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Chair: Mr. Braun (Luxembourg)

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

Agenda item 70: Promotion and protection of human rights (*continued*)

(a) Implementation of human rights instruments (*continued*) (A/C.3/74/L.24)

Draft resolution A/C.3/74/L.24: Torture and other cruel, inhuman or degrading treatment or punishment

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

2. **Mr. Hermann** (Denmark), introducing the draft resolution, said that it included various improvements to the text adopted by the Third Committee at the seventy-second session of the General Assembly. In particular, emphasis had been placed on the potential negative impact of torture perpetrated as a result of corruption and on the fact that the prevention of torture contributed to achievement of the Sustainable Development Goals. Member States were also encouraged to take into consideration the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders. He presented one oral revision to the text: the deletion of the eleventh preambular paragraph, which read “Taking note of the Alliance for Torture-Free Trade”. The fact that countries from all five regional groups of the United Nations were among the sponsors provided grounds for optimism and was a testament to the broad multilateral commitment to combating torture.

3. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Andorra, Angola, Armenia, Australia, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Cabo Verde, Côte d'Ivoire, Czechia, the Dominican Republic, Ecuador, Fiji, Ghana, Guatemala, Israel, Kazakhstan, Lebanon, Liberia, Lithuania, Malta, Micronesia (Federated States of), New Zealand, Panama, Paraguay, Peru, the Republic of Korea, San Marino, Serbia, Seychelles, Tunisia, Turkey, the United States of America and Uruguay. He then noted that the following delegations also wished to become sponsors: Guinea-Bissau, Haiti, Nepal, Sierra Leone and Vanuatu.

4. **Ms. Eugenio** (Argentina) said that her delegation disassociated itself from the deletion of the eleventh preambular paragraph of the draft resolution. Argentina was one of over 60 members of the Alliance for Torture-Free Trade, a platform on which Member States shared best practices and information about relevant legislation, as well as working together to put an end to the trade in products used for torture. The paragraph

referring to the Alliance had been included in the draft resolution adopted during the seventy-second session and had been referred to in other General Assembly resolutions.

5. *Draft resolution A/C.3/74/L.24, as orally revised, was adopted.*

6. **Mr. Kuzmenkov** (Russian Federation) said that his delegation recognized the importance and relevance of the topic of the draft resolution and had joined the consensus in supporting its adoption. Indeed, the Russian Federation did its utmost to prevent torture and other cruel, inhuman or degrading treatment or punishment, bring offenders to justice and support victims. However, given that the General Assembly did not have the authority to intervene in the activities and working methods of the human rights treaty bodies, his delegation understood paragraph 39 of the text as a confirmation that the Committee against Torture should maintain its status quo, rather than a recommendation for further action.

7. His delegation did not share the positive assessment of others about the activities of the International Criminal Court, and had stated its views in that regard on more than one occasion. The events of the previous 12 months had left his delegation even more pessimistic. It was understandable that Member States wished to tackle some of the most serious crimes in accordance with international law, but the International Criminal Court was clearly an inadequate body for that purpose. His delegation therefore disassociated itself from the consensus on the seventh preambular paragraph and from paragraph 4, both of which referred to the International Criminal Court and the Rome Statute.

8. **Ms. Fangco** (Philippines) said that her delegation also disassociated itself from the two paragraphs in the draft resolution referring to the International Criminal Court because the Philippines had withdrawn from the Rome Statute and did not recognize the Court's jurisdiction. Her Government was committed to fighting impunity for torture and cruel, inhuman or degrading treatment or punishment and had robust legislation to that effect.

Agenda item 106: Crime prevention and criminal justice (*continued*) (A/C.3/74/L.2, A/C.3/74/L.3, A/C.3/74/L.4, A/C.3/74/L.5, A/C.3/74/L.6 and A/C.3/74/L.7)

Draft resolution A/C.3/74/L.2: Integrating sport into youth crime prevention and criminal justice strategies

9. **Mr. Mahmassani** (Secretary of the Committee), presenting a statement of programme budget

implications in accordance with rule 153 of the rules of procedure of the General Assembly, said that, with regard to paragraph 3 of the draft resolution, it was estimated that extrabudgetary resources in the amount of \$263,300 would be required to launch a global awareness-raising and fundraising campaign during the 2020 Olympic Summer Games and the 2022 FIFA World Cup. The resource requirements would provide for one professional staff member at the P-3 level for six working months; one General Service staff member (Other level) for four working months; one consultant for 40 working days; information brochures and booths; an awareness-raising event; the travel of staff; and advisory and fundraising missions.

10. With regard to paragraph 7, it was estimated that extrabudgetary resources in the amount of \$272,200 would be required to continue identifying and disseminating information and good practices on the use of sport and sports-based learning in connection with crime prevention, including the prevention of violence against women and children, as well as in the context of the social reintegration of offenders. The resource requirements would provide for one professional staff member at the P-3 level for four working months; one General Service staff member (Other level) for two working months; one consultant for 30 working days; the holding of one expert group meeting in Vienna involving 30 participants; the design and printing of a 100-page guide in English on good practices; and advisory and fundraising missions.

11. Pursuant to paragraph 11, it was estimated that extrabudgetary resources in the amount of \$343,400 would be required to convene an expert group meeting and present a report to the Commission on Crime Prevention and Criminal Justice for consideration at its twenty-ninth session. The resource requirements would provide for one expert group meeting for three days in Thailand involving 30 participants; the printing and translation of background documentation and the agenda; the travel of staff; one professional staff member at the P-3 level for two working months; one General Service staff member (Other level) for two working months; one consultant for 20 working days; and the printing and translation of one 20-page report in six languages. Since the expert group meeting and related support would be organized and hosted by the Government of Thailand, paragraph 11 would not have any financial implications for the United Nations Office on Drugs and Crime.

12. The activities referred to in paragraphs 3, 7 and 11 would be carried out on the condition that the extrabudgetary resources were made available. The adoption of draft resolution [A/C.3/74/L.2](#) would

therefore not entail any additional programme budget implications.

13. *Draft resolution [A/C.3/74/L.2](#) was adopted.*

Draft resolution [A/C.3/74/L.3](#): Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice

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

15. *Draft resolution [A/C.3/74/L.3](#) was adopted.*

Draft resolution [A/C.3/74/L.4](#): Education for Justice and the rule of law in the context of sustainable development

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

17. *Draft resolution [A/C.3/74/L.4](#) was adopted.*

Draft resolution [A/C.3/74/L.5](#): Promoting technical assistance and capacity-building to strengthen national measures and international cooperation to combat cybercrime, including information-sharing

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

19. *Draft resolution [A/C.3/74/L.5](#) was adopted.*

Draft resolution [A/C.3/74/L.6](#): Countering child sexual exploitation and sexual abuse online

20. **Mr. Mahmassani** (Secretary of the Committee), presenting a statement of programme budget implications in accordance with rule 153 of the Assembly's rules of procedure, said that, in connection with paragraph 15 of the draft resolution, it was estimated that extrabudgetary resources in the amount of \$1,921,800 would be required for conducting legislative and technical assistance missions, and, in five priority countries, for capacity-building for criminal justice professionals on the topics of access to justice and the protection of child victims and witnesses of sexual exploitation and sexual abuse online. The resources would also allow for one professional staff member at the P-3 level to provide legislative and technical assistance for one year.

21. The activities referred to in paragraph 15 would be carried out on the condition that the extrabudgetary resources were made available. The adoption of draft resolution [A/C.3/74/L.6](#) would therefore not entail any additional programme budget implications.

22. *Draft resolution A/C.3/74/L.6 was adopted.*

Draft resolution A/C.3/74/L.7: Technical assistance provided by the United Nations Office on Drugs and Crime related to counter-terrorism

23. **Mr. Mahmassani** (Secretary of the Committee), presenting a statement of programme budget implications in accordance with rule 153 of the rules of procedure of the General Assembly, said that, in connection with paragraphs 1, 3, 5–14, 17–27 and 30 of the draft resolution, additional extrabudgetary resources would be required for the provision of a number of technical assistance activities related to the mandates referred to in the draft resolution. Voluntary contributions had allowed approximately \$20.8 million worth of technical assistance activities to be carried out in 2018. The full implementation of the activities set out in the draft resolution would therefore be subject to the availability of extrabudgetary resources. A small part of the activities would be carried out from regular budget allocations proposed under subprogramme 4, Terrorism Prevention, of section 16, International drug control, crime and terrorism prevention and criminal justice, of the proposed programme budget for 2020. The adoption of draft resolution A/C.3/74/L.7 would therefore not entail any additional programme budget implications.

24. *Draft resolution A/C.3/74/L.7 was adopted.*

Agenda item 70: Promotion and protection of human rights (*continued*)

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

Question of the consideration of the draft resolution on the situation of human rights in the Syrian Arab Republic

25. **The Chair** said that a draft resolution on the situation of human rights in the Syrian Arab Republic had been submitted in the afternoon of 30 October 2019, shortly after the deadline for the submission of draft proposals under item 70 and its sub-items. The draft resolution was usually considered on an annual basis and had been expected to be part of the programme of work of the Third Committee for the current session. He asked Committee members whether they wished to consider the draft resolution.

26. **Mr. Al Arsan** (Syrian Arab Republic) said that his delegation had circulated a letter to Member States on 31 October 2019 clarifying its position on the legal and procedural issues relating to consideration of the draft resolution in question. By submitting the draft resolution at 4.33 p.m., the delegations of the United

States of America and Saudi Arabia had missed the deadline of 1 p.m., and they had thus violated the rules of procedure and had failed to comply with the provisions of the note by the Secretariat on the organization of the work of the Third Committee (A/C.3/74/L.1). The Chair himself had repeatedly announced that such deadlines must be observed, and therefore no action should be taken on the draft resolution. He recalled that during the seventy-third session, the Chair of the First Committee had refused to take action on a draft resolution because it had been submitted after the deadline. To maintain the credibility of the United Nations and avoid setting a new legal precedent that would have negative repercussions, the Bureau should refuse to consider the draft resolution. His delegation's position was not based on political disagreements with certain Member States, but on its respect for the Charter of the United Nations, the rules of procedure and the programme of work.

27. **Ms. Norman-Chalet** (United States of America) said that the Committee had consistently considered and adopted draft resolutions on the situation of human rights in the Syrian Arab Republic each year since the conflict had begun in 2011. The situation in that country had a global impact, and the draft resolution was important to many delegations across all regions. Senior United Nations officials, including the Secretary-General and the United Nations High Commissioner for Human Rights, had regularly spoken of the deteriorating situation. A good faith misunderstanding had resulted in submission of the draft resolution three and a half hours after the deadline, but it would be unconscionable to fail to address the almost decade-long suffering of millions of Syrians on that account. Many stakeholders held the Third Committee responsible for drawing attention to human rights violations across the world. The decision to be taken was not on the merits or substance of the draft resolution, but on whether the Committee had the moral responsibility to consider human rights violations wherever they occurred. An agreement to consider the draft resolution would not prejudice the outcome of any future vote on the substance of the text. Technical arguments about procedure should not prevent the Committee from exercising its authority to consider the issue.

28. **Mr. Al-Mouallimi** (Saudi Arabia) said that in the previous week, during the Sixth Istanbul Mediation Conference, the Secretary-General had stated that civilians were paying the highest price for the conflict in Syria. Staffan de Mistura, former Joint Special Envoy of the United Nations and the League of Arab States to Syria, had previously stated that most casualties in Syria were the result of action taken by the Syrian Arab Armed

Forces. The Syrian delegation was blocking consideration of the draft resolution on procedural grounds as part of its efforts to obstruct the work of the United Nations not only in the Third Committee, but also in the Security Council and other United Nations bodies. The Syrian delegation should have the courage to discuss the substance of the draft resolution, rather than hide behind the pretext of procedural matters. He called on Member States to reject that approach, which ultimately reflected the insecurity of the Syrian delegation about the draft resolution itself. Saudi Arabia requested that a vote be taken on the matter so that the Committee could make its own decisions. By voting in favour of its consideration, Member States would be taking a principled position that was transparent and logical.

29. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran) said that Member States should endeavour to keep the discussion focused on procedural matters, rather than on the substance of the draft resolution. The Committee had adopted the programme of work by consensus during the first meeting of the current session on the basis of rule 99 of the rules of procedure. The Bureau should respect that document and ensure that any alterations to it were also agreed by consensus. A vote on reconsidering the programme of work would set a risky precedent not only for the Third Committee, but for all General Assembly Committees.

30. **Mr. Kim Nam Hyok** (Democratic People's Republic of Korea) said that all Member States should comply with the rules of procedure, and his delegation objected to attempts to violate those rules and then justify the violations on unacceptable grounds. He called on the secretariat to ensure adherence to the rules of procedure, particularly with regard to the submission of draft resolutions.

31. **Mr. Allen** (United Kingdom) said that the conflict in Syria was one of the most destructive of the twenty-first century and had cost the lives of hundreds of thousands of people and displaced half of the Syrian population. It was the role of the Third Committee to address the violations of international humanitarian and human rights law that were committed in Syria on a daily basis; to protect civilians, including humanitarian and health-care workers; and to pursue accountability for the most serious crimes.

32. **Mr. Al Arsan** (Syrian Arab Republic), speaking on a point of order, said that the Committee was discussing the procedural issue of whether to consider a certain draft resolution, and not the substance of the draft resolution itself. He urged Member States to respect the

rules of procedure and the programme of work of the Third Committee by focusing on the procedural matter.

33. **Mr. Allen** (United Kingdom) said that the Committee had rightly adopted a draft resolution on the human rights situation in Syria each year since the start of the conflict. At the current session, there had been a good faith misunderstanding about the process for submitting the draft resolution, but the fundamental point was that the human rights situation in Syria still merited the Committee's attention. His delegation had listened carefully to the arguments made about the need to follow rules, but the draft resolution existed precisely because the parties to the conflict had refused to follow the rules of international humanitarian and human rights law. The United Kingdom would vote in favour of considering the draft resolution; the Committee needed to favour principle over procedure.

34. **Mr. Kuzmenkov** (Russian Federation) said it was surprising that the Committee needed to discuss a procedural matter and that some Member States were even taking the opportunity to spread accusations and offer irrelevant interpretations of the situation in the Syrian Arab Republic. The representative of the Syrian Arab Republic had explained very clearly that if the Committee were to allow consideration of the draft resolution, it would be acting contrary to the programme of work that had been adopted at the start of the session. Moreover, should the Committee decide to reconsider or conduct a vote on its programme of work, it would be setting a precedent that could have irreversible consequences, not only for the Third Committee but also for other General Assembly bodies. The case was yet another example of double standards, since another Committee had refused to consider a draft resolution submitted by the Russian Federation precisely because it had been submitted late. No delegation should be above the law or the rules of procedure, and yet everyone agreed that the draft resolution on the situation of human rights in the Syrian Arab Republic had been submitted three and a half hours after the deadline. The Chair should repay the trust that Member States had placed in him as presiding officer; he should not allow a negative precedent to be set.

35. **Mr. Al Arsan** (Syrian Arab Republic), responding to the statement made by the representative of Saudi Arabia, said that his delegation was not hiding behind procedural arguments. The Russian delegation had on a previous occasion not been allowed to submit a draft resolution to the First Committee, but had respected that decision. There had been and there was still no legal basis in the Charter of the United Nations, the rules of procedure or the programme of work to allow for voting to be conducted on such a matter.

36. The Third Committee was at a critical and decisive moment in the history of the United Nations. Just as the Chair of the First Committee had refused to allow a delegation to be above the law, the Chair of the Third Committee should take the wise decision to comply with the rules of procedure and the programme of work. A decision to breach the rules of procedure and succumb to the pressure exerted by certain Member States would set a new legal precedent. At the next session of the General Assembly, all Member States would be free to exploit that precedent by submitting draft resolutions after the deadline. Since the programme of work had been adopted by consensus without objections or reservations, there was no need to reconsider the subject or conduct voting on the issue.

37. **The Chair** said that there were precedents of Committee Chairs allowing Member States to decide how to act with regard to draft resolutions that had been submitted late. During the Assembly's seventy-third session, for example, Member States had agreed at the 16th meeting of the First Committee to consider a draft resolution that had been submitted late (see [A/C.1/73/PV.16](#)), but at its 18th and 19th meetings, they had decided not to consider such a draft resolution (see [A/C.1/73/PV.18](#) and [A/C.1/73/PV.19](#)). He invited the Committee to vote on the motion to consider the draft resolution.

38. **Mr. Salovaara** (Finland), speaking in explanation of vote before the voting on behalf of the European Union and its member States; the candidate countries Albania, Montenegro and North Macedonia; the stabilization and association process country Bosnia and Herzegovina; and, in addition, Georgia, the Republic of Moldova and Ukraine, said that since the beginning of the conflict in the Syrian Arab Republic, which was now in its ninth year, the Third Committee had consistently considered and adopted draft resolutions on the situation of human rights in that country, where civilians continued to bear the brunt of a conflict marked by unparalleled suffering, destruction and disregard for human life. The primary purpose of the draft resolution was to urge respect by all actors for human rights and international humanitarian law, which was at the core of the mandate of the Third Committee. The question today was whether to allow the Committee to carry out its duty, and it should not be obstructed on the basis of a technical issue. There were many precedents of draft resolutions submitted with a minor delay that had been accepted without further discussion.

39. **Mr. Verdier** (Argentina), speaking in explanation of vote before the voting, said that all delegations had the responsibility to make every effort to ensure that they considered the substantive aspects of all draft

resolutions traditionally presented under the programme of work. His delegation therefore called for flexibility to ensure that a procedural misunderstanding would not hinder the usual work of the Committee. Argentina would join other States in voting in favour of considering the draft resolution.

40. **Mr. Sparber** (Liechtenstein), speaking in explanation of vote before the voting, and also on behalf of Australia, Canada, Iceland, New Zealand, Norway and Switzerland, said that his delegation attached the highest importance to the principles governing the work of the Committee, namely transparency in its methods, efficient time management and the timely conclusion of its work. Respect for the timetable set out at the beginning of the session was essential, and all Member States were called upon to act accordingly. Nevertheless, given the long-standing nature of the recurring draft resolution in question, the delay in its introduction, while disappointing, was not disruptive to the work of the Committee. The late submission of proposals should not, however, become a regular practice.

41. **Mr. Al Arsan** (Syrian Arab Republic), speaking on a point of order, said that his delegation fully opposed the call for a vote on an illegal procedure. It was regrettable that some delegations had referred to a clearly violation of the rules of procedure, the programme of work and the Charter of the United Nations as just a misunderstanding. He moved that the meeting be suspended under rules 118 and 119, in order to seek an opinion from the United Nations Legal Counsel on the legality of the request for a vote itself.

42. *A recorded vote was taken on the motion to suspend the meeting under rule 118.*

In favour:

Algeria, Belarus, Bolivia (Plurinational State of), Botswana, Burundi, Cameroon, China, Democratic People's Republic of Korea, Eritrea, Iran (Islamic Republic of), Myanmar, Nicaragua, Russian Federation, Saint Vincent and the Grenadines, Syrian Arab Republic, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

Against:

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Belize, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Gambia, Georgia, Germany, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Jordan, Kiribati,

Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Netherlands, New Zealand, North Macedonia, Norway, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, San Marino, Saudi Arabia, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Timor-Leste, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Yemen.

Abstaining:

Afghanistan, Angola, Bangladesh, Bhutan, Brunei Darussalam, Cabo Verde, Côte d'Ivoire, Democratic Republic of the Congo, Ghana, Grenada, Guinea-Bissau, India, Indonesia, Iraq, Jamaica, Kenya, Lesotho, Malaysia, Mali, Mauritius, Mongolia, Mozambique, Namibia, Nepal, Nigeria, Pakistan, Philippines, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Thailand, Togo, Tonga, Trinidad and Tobago, Uganda.

43. *The motion was rejected by 88 votes to 18, with 37 abstentions.*

44. **Ms. Sánchez García** (Colombia), speaking in explanation of vote before the voting on whether to consider the draft resolution, said that, while her delegation understood the need for States to follow the rules established for the smooth running of sessions, procedures should not be used as an excuse to prevent the substantive discussion of serious human rights situations such as the one currently occurring in the Syrian Arab Republic, which had been debated within the Committee since 2011. Colombia would therefore vote in favour of considering the draft resolution.

45. **Mr. Al Arsan** (Syrian Arab Republic), speaking on a point of order, said that his request had been twofold: first, to suspend the meeting; and second, to have the Chair request an opinion from the Legal Counsel on the matter. The procedural issue in question was governed by rule 123 on the reconsideration of proposals, which indicated that a vote to reconsider a proposal had to be given assent by two thirds of the members present and voting. Not to follow that rule would set a dangerous legal precedent.

46. **The Chair** said that the rule did not apply to the present case, as the Committee was not reconsidering a proposal,

47. **Mr. Al Arsan** (Syrian Arab Republic) said that not only was the Committee failing to comply with the Charter and the rules of procedure, but the Bureau was now taking sides. A legal opinion had to be sought on the issue of the voting procedure, which had gone well beyond any approved legal framework.

48. **The Chair** said that a legal opinion was not necessary as there was already a precedent for proceeding with the vote.

49. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran), speaking on a point of order, recalled that the Committee had adopted a programme of work by consensus at the beginning of the session, in accordance with rule 99 of the rules of procedure. Delegations were now trying to break that consensus by attempting to change the programme of work, despite the objections of at least one delegation. The decision previously taken by consensus should be the one to take precedence, not the proposal to alter it. The proposed vote was unclear and unnecessary, and his delegation fully supported the idea of requesting a legal opinion, which would why a decision taken previously should now be reversed.

50. **Mr. Kuzmenkov** (Russian Federation), speaking on a point of order, said that, when inviting the Committee to take action, the Chair was expected to refer to the specific provisions in the rules of procedure and to explain his actions. Any violation of those rules or disruption in the work of the Committee should not be allowed. He asked why rule 123 was not applicable to the question of requesting an opinion from the Legal Counsel.

51. **The Chair** said that the rule did not apply because it was not a case of a proposal being reconsidered, but of the Committee considering a new question.

52. **Mr. Zhang Zhe** (China), speaking on a point of order, asked for clarification of the motion on which the Committee was about to vote and the meaning of a vote in favour of the motion or a vote against it.

53. **The Chair** said that a vote in favour of the motion would mean that the draft resolution in question should be considered under the programme of work and a vote against it would mean that it should not be considered.

54. **Mr. Al Arsan** (Syrian Arab Republic), speaking on a point of order, said that the response of the Chair was unrealistic and illegitimate. The vote was on a motion to reconsider the agreed programme of work of the Third Committee. His delegation was not seeking a dispute, but merely presenting facts, namely that Saudi Arabia and the United States had failed to comply with the rules, and that time was needed to understand the situation. Given that the Committee had agreed by

consensus to adopt document [A/C.3/74/L.1](#), entitled “Organization of work of the Third Committee”, the insistence that rule 123 did not apply to the present vote was illegitimate and contrary to procedure. The programme of work could not be reconsidered at the same session, unless the Committee so decided by a two-thirds majority of the members present and voting.

55. **Mr. Al-Mouallimi** (Saudi Arabia), speaking on a point of order, said that the Committee had heard several statements following the request for explanations of vote before the voting, but it was becoming difficult to differentiate between explanations, points of order, threats, promises and admonitions. The Committee needed to return to seeking explanations of vote and then proceed to the vote, and not continue the present process of never-ending procrastination.

56. **Mr. Bessedik** (Algeria), speaking on a point of order, said that the Chair needed to respond, whether through the Office of the Legal Counsel or directly, as to whether or not a programme of work that had been adopted by consensus could be reconsidered.

57. **The Chair** said that the programme of work had been adopted on the understanding that further adjustments could be made as the session progressed, as agreed at the beginning of the session. The question being put to the Committee for a vote was whether or not to consider a draft resolution, despite its having been submitted after the deadline.

58. **Mr. Al Arsan** (Syrian Arab Republic), speaking on a point of order, said that his delegation would welcome any proposal to change the programme of work. The United States and Saudi Arabia, however, had breached the rules by submitting a draft resolution after the set deadline. Rule 123 therefore applied.

59. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran), speaking on a point of order, said that his delegation agreed that rule 123 applied, as the Committee was not considering a new proposal but reconsidering the programme of work adopted at the beginning of the session.

60. **Mr. Kuzmenkov** (Russian Federation), speaking on a point of order, said that, given that the programme of work was now clearly being revised, his delegation considered that any later adjustments to it, while permissible as indicated by the Chair, required either consensus or the application of rule 123. No explanation had yet been provided as to why that was not the case.

61. *Following consultation with the Secretary, the Chair ruled that rule 123 did not apply.*

62. **Mr. Al Arsan** (Syrian Arab Republic), speaking on a point of order to appeal against the ruling of the Chair under rule 113, said that there appeared to be a trend in the Committee to flout the rules of procedure in favour of one group and to the detriment of another. He demanded an immediate suspension of the meeting to seek a ruling by the Legal Counsel.

63. *A recorded vote was taken on the appeal against the ruling of the Chair.*

In favour:

Belarus, Burundi, Cameroon, China, Democratic People’s Republic of Korea, Iran (Islamic Republic of), Mexico, Myanmar, Nicaragua, Russian Federation, Syrian Arab Republic, Venezuela (Bolivarian Republic of), Zimbabwe.

Against:

Albania, Algeria, Andorra, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Belize, Bosnia and Herzegovina, Brazil, Bulgaria, Cabo Verde, Canada, Chile, Colombia, Comoros, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Finland, France, Gambia, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Japan, Jordan, Kiribati, Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Netherlands, New Zealand, North Macedonia, Norway, Panama, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, San Marino, Saudi Arabia, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland, Timor-Leste, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Yemen.

Abstaining:

Afghanistan, Angola, Antigua and Barbuda, Bangladesh, Bolivia (Plurinational State of), Brunei Darussalam, Côte d’Ivoire, Democratic Republic of the Congo, Ghana, Grenada, Guinea-Bissau, Guyana, India, Indonesia, Jamaica, Lesotho, Malaysia, Mali, Mauritius, Mongolia, Mozambique, Namibia, Nepal, Nigeria, Pakistan, Papua New Guinea, Philippines, South Africa, Sri Lanka, Sudan, Suriname, Thailand, Tonga, Trinidad and Tobago, Uganda, Viet Nam.

64. *The appeal was rejected by 89 votes to 13, with 36 abstentions.*

65. *A recorded vote was taken on the motion to consider the draft resolution on the situation of human rights in the Syrian Arab Republic.*

In favour:

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Belize, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Colombia, Comoros, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Gambia, Georgia, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Japan, Jordan, Kiribati, Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Netherlands, New Zealand, North Macedonia, Norway, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, San Marino, Saudi Arabia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, Timor-Leste, Togo, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Yemen.

Against:

Algeria, Belarus, Bolivia (Plurinational State of), Burundi, Cameroon, China, Democratic People's Republic of Korea, Eritrea, Eswatini, Grenada, Iran (Islamic Republic of), Mauritania, Myanmar, Nicaragua, Russian Federation, Saint Vincent and the Grenadines, Syrian Arab Republic, Venezuela (Bolivarian Republic of), Zimbabwe.

Abstaining:

Afghanistan, Angola, Antigua and Barbuda, Bangladesh, Bhutan, Brunei Darussalam, Cabo Verde, Côte d'Ivoire, Democratic Republic of the Congo, Fiji, Ghana, Guinea-Bissau, Guyana, India, Indonesia, Jamaica, Kazakhstan, Kenya, Lesotho, Malaysia, Mali, Mauritius, Mexico, Mongolia, Mozambique, Namibia, Nepal, Nigeria, Pakistan, Philippines, Singapore, South Africa, Sri Lanka, Sudan, Tonga, Trinidad and Tobago, Tunisia, Uganda, Viet Nam, Zambia.

66. *The motion was adopted by 91 votes to 19, with 40 abstentions.*

67. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran) said that the way the proceedings had been conducted had been unfair to some Member States, and

he reiterated his request for an explanation of why rule 123 did not apply.

68. **Mr. Al Arsan** (Syrian Arab Republic) said that there had been a clear question that had required not a vote or an explanation but a wise and courageous stand. The Committee, the Chair and the Bureau should have refused to consider the draft resolution because of the breach of the rules of procedure. After a war that had lasted nine years, his country was well aware of the political, economic, military and monetary polarization in the world today. At the United Nations, some countries took advantage of political polarization to get action taken. The present session would be remembered in United Nations history because the new Chair of the Third Committee, who had admitted that he was new to chairing committees and to rules of procedure, had decided to violate the Charter and break with the rules, while citing precedent. The question remained of whether the vote required a simple majority or a two-thirds majority. The Charter was a legal text that left no room for improvisation. The Chair needed to explain why he had conducted a vote by simple majority. Despite the references to human rights and justice, the rules had been breached for political reasons, thereby setting a grave legal precedent that would allow other States to submit draft resolutions after the deadline.

69. **Mr. Bessedik** (Algeria) said that his delegation had voted against consideration of the draft resolution because, contrary to the rules of procedure and the agreements reached regarding the organization of work of the Committee, the text had been submitted too late and therefore should not be considered. All Member States should respect the rules of procedure that governed the work of the General Assembly and its subsidiary bodies. The Third Committee should avoid setting unfortunate precedents that could affect the future standing and status of its work.

70. **The Chair** said that three votes had been taken on the issue, and the Committee had made its decision.

The meeting rose at 5.05 p.m.