role of the United Nations in promoting democracy and providing election support to countries seeking assistance. His delegation stressed the universality of democratic values, including the opportunity for every citizen to fully participate in all aspects of public and political affairs. As Co-Chair of the lesbian, gay, bisexual, transgender and intersex (LGBTI) Core Group, together with Argentina, the Netherlands appreciated that the draft resolution referred to the inclusion of all individuals and to the unacceptability of discrimination on the grounds of sexual orientation and gender identity. Discrimination had no place in free and fair elections.

139. **Mr. Salah** (Libya) said that his country attached great importance to the subject of the draft resolution, particularly currently, in the run-up to the parliamentary

and presidential elections to be held in December. Although Libya had joined the consensus on the draft resolution, that did not mean that it accepted the certain terms that had not been agreed and that added no value, namely, “women in all their diversity” and “sexual orientation and gender identity”. Those formulations could be interpreted in a manner inconsistent with Libyan religious and cultural identity and with Libyan law. Libya therefore expressed reservations regarding preambular paragraph 9 and paragraph 7 of the text.

140. **Ms. Alalawat** (Bahrain), speaking also on behalf of the Gulf Cooperation Council countries Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates, said that those delegations had joined the consensus on the draft resolution owing to the importance of its subject. However, they expressed reservations regarding paragraph 7 of the text, which contained controversial language not in line with their national laws and religious and cultural values.

141. **Ms. Saleem** (Pakistan) said that her country had a robust parliamentary democracy. Free and fair elections were the cornerstone of the democratic process, and democracy was strengthened through independent and genuine periodic elections. Nonetheless, her delegation wished to disassociate itself from the use of non-consensus-based terms in the ninth preambular paragraph and in paragraph 7 of the draft resolution.

142. **Mr. Shahin** (Egypt) said that his country had consistently sponsored draft resolutions on the topic for many years, given the importance of the role of the United Nations in enhancing elections and promoting democratization. His delegation welcomed the focus in the current draft resolution on the inclusion of women in political processes.

143. Egypt strongly rejected any attempt to undermine the international human rights system by imposing undefined concepts pertaining to cultural and social matters, including private individual conduct, which fell outside the internationally agreed human rights framework. Such attempts showed disregard for the universality of human rights and disrespect for cultural and social norms and values.

144. In that context, his delegation expressed reservations regarding, and wished to disassociate itself from, the ninth preambular paragraph and paragraph 7 of the draft resolution. It categorically rejected the use of terms such as “sexual orientation and gender identity” and “in all their diversity”, which did not represent agreed language.

145. In addition, his delegation understood the term “human rights defenders” as it was defined in the

context of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

146. **Ms. Rajandran** (Singapore) said that her delegation had joined the consensus on the draft resolution as it recognized the importance of fair, periodic and genuine elections for effective, transparent and accountable governance.

147. With regard to paragraph 9 of the text, she noted that, under Singaporean law, persons with disabilities could, upon request, be assisted during voting only by a presiding officer, who must mark the ballot paper in the manner directed by the voter and was under oath to keep all votes secret.

148. **Mr. Mogyorósi** (Hungary) said that, given its continued commitment to protecting and promoting democratization, the rule of law and genuine elections, his country had joined the consensus on the draft resolution.

149. With regard to paragraph 9, his delegation interpreted the term “diversity” as having meaning only in cultural, religious and linguistic contexts.

150. **Ms. Xu Daizhu** (China) said that her delegation opposed the use of the term “human rights defenders” in the draft resolution, as the term had no internationally uniform, law-based definition that was recognized by all countries. Views differed as to who could be considered a human rights defender. China was opposed to the inclusion in draft resolutions of any term that did not enjoy consensus within the United Nations. China would interpret the relevant provisions in line with its national laws and its consistent position. It would not accept any provisions that conflicted with its national laws and regulations. On the basis of that understanding, her delegation had joined the consensus on the draft resolution.

151. It was worrisome that many proposals presented by China and other countries during the consultations had been ignored by the main sponsor, which had insisted, in many parts of the draft resolution, on using language on which consensus had not been reached. The consultations had not been transparent or constructive.

152. **Mr. Balobaid** (Yemen) said that in view of the rejection of the oral amendments proposed by the delegation of Nigeria, his delegation wished to disassociate itself from the ninth preambular paragraph and paragraph 7 of the draft resolution. Furthermore, in Yemen, any legal citizen of voting age was entitled to participate in elections and therefore questions of gender identity were irrelevant. While Yemen respected

the views of the other delegations, it distanced itself from terms in the draft resolution that ran counter to its own customs and laws.

153. **Mr. Ghazali** (Malaysia) said that his country was committed to promoting and protecting democratic institutions and principles and the rule of law. His delegation therefore welcomed the draft resolution and the oral revision. Nonetheless, the Committee must consider the interests and concerns of all Member States on the topic. His delegation wished to express reservations regarding, and disassociate itself from, the terms used in the ninth preambular paragraph and paragraph 7 of the text because they were inconsistent with its position. It had nonetheless joined the consensus in adopting the draft resolution as a whole, given the overall aim of the text was the promotion and protection of democratic institutions and principles.

154. **Ms. Charikhi** (Algeria) said that her country remained committed to promoting democratic values and the rule of law and to strengthening the role of the United Nations in enhancing periodic elections. For those reasons, it had joined the consensus on the draft resolution.

155. Past draft resolutions on the topic had always been adopted by consensus, and Algeria had been in a position to sponsor them. Unfortunately, owing to the introduction of new language and concepts that were not commonly defined or agreed and that went against the religious and cultural values of many countries, Algeria had instead sponsored the proposed oral amendments to the ninth preambular paragraph and to paragraph 7, which, if adopted, would have enabled all Member States to fully endorse the draft resolution.

156. The approach taken by the facilitators of the draft resolution was regrettable. They had endangered and undermined the consensus-based nature of the draft resolution with the sole aim of imposing terms such as “sexual orientation and gender identity” on the entire membership, thereby ignoring the national laws and cultural and religious values of other Member States. Her delegation questioned the necessity of such an approach, especially given the loss of sponsorship and consensus that it had engendered.

157. Rather than using controversial concepts, the Committee should have included a stronger and more holistic call for non-discrimination on any grounds in the draft resolution, which would have achieved the objective of inclusivity without undermining the consensus on certain paragraphs.

158. Her delegation wished to disassociate itself from the ninth preambular paragraph and from paragraph 7 of

the draft resolution and would not consider those paragraphs to represented agreed language in future negotiations.

159. **Mr. Malovrh** (Slovenia), speaking on behalf of the European Union and its member States, said that the decision to focus on the full political participation and representation of women and girls was welcome.

160. Despite the continued desire for democracy expressed by people around the world, new and growing challenges to democracy had emerged. The European Union and its member States therefore welcomed the progress shown in the draft resolution, with new and increased attention being given to, inter alia, the importance of women in decision-making and leadership, inclusiveness, civil society, sexual and gender-based violence, human rights defenders, journalists and media workers, persons belonging to marginalized and underrepresented groups, as well as persons with disabilities.

161. One of the aims of the European Union was to advance democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms. The European Union and its member States looked forward to working closely with all Member States to advance those aims.

162. **Mr. Dollo** (Mali) said that his delegation fully supported the objectives of the draft resolution. Nonetheless, Mali wished to disassociate itself from the ninth preambular paragraph and paragraph 7 of the text, as those paragraphs diverged from its national position.

163. **Mr. Lam Padilla** (Guatemala) said that his delegation had joined the consensus on the draft resolution as it recognized the importance of democracy, respect for human rights and the rule of law as fundamental pillars of society. Guatemala recognized that men and women were equal in civil and political rights, including political participation, leadership and decision-making at all levels.

164. Guatemala promoted and defended internationally recognized human rights for all its citizens, without discrimination, in accordance with its Constitution. While it recognized the right of all persons to enjoy fundamental freedoms, the exercise of that right did not require the anthropological basis of its domestic laws to be changed.

165. Guatemala therefore wished to disassociate itself from the use in the draft resolution of the terms “in all their diversity” in the ninth preambular paragraph and “sexual orientation and gender identity” in paragraph 7 because those terms were incompatible with its national legislation and did not represent agreed language under

international human rights law. Despite having sponsored previous draft resolutions on the topic, Guatemala was unable to sponsor the current one because of such language.

166. **Ms. Idres** (Sudan) said that her delegation supported the draft resolution and had therefore joined the consensus. However, the Sudan had reservations regarding preambular paragraph 9 and paragraph 7, which contained controversial concepts that had not been agreed. Moreover, those concepts were not in line with the cultural and religious values of the Sudan or with its national laws. For those reasons, the Sudan had voted in favour of the proposed oral amendments to the aforementioned paragraphs. As those amendments had not been adopted, the Sudan wished to disassociate itself from those paragraphs.

167. **Ms. Aliabadi** (Islamic Republic of Iran) said that her delegation wished to disassociate itself from the ninth preambular paragraph and paragraph 7 of the draft resolution because those paragraphs contained language that was not agreed or consensus-based.

168. **Ms. Widyastuti** (Indonesia) said that her delegation had joined the consensus on the draft resolution because it believed that democracy was key to building lasting peace and achieving sustainable development. As the third largest democracy in the world, Indonesia was proud to have a track record of organizing free, fair and peaceful elections.

169. Her delegation was concerned that, despite the reservations and alternatives presented by a number of Member States, the draft resolution contained the term “women in all their diversity”, which lacked an internationally agreed definition. The reference to “sexual orientation and gender identity” in paragraph 7 was also regrettable. Her delegation wished to express its reservations about the use of that term. Future draft resolutions on the topic should focus on strengthening the role of the United Nations in promoting democratization and enhancing genuine and periodic elections and should steer away from controversial elements that did not enjoy the widespread support of Member States.

170. **Mr. Albu-Mohammed** (Iraq) said that his delegation supported the goals and aims of the draft resolution. Nonetheless, with regard to the list in paragraph 7, his delegation would have preferred the use of more inclusive and agreed upon terms; it therefore wished to disassociate itself from elements in that paragraph which were not in line with the domestic legislation, national policies and cultural context of Iraq. His delegation also dissociated itself from the use of the term “in all their diversity” in the ninth

preambular paragraph, as that term had no agreed definition among Member States. His delegation understood the term to refer only to the categories of non-discrimination that were recognized in the national legislation and policies of Iraq.

171. **Mr. Abdullah** (Bangladesh) said that his delegation appreciated the open and transparent manner in which the negotiations had been held. Although Bangladesh had been a traditional supporter of draft resolutions on the topic, it had been unable to sponsor the current draft resolution owing to the inclusion of terms that were not recognized in its national law. While his delegation joined the consensus on the draft resolution as a whole, it wished to disassociate itself from the ninth preambular paragraph and paragraph 7 of the text.

172. **Mr. Hassan** (Somalia) said that his country wished to disassociate itself from the ninth preambular paragraph and paragraph 7 of the draft resolution, as they contained terms that did not enjoy international consensus, had no accepted scientific or Islamic meaning and were not aligned with its national laws. Somalia supported the use of only internationally agreed language in draft resolutions.

173. **Ms. Banaken Elel** (Cameroon) said that her country firmly supported the promotion of democracy, in particular the organization of free and transparent elections. Her delegation therefore welcomed the draft resolution and supported its objectives.

174. It was regrettable that certain terms on which consensus had not been reached had been retained in the text despite the comments made during the negotiations, and that a draft resolution on such an important topic had been used as a pretext to legitimize concepts on which there was no consensus and which were not recognized in international law or in the domestic law of Cameroon. Sexual orientation and gender identity were not used to restrict participation in elections in Cameroon; reference to such terms therefore added nothing to the draft resolution.

175. For those reasons, her delegation had supported the oral amendments proposed by the representative of Nigeria. While her delegation had joined consensus on the draft resolution, it wished to disassociate itself from the ninth preambular paragraph and paragraph 7 of the text.

176. **Mr. Nze** (Nigeria), speaking in exercise of the right of reply, said that his delegation was grateful to all delegations that have voted in favour of the oral amendments that it had presented. The introduction of those amendments had stemmed from the established

position held by those countries on issues that undermined their national sovereignty, values, sensitivities, traditions and religious beliefs. No Member State had the right to impose its values on another, whether covertly or overtly.

177. The discussion held in the Committee that day was based on nothing more than politicization, double standards and hypocrisy. Delegations that regularly called for votes on important draft resolutions against systemic racism and discrimination had been up in arms accusing his own delegation, and others that had exercised their right to call for amendments, of discriminating against certain groups. To his knowledge, nobody had ever been denied the right to vote on the grounds of sexual orientation.

178. The proposed amendments had no bearing on the topic of elections; rather, they were designed to rectify controversial issues on which there was no consensus. The inclusion of such issues in the draft resolution represented an attempt to smuggle controversial and non-consensus-based language into an otherwise good draft resolution. The result was a draft resolution that would never enjoy consensus.

Agenda item 122: Revitalization of the work of the General Assembly (A/C.3/76/L.68)

Draft decision A/C.3/76/L.68: Draft programme of work of the Third Committee for the seventy-seventh session of the General Assembly

179. **The Chair** drew attention to the Committee's tentative programme of work for the seventy-seventh session of the General Assembly as contained in document A/C.3/76/L.68. He said that the draft decision had no programme budget implications. He took it that the Committee wished to adopt the tentative programme of work for the seventy-seventh session and transmit it to the General Assembly for approval.

180. *It was so decided.*

Agenda item 139: Programme planning

181. **The Chair** recalled that an informal meeting of the Committee on Programme Planning had been held to consider programme 14, on gender equality and the empowerment of women, and programme 20, on human rights, of the proposed programme budget for 2022. A summary of the meeting had been transmitted in a letter to the Chair of the Fifth Committee on 16 November 2021, so that the views expressed by the members of the Third Committee could be taken into consideration by the Fifth Committee during its deliberations on those programmes.

182. **Mr. de Almeida Filho** (Brazil) said that his delegation welcomed the fact that, for the first time since 2012, the report of the Third Committee would include considerations regarding programme planning. Further steps remained to be taken, however.

183. As the Main Committees of the General Assembly were responsible for the creation of mandates, they should be consulted whenever the Committee for Programme and Coordination was uncertain as to how to translate such mandates into United Nations activities. Under the current practice, however, in such situations the Committee for Programme and Coordination consulted not with the Committee that had expertise on the topic, despite the diversity and complexity of the topics under discussion, but rather only with the Fifth Committee, which had expertise only on budgetary issues. That practice was contrary to the organization of work in the Committees and had inevitable implications for the implementation of mandates.

184. Important points of principle were at stake. A practice of programme planning, review and approval needed to be introduced that reinforced the State-driven character of the Organization and preserved the spirit of the mandates as intended by whichever body had proposed and adopted them. It was hoped that the broader membership would be involved in every stage of that process.

185. As the Committee for Programme and Coordination was expected to issue its next report in early July 2022, before the final version of the programme of work of the Third Committee for the seventy-seventh session of the General Assembly would be circulated, it was hoped that the extra time that such arrangements provided would allow for more in-depth discussions on programme planning and would result in concrete guidance for the Fifth Committee and the Organization as a whole.

Conclusion of the work of the Committee

186. **The Chair** declared that the Third Committee had completed its work for the main part of the seventy-sixth session of the General Assembly.

The meeting rose at 6.15 p.m.