



# General Assembly

Seventy-third session

**54<sup>th</sup>** plenary meeting  
Friday, 14 December 2018, 3 p.m.  
New York

Official Records

*President:* Ms. Espinosa Garcés. . . . . (Ecuador)

*In the absence of the President, Mr. Ten-Pow (Guyana), Vice-President, took the Chair.*

*The meeting was called to order at 3.05 p.m.*

## Agenda item 75

### Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance

#### Report of the Secretary-General (A/73/392 and Corr. 1 and 2)

#### (a) Strengthening of the coordination of emergency humanitarian assistance of the United Nations

##### Reports of the Secretary-General (A/73/78, A/73/170 and A/73/343)

##### Draft resolutions (A/73/L.18/Rev.1, A/73/L.51, A/73/L.53 and A/73/L.61)

##### Draft amendments (A/73/L.64 and A/73/L.65)

#### (b) Assistance to the Palestinian people

##### Report of the Secretary-General (A/73/84 and Corr. 1)

#### (c) Special economic assistance to individual countries or regions

**The Acting President:** We shall now proceed to consider draft resolutions A/73/L.18/Rev.1, A/73/L.51, A/73/L.53 and A/73/L.61 and draft amendments A/73/L.64 and A/73/L.65.

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

**Mr. Mohammed** (Sudan): First and foremost, I would like to pay tribute to all humanitarian workers and United Nations personnel around the world for their valuable sacrifices. We extend our heartfelt condolences to the families of those killed in the line of duty around the world.

We have serious reservations about the inclusion of references to the jurisdiction of the International Criminal Court (ICC) in draft resolution A/73/L.51 and other draft resolutions. To include such references and language would exert unacceptable pressure on States Members of the United Nations. We draw the Assembly's attention to the twenty-ninth preambular paragraph and paragraph 7 of draft resolution A/73/L.51, and we request that both paragraphs be put to the vote separately.

We reject the inclusion of the ICC in draft resolution A/73/L.51 — and its inclusion in other draft resolutions — for the following reasons.

First, the Court is not an organ of the United Nations, notwithstanding several attempts by some parties to paint it otherwise in meetings of the Main Committees of the General Assembly. We continue to advance this solid conviction, which is supported by practice and law.

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Secondly, the Rome Statute and other international treaties are incompatible with established norms of international law, and their articles contain contradictions within themselves. Article 26 of the Vienna Convention on the Law of Treaties states that every treaty in force is binding only on the parties to it, based on the principle of free consent. The Rome Statute imposes obligations on non-party States. We would like to refer here to the joint statement by the delegations of India and the United States of America immediately after the adoption of the Rome Statute on 17 July 1998, which expressed the view from the very beginning that international law, and specifically the Vienna Convention on the Law of Treaties, had fallen victim to this Statute.

Thirdly, since 2003 the International Criminal Court has been only an impediment to peace in Darfur. The ICC is bound to create a serious conflict between peace and justice. It remains the main challenge facing the international community and the national Government of the Sudan in the area. It jeopardizes both peace and security. At best, the ICC represents a threat to peace and stability in Darfur, Africa and in many other parts of the world, not to mention the problems created by its disruptive history since its inception. The ICC has been fraught with corruption and one scandal after another.

Fourthly, the ICC lacks independence, as half of its budget is drawn from voluntary contributions from the States and non-governmental organizations that exercise control over it. We have opposed the International Criminal Court since the beginning because of all those considerations. The ways in which we express our opposition have of course changed according to circumstances and our official position as a sovereign Member State of this Organization.

Finally, we reiterate hereby our full support for the draft resolution as a whole. Humanitarian assistance is a vital and instrumental means to address crises, whether human-made or resulting from natural causes. That is why the lofty goals of humanitarian assistance should not be confused with such politically driven language, which will lead only to discord and division. We call on all Member States to vote against the inclusion of the twenty-ninth preambular paragraph and operative paragraph 7 as they stand in draft resolution A/73/L.51.

**Mr. Kickert** (Austria): I have the honour to speak on behalf of the European Union (EU) and its member States. The candidate countries Turkey, the former

Yugoslav Republic of Macedonia, Montenegro, Serbia and Albania; the country of the Stabilization and Association Process and potential candidate Bosnia and Herzegovina; and the European Free Trade Association country Norway, member of the European Economic Area, align themselves with this statement.

The EU deeply regrets the decision of the United States to present an amendment (A/73/L.65) to the draft resolution on the strengthening of the coordination of emergency humanitarian assistance of the United Nations (A/73/L.61) and an amendment (A/73/L.64 ) to the draft resolution on international cooperation on humanitarian assistance in the field of natural disasters, from relief to development (A/73/L.18/Rev.1), both of which draft resolutions have always been adopted by consensus.

The decisions to revert to previously agreed language in paragraphs 58 and 59 of draft resolution A/73/L.61 and paragraph 59 of draft resolution A/73/L.18/Rev.1 were widely agreed to when it became clear that concerted and lengthy efforts to find alternative wording would not lead to an acceptable agreement for all delegations. Sweden and Morocco, facilitators for draft resolutions A/73/L.61 and A/73/L.18/Rev.1, respectively, made every effort to conduct negotiations in a fair and transparent manner. We commend the facilitators, as well as those who participated in negotiations, for their genuine efforts to maintain consensus and achieve a good draft resolution for all.

The United Nations membership, many of whom hold divergent views on the issues at hand, have always been able to agree on this language. That illustrates how carefully crafted and balanced these long-standing paragraphs are. In that context, let us not forget that the international community made a shared commitment in the 2030 Agenda for Sustainable Development to achieve gender equality and the empowerment of all women and girls, which includes universal access to health-care services. International cooperation on crucial humanitarian matters such as these requires us to act in a responsible way. Undermining consensus on these draft resolutions can have only negative consequences, impacting first and foremost the most fundamental rights of women and girls in need of humanitarian assistance.

For the reasons I mentioned, the 28 States members of the European Union will vote against the amendments

proposed by the United States, and we call on all other States to also vote no.

In addition, regarding the proposal just made by the representative of the Sudan, I wish to make a statement on behalf of the European Union and its member States. The candidate countries the former Yugoslav Republic of Macedonia, Montenegro, Serbia and Albania; the country of the Stabilization and Association Process and potential candidate Bosnia and Herzegovina; and the European Free Trade Association countries Liechtenstein and Norway, members of the European Economic Area; as well as Ukraine, the Republic of Moldova and Georgia, align themselves with this statement.

We deeply regret that the Sudan has called for a vote on the twenty-ninth preambular paragraph and operative paragraph 7 of draft resolution A/73/L.51. The references to the International Criminal Court (ICC) in the preambular and operative parts of the resolution on the safety and security of humanitarian personnel and protection of United Nations personnel have existed since the first resolution on that subject was adopted in 1999 (resolution 54/192).

The EU and its member States reiterate their unwavering support for the ICC as the world's first permanent international criminal court and an important tool of the international community for fighting impunity and contributing to peaceful societies. The gross violations of international humanitarian law and human rights that we witness worldwide are a sharp reminder of the increasing relevance of the Court, the role of which is to complement rather than replace existing national jurisdictions.

The primary responsibility to investigate and prosecute crimes remains with individual States. All perpetrators of such crimes must be held accountable for their actions. A key element in the Rome Statute is its equal application. In that respect, the creation of the ICC has given millions of victims of atrocity crimes new hope that justice will be done. States from all over the world have joined efforts to make that possible.

The EU and its member States consider that the fight against impunity for the most serious crimes is critical to ensure a fair and just society by holding the perpetrators accountable and ensuring justice for victims. We also consider that peace and justice are complementary and not mutually exclusive. For those reasons, the 28 member States of the European

Union will vote in favour of retaining the twenty-ninth preambular paragraph and operative paragraph 7 of draft resolution A/73/L.51. We call on all other States, in particular States parties to the Rome Statute of the ICC, to do the same, voting yes to the retention of those paragraphs.

**Mr. Sohlström** (Sweden): We fully align ourselves with the statement just made on behalf of the European Union.

As the facilitator and main co-sponsor of this year's omnibus draft resolution on the strengthening of the coordination of emergency humanitarian assistance of the United Nations (A/73/L.61), I would like to make some comments in my national capacity.

I wish to note that an omnibus resolution on humanitarian assistance has been adopted by consensus for 27 years. It is a resolution on the humanitarian system that has strong regional support and a strong history of consensus. As the main co-sponsor of this draft resolution and as facilitator, we call upon the sponsors of the draft resolutions — not all Member States — to defend the text and to vote against the amendments proposed to it.

**Ms. Pritchard** (Canada): I will deliver this statement in two parts. I have the honour to deliver the first part of this statement on behalf of Argentina, Australia, Colombia, Iceland, Liechtenstein, Mexico, New Zealand, Switzerland, Uruguay and my own country, Canada.

We deeply regret that the agreed language related to sexual and reproductive health and rights is being challenged in the proposed amendments (A/73/L.64 and A/73/L.65) to the draft resolutions on international cooperation on humanitarian assistance in the field of natural disasters, from relief to development (A/73/L.18/Rev.1) and on the strengthening of the coordination of emergency humanitarian assistance of the United Nations (A/73/L.61).

Reliable and safe access to sexual and reproductive health services is essential to ensuring the health and well-being of all people, especially women and girls. In humanitarian crises, the need for such services is particularly acute, owing to the heightened risk of disease, potential complications for maternal, newborn and child health as a result of displacement and service disruption, and the frequent occurrence of sexual and gender-based violence, particularly in conflict settings.

It is estimated that a staggering 60 per cent of maternal mortality occurs in humanitarian and fragile settings because women do not have access to the services they need. That is more than 500 women and girls dying every single day because they lack access to services.

Timely and effective sexual and reproductive health interventions can help to prevent morbidity and mortality, including for women and girls, who may be especially vulnerable. The language in draft resolutions A/73/L.18/Rev.1 and A/73/L.61 reflects years of consensus and recognizes the important role that sexual and reproductive health services can play in advancing gender equality and in providing long-term support for achieving women's and girl's economic empowerment, poverty reduction and sustainable development.

In addition, ensuring access to quality sexual and reproductive health services in humanitarian settings requires precisely the kind of coordination and cooperation that this draft resolution seeks to promote. We are therefore deeply disappointed that this language is being challenged at this time, and we call upon all delegations to vote against draft amendments A/73/L.64 and A/73/L.65.

I have the honour to deliver the second part of this statement on behalf of Australia, Iceland, Liechtenstein, New Zealand, Switzerland and my own country, Canada.

We regret that a vote has been called on the twenty-ninth preambular paragraph and operative paragraph 7 of draft resolution A/73/L.51, which the Sudan has just introduced.

The twenty-ninth preambular paragraph of the draft resolution recalls that attacks intentionally directed against civilian personnel involved in a humanitarian assistance or peacekeeping mission, in accordance with the Charter of the United Nations, are war crimes under the Rome Statute of the International Criminal Court (ICC), and notes the role that the Court can play in bringing to justice those responsible. That paragraph has been agreed language for years now.

Operative paragraph 7 of the draft resolution calls upon all States to consider becoming parties to the Rome Statute of the International Criminal Court. That has also been agreed language for many years. Nothing in paragraph 7 requires States to become signatories to the Rome Statute. Nothing in that paragraph seeks to impose the jurisdiction of the Court on States that are

not parties to the Rome Statute. What that paragraph does is recall one of the tools available to all Member States to protect humanitarian and United Nations personnel and encourage them to avail themselves of it.

The ICC has a key role to play in ending impunity where national courts are unwilling or unable to exercise jurisdiction, including in situations where humanitarian workers and peacekeeping personnel are the targets of violent attacks. As stated in the Rome Statute, the objective of such investigations and prosecutions is to end impunity for the perpetrators of such crimes, and thus to contribute to the prevention of such crimes. Ending attacks on humanitarian workers and peacekeepers goes to the heart and purpose of the draft resolution.

We therefore find it deeply disturbing that this established consensus is now being attacked for reasons that have nothing to do with the topic dealt with in the draft resolution and are to the detriment of our common cause. We call upon all delegations to vote in support of those paragraphs as drafted, and we will do the same.

**The Acting President:** We have heard the last speaker in explanation of vote before the voting.

The Assembly will now take decisions on draft resolution A/73/L.18/Rev.1, entitled "International cooperation on humanitarian assistance in the field of natural disasters, from relief to development".

I give the floor to the representative of the Secretariat.

**Mr. Nakano** (Department for General Assembly and Conference Management): I should like to announce that, since the submission of the draft resolution, in addition to those delegations listed in the document, the following countries have become sponsors of draft resolution A/73/L.18/Rev.1: Albania, Andorra, Armenia, Australia, Austria, Belgium, Bulgaria, Canada, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Israel, Italy, Japan, Kazakhstan, Kiribati, Latvia, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Monaco, Montenegro, the Netherlands, Nigeria, Norway, the Philippines, Poland, Portugal, Romania, the Russian Federation, San Marino, Sao Tome and Principe, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Tuvalu, Ukraine and the United Kingdom.

**The Acting President:** In connection with the draft resolution, the General Assembly has before it a draft amendment circulated in document A/73/L.64. In accordance with rule 90 of the rules of procedure, the Assembly will first take a decision on the draft amendment. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Belarus, Côte d'Ivoire, Guatemala, Sudan, Togo, United States of America

*Against:*

Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Belgium, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Cambodia, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Japan, Kenya, Kiribati, Lao People's Democratic Republic, Latvia, Libya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Zambia, Zimbabwe

*Abstaining:*

Afghanistan, Algeria, Bahrain, Bangladesh, Ethiopia, Ghana, Jamaica, Jordan, Kazakhstan, Kuwait, Lebanon, Malawi, Myanmar, Oman, Panama, Qatar, Russian Federation, Sao Tome and Principe, Saudi Arabia, Senegal, United Arab Emirates, Yemen

*Draft amendment A/73/L.64 was rejected by 6 votes to 110, with 22 abstentions.*

**The Acting President:** I give the floor to the representative of the United States on a point of order.

**Ms. Nemroff** (United States of America): The amendments that we sought were very important to the delegation of the United States. Despite the results of the vote on draft amendment A/73/L.64, we would like to call a paragraph vote on operative paragraph 59 of draft resolution A/73/L.18/Rev.1.

**The Acting President:** A separate recorded vote has been requested on operative paragraph 59 of draft resolution A/73/L.18/Rev.1.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Belize, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Cambodia, Canada, Central African Republic, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kiribati, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Romania, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu,

Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

*Against:*

Guatemala, Philippines, Sudan, United States of America

*Abstaining:*

Burundi, Côte d'Ivoire, Kazakhstan, Panama, Russian Federation, Senegal

*Operative paragraph 59 was retained by 137 votes to 4, with 6 abstentions.*

[Subsequently, the delegation of the Philippines informed the Secretariat that it had intended to vote in favour; the delegation of Lesotho informed the Secretariat that it had not intended to participate.]

**The Acting President:** May I take it that it is the wish of the Assembly to adopt draft resolution A/73/L.18/Rev.1 as a whole?

*Draft resolution A/73/L.18/Rev.1, as a whole, was adopted (resolution 73/136).*

**The Acting President:** The Assembly will now take a decision on draft resolution A/73/L.51, entitled "Safety and security of humanitarian personnel and protection of United Nations personnel".

I now give the floor to the representative of the Secretariat.

**Mr. Nakano** (Department for General Assembly and Conference Management): I should like to announce that, since the submission of the draft resolution, in addition to those delegations listed in the document, the following countries have become sponsors of draft resolution A/73/L.51: Belize, Equatorial Guinea, Guinea, Haiti, the Niger, Nigeria, Peru, the Philippines, Samoa, Sao Tome and Principe, the State of Palestine and Uruguay.

**The Acting President:** I give the floor to the representative of Viet Nam on a point of order.

**Mr. Nguyen** (Viet Nam): I am sorry to inform the Assembly that Viet Nam withdraws its co-sponsorship of draft resolution A/73/L.51.

**The Acting President:** Separate, recorded votes have been requested on the twenty-ninth preambular paragraph and operative paragraph 7 of draft resolution A/73/L.51.

I shall first put to the vote the twenty-ninth preambular paragraph.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Bangladesh, Belarus, Belgium, Belize, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Canada, Central African Republic, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, El Salvador, Estonia, Fiji, Finland, France, Gambia, Georgia, Germany, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kiribati, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Mali, Malta, Marshall Islands, Mexico, Monaco, Mongolia, Montenegro, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of)

*Against:*

Bahrain, Burundi, China, Cuba, Equatorial Guinea, Eritrea, Pakistan, Russian Federation, Saudi Arabia, Sudan, Syrian Arab Republic, Yemen, Zimbabwe

*Abstaining:*

Algeria, Angola, Bhutan, Brunei Darussalam, Indonesia, Iraq, Israel, Kenya, Kuwait, Lao People's Democratic Republic, Malaysia, Mauritius, Morocco, Myanmar, Oman, Papua New Guinea, Qatar, Sao Tome and Principe, Singapore, Sri Lanka, Thailand, Togo, Turkey, United Arab Emirates, United States of America, Viet Nam

*The twenty-ninth preambular paragraph was retained by 93 votes to 13, with 26 abstentions.*

[Subsequently, the delegation of Egypt informed the Secretariat that it had intended to vote against; the delegation of Jordan informed the Secretariat that it had intended to abstain.]

**The Acting President:** I shall now put to the vote operative paragraph 7.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Bangladesh, Belarus, Belgium, Belize, Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Canada, Central African Republic, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, El Salvador, Estonia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kiribati, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Mali, Malta, Marshall Islands, Mexico, Monaco, Mongolia, Montenegro, Namibia, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia, Sierra Leone, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Zambia

*Against:*

Bahrain, Bolivia (Plurinational State of), Burundi, Cameroon, China, Cuba, Eritrea, Pakistan, Russian Federation, Saudi Arabia, Sudan, Syrian Arab Republic, Yemen, Zimbabwe

*Abstaining:*

Algeria, Angola, Bhutan, Brunei Darussalam, Indonesia, Israel, Kenya, Kuwait, Lebanon, Malaysia, Morocco, Myanmar, Nepal, Oman, Papua New Guinea, Qatar, Sao Tome and Principe, Senegal, Singapore, Sri Lanka, Thailand, Turkey, United Arab Emirates, United States of America, Viet Nam

*Operative paragraph 7 was retained by 95 votes to 14, with 25 abstentions.*

[Subsequently, the delegation of Egypt informed the Secretariat that it had intended to vote against;

the delegations of Iraq and Jordan informed the Secretariat that they had intended to abstain.]

**The Acting President:** May I take it that the Assembly decides to adopt draft resolution A/73/L.51 as a whole?

*Draft resolution A/73/L.51, as a whole, was adopted (resolution 73/137).*

**The Acting President:** The Assembly will now take a decision on draft resolution A/73/L.53, entitled "White Helmets Commission: participation of volunteers in the activities of the United Nations in the field of humanitarian relief, rehabilitation and technical cooperation for development".

I now give the floor to the representative of the Secretariat.

**Mr. Nakano** (Department for General Assembly and Conference Management): I should like to announce that, since the submission of the draft resolution, in addition to those delegations listed in the document, the following countries have become sponsors of draft resolution A/73/L.53: Belarus, Bosnia and Herzegovina, Croatia, the Democratic Republic of the Congo, Denmark, Greece, Guatemala, Guinea, Iceland, Jamaica, Kazakhstan, Kenya, Liberia, Mexico, Morocco, the Philippines, Poland, Saint Lucia, Saint Vincent and the Grenadines, Slovakia, Sweden, Togo, Tunisia and Viet Nam.

**The Acting President:** May I take it that the Assembly decides to adopt draft resolution A/73/L.53?

*Draft resolution A/73/L.53 was adopted (resolution 73/138).*

**The Acting President:** The Assembly will now take a decision on draft resolution A/73/L.61 entitled "Strengthening of the coordination of emergency humanitarian assistance of the United Nations".

I now give the floor to the representative of the Secretariat.

**Mr. Nakano** (Department for General Assembly and Conference Management): I should like to announce that, since the submission of the draft resolution, in addition to those delegations listed in the document, the following countries have become sponsors of draft resolution A/73/L.61: Colombia, Côte d'Ivoire, Ethiopia, Equatorial Guinea, Guinea, Jamaica, Kazakhstan,

Kenya, Kiribati, Lebanon, Liberia, Madagascar, Malawi, the Marshall Islands, Mozambique, Nigeria, Paraguay, Peru, the Philippines, the Republic of Moldova, Saint Vincent and the Grenadines, Sao Tome and Principe, Senegal, Sri Lanka, Togo and Tuvalu.

**The Acting President:** In connection with draft resolution A/73/L.61, the General Assembly has before it a draft amendment circulated in document A/73/L.65. In accordance with rule 90 of the rules of procedure, the Assembly will first take a decision on the draft amendment. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Belarus, Cameroon, Guatemala, Iraq, Qatar, Sudan, United States of America

*Against:*

Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Belize, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guinea, Hungary, Iceland, India, Ireland, Israel, Italy, Japan, Kenya, Lao People's Democratic Republic, Latvia, Lebanon, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Saint Vincent and the Grenadines, San Marino, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Zambia, Zimbabwe

*Abstaining:*

Afghanistan, Algeria, Angola, Bahrain, Bangladesh, Bhutan, Brunei Darussalam, Burundi, Djibouti, Egypt, Ghana, Indonesia, Jamaica, Jordan, Kazakhstan, Kuwait, Malaysia, Myanmar,

Oman, Panama, Russian Federation, Sao Tome and Principe, Saudi Arabia, Senegal, Togo, United Arab Emirates, Yemen

*Draft amendment A/73/L.65 was rejected by 7 votes to 102, with 27 abstentions.*

**The Acting President:** I give the floor to the representative of the United States on a point of order.

**Ms. Nemroff** (United States of America): As these paragraphs are of the utmost importance to my delegation, we respectfully request a single, separate vote on operative paragraphs 58 and 59.

**The Acting President:** A separate, recorded vote has been requested on operative paragraphs 58 and 59 of draft resolution A/73/L.61.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Belize, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Cambodia, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kiribati, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Saudi Arabia, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland,



Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

*Against:*

Guatemala, Sudan, United States of America

*Abstaining:*

Burundi, Ghana, Panama, Russian Federation, Senegal, Togo

*Operative paragraph 58 and operative paragraph 59 were retained by 131 votes to 3, with 6 abstentions.*

**The Acting President:** May I take it that the Assembly decides to adopt draft resolution A/73/L.61 as a whole?

*Draft resolution A/73/L.61, as a whole, was adopted (resolution 73/139).*

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

**Ms. Nemroff** (United States of America): The United States is pleased to join the consensus on these resolutions and reaffirms the vital function of the United Nations in responding to humanitarian need around the globe. The United States has long been a world leader in providing humanitarian assistance to people in need, including through the United Nations, and we remain committed to supporting those in need.

In the light of the scale of need and the Organization's role in the delivery of humanitarian assistance globally, resolution 73/139, on strengthening of the coordination of emergency humanitarian assistance of the United Nations, should contribute to improving the international humanitarian system. In that regard, we welcome the progress achieved by Member States together throughout recent negotiations.

Although we welcome the adoption of resolution 73/137, on the safety and security of humanitarian personnel and protection of United Nations personnel, we would like to take this opportunity to make an important point of clarification. The resolution includes references to the International Criminal Court (ICC) and the Rome Statute that the United States cannot support. As it stands, the language in the resolution does not sufficiently distinguish between parties and

non-parties to the Rome Statute, and is otherwise contrary to the United States position on the ICC, as announced by the White House on 10 September.

In particular, the United States reiterates its continuing and long-standing principled objection to any assertion of ICC jurisdiction over nationals of States that are not party to the Rome Statute, including the United States and Israel, absent a referral from the Security Council or the consent of the State in question.

We also wish to reiterate our serious and fundamental concerns with the ICC Prosecutor's proposed investigation of United States personnel in the context of the conflict in Afghanistan. The United States remains a leader in the fight to end impunity and continues to support justice and accountability for international crimes, including war crimes, crimes against humanity and genocide. We respect the decision of those nations that have chosen to join the ICC. In turn, we expect that our decision not to join and not to place our citizens under the ICC's jurisdiction will also be respected.

In addition to the statement just provided, the United States would like to issue the following explanation of position on resolutions 73/139, on strengthening of the coordination of emergency humanitarian assistance of the United Nations, and 73/136, on international cooperation on humanitarian assistance in the field of natural disasters, from relief to development, for which we are also pleased to join the consensus.

While we welcome the adoption of those resolutions, we would like to make a number of important points of clarification on some of their elements. We underscore that General Assembly resolutions and many of the outcome documents they reference are non-binding documents that do not create rights or obligations under international law, nor do they bind States to any financial commitments.

With regard to the references to the 2030 Agenda for Sustainable Development contained in those resolutions, the United States wishes to refer to its statement at the 44th plenary meeting of the General Assembly, on 3 December, under agenda item 12 (see A/73/PV.44). The United States notes that its Administration has announced its intention to withdraw from the Paris Agreement on Climate Change as soon as it is eligible to do so, consistent with the terms of the Agreement, unless suitable terms for re-engagement are identified. Therefore, the Paris Agreement and

climate change language in these resolutions is without prejudice to United States positions. We affirm our support for promoting economic growth and improving energy security while protecting the environment.

We also reiterate our views on the Sendai Framework for Disaster Risk Reduction, as set forth in the United States explanation of position delivered on 18 March 2015.

The United States cannot support language that undermines incentives for innovation, such as calls for technology transfer that are not voluntary or on mutually agreed terms. It underlines that such language will have no standing in future negotiations. With respect to the New Urban Agenda, the United States reiterates our views, as set forth in the United States explanation of position delivered on 20 October 2016.

Furthermore, the United States believes that each Member State has the sovereign right to determine how it conducts trade with other countries, which includes restricting trade in certain circumstances. We are within our rights to utilize our trade and commercial policy as tools to achieve noble objectives. Within the omnibus resolution on the strengthening of the coordination of emergency humanitarian assistance of the United Nations, the United States is strongly supportive of the message of paragraph 67 regarding the need for accountability. We read the paragraph's language on the need to bring those responsible for violations of international law to justice to refer only to those actions that constitute criminal violations under applicable international law.

We emphasize that, in the twenty-eighth preambular paragraph and paragraph 65 of the same resolution, the reference to

“the applicable rules of international humanitarian law relating to the non-punishment of any person for carrying out medical activities compatible with medical ethics”

is not meant to prejudge when and how such rules are applicable to any particular situation.

The United States also supports international cooperation on immigration issues, but it is the primary responsibility of sovereign States to ensure that immigration is managed consistent with their law and policy. The United States cannot support processes or documents that may result in the infringement of our sovereign rights. The New York Declaration for

Refugees and Migrants, of 19 September 2016, which was negotiated by a prior United States Administration, commits the States Members of the United Nations to “strengthening global governance” of international migration. The Declaration contains policy goals that are inconsistent with United States law and policy, and the United States cannot support reaffirming that Declaration. It therefore dissociates itself from the twenty-third preambular paragraph of resolution 73/109.

Lastly, the United States believes that women should have equal access to health care, including in humanitarian emergencies. We remain committed to the principles laid out in the Beijing Declaration and Platform for Action and the Programme of Action of the International Conference on Population and Development, and their reports, as agreed upon by the General Assembly. As has been made clear over many years, there was international consensus that the Declaration and Programme of Action do not create new international rights, including any so-called right to abortion. The United States fully supports the principle of voluntary choice regarding maternal and child health and family planning. We do not recognize abortion as a method of family planning, nor do we support abortion in our global health assistance.

**Ms. Elgarf (Egypt)** (*spoke in Arabic*): My country's delegation would like to explain its vote on resolution 73/137, which was just adopted. We wish to note the extreme importance that my delegation attaches to the issue of humanitarian assistance and its commitment to being constructively engaged in all intergovernmental negotiations on General Assembly resolutions aimed at strengthening United Nations efforts to improve the response to humanitarian needs. My delegation therefore calls on all Member States to intensify their efforts and explore all avenues to removing obstacles that impede consensus on General Assembly resolutions on humanitarian assistance, especially with regard to this important resolution.

**Ms. Fisher-Tsin (Israel)**: The Secretariat announced additional co-sponsors of the resolution on the safety and security of humanitarian personnel and protection of the United Nations personnel (resolution 73/137). Among them was the observer State of Palestine.

According to paragraph 5 of the annex to resolution 52/250, of 13 July 1998, entitled “Participation of Palestine in the work of the United Nations”, which

outlines the limited rights and privileges granted to the observer State of Palestine, it has the right to sponsor draft resolutions and decisions on Palestine and Middle East issues only. The subject matter of resolution 73/137 clearly does not fall within those parameters.

We would like to stress the importance we attach to following the rules of procedure of the Organization. The rules of sponsorship have been clearly laid out in the rules and regulations governing the Organization. Any decision to avoid them is in violation of United Nations resolutions and serves only to undermine this institution.

**The Acting President:** We have heard the last speaker in explanation of vote.

The General Assembly has thus concluded this stage of its consideration of agenda item 75 and its sub-items (a) to (c).

#### **Agenda item 117 (continued)**

#### **Appointments to fill vacancies in subsidiary organs and other appointments**

##### **(e) Appointment of members of the Committee on Conferences**

##### **Note by the Secretary-General (A/73/107)**

**The Acting President:** Members will recall that, at its 51st plenary meeting, on 12 December 2018, the

Assembly took note of the appointments of Ecuador, Germany, Ghana, Guyana, Senegal and Ukraine as members of the Committee on Conferences for a period of three years, beginning on 1 January 2019.

Members will also recall that one seat from among the Asia-Pacific States for a period of three years beginning on 1 January 2019 still remains vacant.

After consultations with the Chair of the Group of Asia-Pacific States, the President of the General Assembly has appointed the Islamic Republic of Iran as a member of the Committee on Conferences for a term of office beginning on 1 January 2019 and ending on 31 December 2021.

May I take it that the Assembly takes note of this appointment?

*It was so decided.*

**The Acting President:** May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (e) of agenda item 117?

*It was so decided.*

*The meeting rose at 4.10 p.m.*