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Official Records

President: Mr. Shahid (Maldives)

In the absence of the President, Mr. Gastorn (Tanzania), Vice-President, took the Chair.

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

Agenda item 132

Sexual exploitation and abuse: implementing a zero-tolerance policy

Report of the Secretary-General (A/76/702)

Draft resolution (A/76/L.78)

The Acting President: I now give the floor to the representative of Egypt to introduce draft resolution A/76/L.78.

Mr. Mahmoud (Egypt) (*spoke in Arabic*): It is my pleasure, at the outset, to thank the President of the General Assembly for having convened today's important meeting.

It is my honour to introduce draft resolution A/76/L.78, entitled "Sexual exploitation and abuse: implementing a zero-tolerance policy", which contains technical amendments submitted under the silence procedure with a view to adoption by consensus.

Egypt has sought to ensure that the draft resolution be submitted today as part of our commitment to supporting United Nations efforts to promote a zero-tolerance policy on sexual exploitation and abuse. That is in line with the Egyptian initiative to consolidate this item on the General Assembly's agenda, beginning with the adoption of resolution 71/278 and continuing

with subsequent resolutions under this item, the latest of which was resolution 75/321. Allow me to highlight the most significant aspects of the draft resolution.

First, it adds to the momentum of previous resolutions under this item adopted in recent years. It promotes efforts to prevent and address sexual exploitation and abuse from a comprehensive perspective that extends to the entire United Nations system, both at Headquarters and in the field, including agencies, funds, programmes, peacekeeping missions and special political missions, as well as non-United Nations forces authorized by the Security Council.

Secondly, it adopts a balanced approach that strongly condemns such abhorrent acts, regardless of the perpetrators. It calls for taking urgent measures to ensure justice and underscores the importance of the role of the United Nations, especially peacekeeping forces, which make great sacrifices to establish peace and stability throughout the world.

Thirdly, it places sexual victims at the heart of United Nations efforts and attention. Urgent support and protection must be provided for victims, while perpetrators of such acts must be held accountable. It also calls on the Secretary-General to develop a mechanism to monitor and follow up the support provided to victims in the entire Organization.

Fourthly, comprehensive accountability must be ensured at all levels, including at the level of the leadership on the ground and at Headquarters, in order to counter sexual abuse and exploitation.

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Fifthly, it gives priority to prevention efforts to counter such heinous acts of sexual exploitation and abuse and calls for intensified cooperation between Member States and the United Nations in the exchange of expertise and best practices.

Sixthly and finally, it recognizes the repercussions of the coronavirus disease pandemic, which has had an impact on the capacity of the Organization to conduct investigations. It calls on both the Secretary-General and Member States to ensure synergy between implemented policies and practices. It also calls on the Secretary-General to include in his next report information on the impact of the pandemic on the efforts of the Organization in that regard.

My country's delegation welcomes the report of the Secretary-General on special measures for protection from sexual exploitation and abuse (A/76/702), which contains important information about the efforts undertaken by the Secretariat to establish a zero-tolerance approach to sexual exploitation and abuse throughout the entire United Nations system. The report also contains data on allegations of sexual exploitation and abuse at each of the United Nations missions and special political missions, as well as the United Nations agencies, funds and programmes, in addition to the implementing partners and non-United Nations international troops. The data constitute indicators that should be well understood so as to avoid a selective perspective that focuses on limited categories and ignores others.

Based on its responsibility as one of the major troop- and police-contributing countries in United Nations peacekeeping operations and given its commitment to the zero-tolerance policy on acts of sexual exploitation and abuse, Egypt has joined the Secretary-General's initiative for leaders and voluntarily pledged to combat sexual exploitation and abuse. Egypt has also adopted a number of national protection measures designed to improve the selection and training of Egyptian troops participating in United Nations peacekeeping operations.

Egypt's role does not stop there. We also participate actively in capacity-building in Africa and the Arab region, through the training courses organized by the Cairo International Center for Conflict Resolution, Peacekeeping and Peacebuilding, in addition to developing relevant training material. According to United Nations reports, Egypt's efforts are among the

best efforts of Member States in the field of protection and addressing crimes of sexual exploitation and abuse.

We urgently need both national and international efforts to eliminate the scourge of sexual exploitation and abuse. We are sure the Assembly would agree with us about the importance of continuing to work on implementing the provisions of the draft resolution that we are about to adopt and of reiterating our collective commitment to continuing the dialogue and strengthening efforts to address sexual exploitation and abuse. Comprehensive support should be provided to the victims of such acts.

In conclusion, I would like to once again thank the President of the General Assembly for convening this important meeting and the Member States that supported and participated in sponsoring the draft resolution. I also call on the States that have not yet done so to sponsor draft resolution A/76/L.78 in support of its important principles and values.

The Acting President: The Assembly will now take a decision on draft resolution A/76/L.78, entitled "United Nations action on sexual exploitation and abuse".

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 draft resolution A/76/L.78 and in addition to the delegations listed in the document, the following countries have also become sponsors of draft resolution A/76/L.78: Argentina, Bangladesh, the Plurinational State of Bolivia, Brazil, Burkina Faso, Chile, Costa Rica, Equatorial Guinea, Indonesia, Israel, Malaysia, Nepal, Pakistan, the Philippines, Thailand, the United Arab Emirates and Uruguay.

The Acting President: May I take it that the Assembly decides to adopt draft resolution A/76/L.78?

Draft resolution A/76/L.78 was adopted (resolution 76/303).

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 132?

It was so decided.

Agenda item 133

International cooperation on access to justice for survivors of sexual violence

Draft resolution (A/76/L.80)

Draft amendments (A/76/L.81, A/76/L.82, A/76/L.83 and A/76/L.84)

The Acting President: I now give the floor to His Excellency Mr. David Francis, Minister for Foreign Affairs and International Cooperation of Sierra Leone, to introduce draft resolution A/76/L.80.

Mr. Francis (Sierra Leone): I should like to commend and congratulate the President on his stewardship of the General Assembly at its seventy-sixth session, during which a lot was achieved, including today's important consideration of agenda item 133.

At the general debate last September (see A/76/PV.6), the President of the Republic of Sierra Leone, His Excellency Mr. Julius Maada Bio, informed his fellow Heads of State and Government and the global community, particularly the survivors of sexual violence, of his directive to the Permanent Mission of Sierra Leone to the United Nations to sponsor a stand-alone resolution in the General Assembly on access to justice for the survivors of sexual violence. President Maada Bio also called for global solidarity on access to justice and remedies for survivors of sexual violence.

On that note, I am pleased and honoured to introduce draft resolution A/76/L.80, entitled, "International cooperation for access to justice, remedies and assistance for survivors of sexual violence", on behalf of the main sponsors, Sierra Leone and Japan.

Moreover, we thank the 83 Member States that have so far co-sponsored the draft resolution, namely, Argentina, Austria, Belgium, Bolivia, Botswana, Bulgaria, Cabo Verde, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Ecuador, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Lebanon, Lithuania, Luxembourg, Malta, Morocco, Myanmar, the Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, Rwanda, Slovakia, Slovenia, South Sudan, Spain, Sweden, Ukraine, Uruguay, Vanuatu, Albania, Andorra, Armenia, Australia, Bosnia and Herzegovina, Canada, Chile, Colombia, Costa Rica, Equatorial Guinea, Gabon, Ghana, Honduras, Iceland, Israel, Lesotho, Liberia, Liechtenstein, Mexico, Monaco, Mongolia, Montenegro, Namibia,

New Zealand, Panama, Peru, the Republic of Korea, the Republic of Moldova, San Marino, South Africa, Switzerland, Timor-Leste, Tunisia, Türkiye, the United Kingdom, the United States of America and my own country, Sierra Leone.

The World Health Organization estimates that 35 per cent of women worldwide — about 1.3 billion of the world's population — are survivors of sexual violence. Given the data and the absence of international cooperation, sexual violence constitutes a grave threat to justice and the fundamental rights of women, men and children throughout the world. In every corner of the globe, sexual assault survivors encounter inadequate support and resources, which inhibits survivors' ability to hold perpetrators accountable and access empowering health, legal and economic remedies.

Moreover, because of the shame and stigma experienced after an assault, more than one third of women affected by sexual violence have contemplated suicide. To make matters worse, we know that sexual violence increased dramatically during the global coronavirus disease pandemic.

With regard to Sierra Leone's domestic context, President Julius Maada Bio has been at the forefront of tackling this issue. In 2019, he declared a national emergency against rape. His Government also pursued the reform of the national law on sexual violence, and the judiciary established a special court to ensure criminal accountability, among other justice remedies. Our demonstrable leadership in combating rape and other forms of sexual violence is informed by our own recent history and recognition of the devastating impact that those horrendous acts have on the lives and livelihoods of survivors.

We have acknowledged our limitations and challenges in addressing the scourge those situations create and are therefore convinced of the importance of international cooperation in order to ensure access to justice for survivors of sexual violence. We therefore welcome the collaboration with the Government of Japan in pioneering and facilitating the process that led to the submission of draft resolution A/76/L.80 for the General Assembly's consideration.

In noting the importance of the issue of access to justice for survivors of sexual violence, several Member States have recognized the significance of a stand-alone resolution to extend access to justice and remedies to all survivors of sexual violence. It is our

collective belief that sexual violence must be treated and addressed as an issue on its own, for appropriate consideration and action.

While previous efforts in the Security Council have addressed the crucial issue of rape as a weapon of war, most incidents of rape occur outside of war and should therefore be addressed separately. Draft resolution A/76/L.80 fills that critical gap. It calls for international cooperation and for the General Assembly to periodically consider it as a recurring resolution in order to ensure that the needs of survivors throughout the world remain a priority for our Organization.

Regarding the process, I am pleased to note that as co-facilitators, Sierra Leone and Japan, led open and transparent negotiations over the course of five months, in which all delegations were able to express their views. Substantively, the draft resolution contains 23 preambular paragraphs and eight operative paragraphs. The final text reflects a fine balance between the different positions expressed and offers practical guidance on how to improve the situations of victims and survivors of sexual violence.

The concepts referred to in the draft resolution are based on long-standing agreed language, on which the States Members of the United Nations have been able to find consensus on multiple occasions in the past. Since the focus of the draft resolution is to address the particular need for access to justice and remedies, including support and care, for all survivors of sexual violence and to provide the way forward for international cooperation, the text reiterates the principle of respect for national law and does not create any new obligations for Member States.

The draft resolution recalls the need to ensure access to sexual and reproductive health and reproductive rights for victims and survivors of sexual violence, in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Declaration and Platform for Action, as well as the outcome documents of their review conferences.

Since those two instruments were adopted in 1994 and 1995, respectively, the references contained therein have been regularly included in Assembly resolutions, including in a number of African-led initiatives. For instance, paragraph 6 of draft resolution A/76/L.80 is taken verbatim from paragraph 11 of resolution 73/148, entitled "Intensification of efforts to prevent

and eliminate all forms of violence against women and girls", which was adopted by consensus.

Furthermore, the draft resolution's use of terms that refer, for example, to "sexual and gender-based violence" instead of "violence against women and girls" ensures that it covers all situations of violence, including those targeting men and boys. The term "sexual and gender-based violence" was appropriately defined by the Beijing Declaration and Platform for Action and relevant General Assembly resolutions.

Since then, the Assembly has used that term for decades, including in the following more recent resolutions 76/146, on the girl child, 76/147, on the rights of the child, 76/153, on the human rights to safe drinking water and sanitation, 75/167, on child, early and forced marriage, 76/14, on violence against women migrant workers, and 73/148, on the intensification of efforts to prevent and eliminate all forms of violence against women and girls: sexual harassment.

We also wish to note that the term "intimate partner violence" is also long-standing agreed language, as included in resolutions 75/284, on the Political Declaration on HIV and AIDS: Ending Inequalities and Getting on Track to End AIDS by 2030, 73/148, on the intensification of efforts to prevent and eliminate all forms of violence against women and girls: sexual harassment, and 70/176, on taking action against gender-related killing of women and girls.

We sincerely believe that all States Members of the United Nations share the common belief that sexual violence is condemnable and that we must all take effective action to address it and to provide access through national legislation to timely and unimpeded justice for the victims and survivors. The focus of draft resolution A/76/L.80 is to increase cooperation in order to eliminate sexual violence and set up the international response to support victims and survivors.

In conclusion, allow me to again ask the General Assembly to let this year be the year that we all give survivors of sexual violence the remedies and action they deserve. We as a global community must stand up and address the scourge of sexual violence. Draft resolution A/76/L.80 gives us the opportunity to take that significant step by adopting its balanced text by consensus. We are eternally grateful for the broad cross-regional support that the draft resolution has received so far. We would also like to thank all delegations for their very constructive engagement and active support.

We hope that all Member States will support our efforts to have the draft resolution adopted by consensus. We would especially like to extend our appreciation and thanks to the Permanent Mission of Japan for its leadership and hard work as a co-facilitator of this process. Our sincere thanks also go to the Secretariat for its technical support and the Rise Foundation for its cooperation. At the United Nations, we all believe in leaving no one behind. Let us therefore not leave anyone behind, in particular the survivors of sexual violence.

The Acting President: I now give the floor to the representative of Nigeria to introduce the draft amendments contained in documents A/76/L.81 to A/76/L.84.

Mr. Nze (Nigeria): I am honoured to introduce the draft amendments to draft resolution A/76/L.80, as contained in documents A/76/L.81 to A/76/L.84, co-sponsored by Belarus, Cameroon, Ethiopia, Libya, Mauritania, Nicaragua and my own country, Nigeria.

Draft amendment A/76/L.81 is a request to delete the eighth preambular paragraph.

Draft amendment A/76/L.82 is a request to delete the controversial and undefined term “intimate partner violence” from the sixteenth preambular paragraph.

Draft amendment A/76/L.83 is a request to delete the words “paying particular attention to women and girls facing multiple intersecting forms of discrimination” from subparagraph 2 (a).

Draft amendment A/76/L.84 is a request to delete in the second part of the paragraph the words

“including through the development and enforcement of policies and legal frameworks and the strengthening of health systems that make universally accessible and available quality, comprehensive sexual and reproductive health-care services, commodities, information and education, including safe and effective methods of modern contraception, emergency contraception, prevention programmes for adolescent pregnancy, maternal health care such as skilled birth attendance and emergency obstetric care, which will reduce obstetric fistula and other complications of pregnancy and delivery, safe abortion where such services are permitted by national law, and prevention and treatment of reproductive tract infections, sexually transmitted infections, HIV and reproductive cancers, recognizing that human

rights include the right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free from coercion, discrimination and violence”.

Aside from the procedural concerns, draft resolution A/76/L.80 continues to include highly problematic language, including, in the eighth preambular paragraph, the words “multiple and intersecting forms of discrimination”, which is not consensus language and is a term on which multiple delegations at the United Nations have outstanding reservations. It is a controversial term open to ambiguous interpretations that are not shared by all countries.

With regard to the sixteenth preambular paragraph, the term “domestic violence” is a broad enough term. The term “intimate partner violence” draws attention to the sexual nature of a relationship; it is not essential to include that term here, and drawing attention to the sexual nature of a relationship can detract attention away from the victim.

With regard to paragraph 6, it should reflect as closely as possible the language of target 5.6 of the Sustainable Development Goals, which frames sexual and reproductive health as a matter of access to health care and not as a human rights issue.

The second part of the paragraph contains a reference to safe abortion. The notion of safe abortion undermines the consensus reached at the International Conference on Population and Development that abortion is a political matter and not a human rights issue. Paragraph 8.25 of the Conference’s outcome document recognized that each country should decide its abortion laws at the national level, without external interference, and that countries should help women to avoid abortion and provide mothers and their children with health care and social supports. Including abortion as a human right undermines that consensus and creates the danger of women being pressured to abort their babies.

The second part of the paragraph also contains language about freedom in matters related to sexuality that is taken out of context from the Beijing Declaration and Platform for Action. That language, as it appears in the draft resolution, suggests a right to unfettered sexual autonomy and is not used in the same way as it is used in the Beijing Declaration and Platform for Action, where it is clearly related to the rights of men

and women to freely marry and form a family, as well as the right to decide freely and responsibly on the number and spacing of their children.

I would like to underscore the importance of draft resolution A/76/L.80, entitled “International cooperation for access to justice, remedies and assistance for survivors of sexual violence”, given that most survivors of the violence suffer from trauma and post-traumatic stress disorder and therefore need psychosocial support and comprehensive health care. It was in recognition of those facts that my delegation welcomed the draft resolution in principle and was a member of the core group initially, but we had to withdraw when things became somewhat different.

We were disappointed by the co-facilitators who, rather than conducting the negotiations in good faith, displayed outright disregard for the concerns and sensitivity of delegations. They were not transparent at all and disregarded every effort to make it a consensus document.

It is important to highlight and put on record that the negotiations leading to the present draft resolution were deeply flawed. Not a single paragraph of the text was agreed by consensus. It does not address essential elements, including the need for greater emphasis on ending impunity, as well as for ensuring development assistance, technical assistance and support and comprehensive health care and psychosocial support.

We encourage the facilitators to be more open to dialogue and compromise when they take up that issue again in the future. When it comes to the critical issue at hand, we believe that it is essential for the General Assembly to adopt a principled, unified and objective position — one that is devoid of non-agreed language, political motivations and cultural sensitivities — given the gravity of the matter we are discussing. We regret that the main sponsors of the draft resolution insisted on undermining an important draft resolution by employing non-agreed and non-consensus language, with no basis in international human rights law and in an irrelevant context.

During the consultation process, many Member States made straightforward requests and submissions that would have enabled many delegations to reach consensus on all paragraphs of the draft resolution — requests to keep the language in the draft resolution consensus-based and agreed on — which were of course ignored. We had no choice

but to propose the amendments I have described to draft resolution A/76/L.80.

The amendments are born of a genuine attempt to achieve consensus. Using a noble cause to adopt contentious concepts is indeed unacceptable. Our amendments aim to make draft resolution A/76/L.80 more balanced — not unbalanced as it is now — and more consensual and representative of the wider membership, not merely a group of States. We urge all countries to vote in favour of the amendments in order to restore balance and consensus to the draft resolution and ensure that its objectives are achieved and strengthened, rather than weakened.

The Acting President: I now give the floor to the representative of the European Union, in its capacity as observer.

Mr. Bourtembourg (European Union): I speak on behalf of the 95 members of the cross-regional Group of Friends for the Elimination of Violence against Women and Girls, which was established in December 2020 to promote the implementation of the Secretary-General’s call on gender-based violence and the coronavirus disease pandemic and to support relevant global initiatives aimed at eliminating violence against women and girls, such as the Spotlight initiative. Together we are committed to galvanizing efforts to end all forms of sexual and gender-based violence. The Group of Friends welcomes the introduction of the draft resolution on international cooperation for access to justice, remedies and assistance for survivors of sexual violence (A/76/L.80), and we thank Sierra Leone and Japan, as well as all survivors, for their leadership on this initiative.

Sexual and gender-based violence — whether in public or private spheres, online or offline — is a gross violation and abuse of human rights. It has devastating consequences for each survivor and for society as a whole. Sexual and gender-based violence disproportionately affects women and girls. Globally, one in three, or 35 per cent of women, experience physical and/or sexual violence in their lifetime. In humanitarian or crisis contexts, up to 70 per cent of women are affected.

Despite the high prevalence of sexual and gender-based violence, victims and survivors often do not receive justice. Too often, perpetrators are granted impunity for their crimes. That lack of accountability fuels violence and further traumatizes victims and survivors.

The Group of Friends underlines the need to establish gender-responsive justice systems. That implies reforming legal and justice systems in order to guarantee safe, accessible and trauma-informed complaint and reporting mechanisms for victims and survivors in order to better equip institutions in addressing sexual and gender-based violence, including through dedicated training, and to ensure access to essential services.

We further stress the importance of fulfilling the commitments made by participating States at the Generation Equality Forum, including its Action Coalition on Gender-Based Violence.

Sexual and gender-based violence is a shadow pandemic. It requires the full mobilization of the international community. We strongly support the recommendations included in the draft resolution, and we are committed to working with all partners in order to step up international cooperation on access to justice for survivors of all forms of sexual and gender-based violence.

Mr. Riva Grella (Uruguay) (*spoke in Spanish*): Uruguay commends the work of the delegations of Sierra Leone and Japan in the long negotiations that have brought us to take action on draft resolution A/76/L.80, on international cooperation for access to justice and legal remedies and assistance for survivors of sexual violence. We understand that the text presented by the co-facilitators is the result of multiple compromises reached among delegations to achieve a balanced text that takes into account the priorities of all of us.

In that regard, we regret the presentation of amendments that we believe divert the text from the objective of achieving a resolution that effectively condemns all forms of sexual and gender-based violence, especially draft amendment A/76/L.82, which deletes the reference to intimate partner violence.

Allow me to illustrate with three brief examples the concerns of the Uruguayan delegation in that regard.

First, the World Health Organization, on behalf of the United Nations Inter-agency Task Force on Violence against Women, reported in 2021 that more than 640 million women aged 15 and over have been victims of intimate partner violence.

Secondly, the United Nations Office on Drugs and Crime also reported that during 2020 47,000 women and girls worldwide were killed by intimate partners or

other family members. That means that a woman or girl is killed every 11 minutes.

Finally, this crisis is not even standing still; it is getting worse. By way of example, a UN-Women report at the end of 2020 provides evidence that various countries have seen increases in domestic violence cases reported to hotlines, women's safe houses and shelters and police. These are all linked to the isolation resulting from the coronavirus disease (COVID-19) pandemic. We may defeat COVID-19, but there will still be floods, earthquakes or other situations that lead to isolation, and women will continue to be victims of this problem.

Those examples only go to show how my delegation finds it difficult to understand why we cannot achieve consensus in the simple declaration that we are “[g]ravelly concerned that domestic violence, including intimate partner violence, remains the most prevalent and least visible form of violence against women”.

We therefore call on all delegations gathered here to support preambular paragraph 16 as presented by the co-facilitators, as well as the remainder of the text.

Mrs. Narváez Ojeda (Chile) (*spoke in Spanish*): Let me first convey our total condemnation of the assassination attempt on Ms. Cristina Fernández de Kirchner, Vice-President of Argentina. We express our solidarity with her, the Government of Argentina and its people. The way forward must always be the debate of ideas and dialogue, never violence or weapons.

Chile thanks Sierra Leone and Japan for submitting draft resolution A/76/L.80, which, for the first time in the General Assembly, shows the importance of international cooperation in guaranteeing access to justice for the victims and survivors of sexual violence. The draft resolution addresses an issue that, tragically, is a recurrent problem that has long-term repercussions on the lives of victims and survivors, as well as those of their loved ones and families, with whom we stand in solidarity.

Sexual and gender-based violence in all its different forms and manifestations is still under-recognized even today. In particular, that applies to intimate partner violence, which is perhaps the most frequent and least visible form of violence. In Latin America alone, it is estimated that 29.8 per cent of women who have ever had a partner have been physically or sexually abused by them. Globally, one in three women, around 736 million, have been subjected to physical or

sexual violence by a partner or sexual violence by a non-partner — a figure that has remained virtually unchanged over the past decade.

Chile therefore appreciates the inclusion of preambular paragraph 16 as it has been presented on this matter.

Faced with that dramatic picture, we reiterate our commitment to successfully combat sexual and gender-based violence. That implies preventing, investigating, prosecuting and holding accountable the perpetrators of all forms of violence and eliminating impunity.

In addition, we must ensure the well-being of victims and survivors, particularly those who experience multiple and intersecting forms of discrimination. That must occur at the heart of our policies, for example, by ensuring access to trauma-informed reporting mechanisms and accessible essential services, including sexual and reproductive health and other types of support services, such as mental health and psychosocial support, important elements contained in this draft resolution.

In that regard, Chile has made significant progress in its legal framework to ensure dignified treatment, safeguarding the life, physical integrity and sexual indemnity of the victims. This matter deserves the highest degree of commitment and the application of the highest human rights standards in order to combat impunity and guarantee the well-being of the most vulnerable people who have suffered that type of violence. For that same reason, we must build on and not undermine the commitments that have been previously agreed upon, strengthening them in order to benefit those who need them the most. That is why Chile has decided to support draft resolution A/76/L.80.

Mr. DeLaurentis (United States of America): The United States thanks Sierra Leone and Japan for facilitating draft resolution A/76/L.80, on the critically important topic of justice for survivors of sexual violence, which we are pleased to co-sponsor. We encourage all countries to adopt this historic draft resolution by consensus and without any modifications. We also want to thank the numerous civil society advocates and survivors who helped to bring the draft resolution to fruition today.

This is a historic moment for the General Assembly, as it marks the first time that survivors of sexual violence are recognized in a stand-alone draft resolution. In 2016, President Obama signed the

Survivors' Bill of Rights Act, which demonstrated America's commitment to promoting accountability for human rights abuses. The draft resolution is a reflection of the global commitment to the issue. We know we must do more to eliminate sexual violence across the globe, but this landmark draft resolution takes us one step closer to that goal.

We continue to support efforts to ensure that survivors of sexual and gender-based violence have access to survivor-centred justice. That includes the meaningful representation of women in all their diversity as criminal justice practitioners; the training of law enforcement and justice sector personnel in handling gender-based violence cases in a trauma-informed manner; appropriate survivor and witness protection and support; and access to health services, including access to sexual and reproductive health and rights.

In co-sponsoring the draft resolution, the United States does not recognize any change to the current state of conventional or customary international law. The draft resolution does not create rights or obligations under international law, and neither do we read it to imply that States must join or implement obligations under international instruments to which they are not a party.

The United States strongly supports the use of measures to prevent or protect individuals from acts of violence committed by non-State actors. The United States notes, however, that generally only States have obligations under international human rights law, and therefore the capacity to commit violations of human rights. References in the draft resolution to human rights obligations in connection with non-State actors or violations of human rights by such actors should not be understood to imply that such actors bear obligations under international human rights law.

We emphasize the need to do more to eliminate sexual violence, wherever it occurs, and to expand services and deliver justice to survivors of all forms of sexual and gender-based violence, particularly those facing multiple and intersecting forms of discrimination.

Ms. Squeff (Argentina) (*spoke in Spanish*): Argentina aligns itself with the statement delivered by the observer of the European Union on behalf of the Group of Friends for the Elimination of Violence against Women and Girls, as well as the statements

delivered by the representatives of Uruguay, Chile and the United States.

We thank Sierra Leone and Japan for submitting draft resolution A/76/L.80, of which Argentina is a co-sponsor.

The draft resolution addresses the major challenge of tackling gender-based violence, which is faced by people in all their diversity, in particular domestic violence and intimate partner violence. The text includes fundamental elements with regard to the essential services that States should provide for survivors, as well as highlighting the need to eliminate barriers that impede access to justice. Similarly, we welcome the inclusive, consensus-based language and believe it fundamental that the international community continue to progress in that regard so that General Assembly resolutions reflect the realities that all countries face.

Argentina believes it necessary to include a cross-cutting diversity perspective in all policies, programmes, measures and actions against gender-based violence, in line with the commitments undertaken by the Argentine State in the areas of human rights, in particular the rights of women and minorities, so that they can live lives free from violence.

We regret that references to important initiatives, such as the Generation Equality campaign and the Spotlight Initiative, which contribute significantly to the fight against gender-based violence throughout the world, have been removed from the text. We also regret the introduction of last-minute amendments that seek to undermine consensus-based languages, the sources of which are essential instruments for international progress.

In conclusion, I would underscore that the right to live a life free from violence and to develop independent living projects without discrimination are an indispensable prerequisite in order to build fairer and more equal societies in which the human rights of all persons are respected.

Ms. Zhu Jiani (China) (*spoke in Chinese*): Sexual violence is one of the gravest violations of human rights and a common challenge for the international community. China has always been firmly opposed to any form of sexual violence and welcomes all international efforts to combat it, as well as to protect the rights and interest of women and girls.

China appreciates Sierra Leone's submission of draft resolution A/76/L.80, on international cooperation on access to justice for survivors of sexual violence, which helps the international community to focus on the issue of sexual violence, prioritize the protection of victims and survivors of sexual violence and improve their living conditions.

China participated in the consultations on the draft resolution in a constructive manner, advocating a victim- and survivor-centred approach for those who have suffered the most from sexual violence, especially those who experienced such violence in the Second World War, in order to redress historical injustices. China also advocates for increased support and assistance to that most vulnerable group in accessing justice and obtaining compensation.

Like many developing countries, China has suffered due to the havoc of wars in its history and, on top of that, horrendous sexual violence in conflict. During the Second World War, the war of aggression waged by Japanese militarists brought calamity to the people of a vast number of victim countries, including China. As many as 700,000 women and girls were forced or enticed to become comfort women and were subjected to systematic and heinous sexual violence. It has become the most humiliating and painful memory of the twentieth century.

China and many other Asian countries have a deep sense of repugnance when it comes to sexual violence, as that part of our history is still fresh in our memories. It pains us to see that the suffering and humiliation of those comfort women did not stop with the end of the war. According to the limited information available, there are only 12 comfort women victims still alive in mainland China, most of whom are already very old, with mental and physical trauma that has remained hard to heal. Many victims who are no longer with us did not see justice done before they passed away.

Japan owes the world an apology. Regrettably, instead of squarely facing up to history and reflecting on its evil deeds, the Japanese Government has denied the facts of its invasion, repeatedly distorting the truth in history and even glorifying its war of aggression. To this day, it has refused to acknowledge the State's responsibility on the issue of comfort women and has denied its coercive nature. That is tantamount to cruelly rubbing salt into the unhealed wounds of the comfort women victims.

The international community should be very vigilant and concerned about such increasingly unscrupulous provocations to historical justice and human conscience. History must not be forgotten, and the truth allows no distortion. Only by facing up to history can one avoid repeating the mistakes of the past; only by admitting mistakes can one regain the trust of one's victims; and only by reflecting on the past can one turn the page and look ahead to the future.

This is not simply a matter of a country's image but a matter of historical justice. Paying lip service to morality and responsibility will not gain the trust of the international community. We urge Japan to face up to and reflect deeply on its history; act honestly and responsibly in addressing the issue of the forced recruitment of comfort women and other historical issues; and take concrete actions to win the trust of its Asian neighbours and the international community.

Tomorrow is Victory Day for the anti-Japanese war in China. Draft resolution A/76/L.80, to be adopted today by the General Assembly, will open the door for victims and survivors of sexual violence during the Second World War to seek justice, and it therefore carries special significance. China will continue to support the victims and survivors of sexual violence during the Second World War as they seek justice, compensation and relief through traditional channels so that justice is served for all and the truth unearthed for the world.

Mr. Osuga (Japan): At the outset, I wish to say that I will refrain from saying something about a matter with such little relevance to the important agenda that we have before us.

I would like to thank all those delegations that participated in today's debate under agenda item 133, entitled "International cooperation on access to justice for survivors of sexual violence", an item newly created at the seventy-sixth session of the General Assembly under the strong political leadership of Sierra Leone. It has been a great honour and privilege for the Permanent Mission of Japan to take part in this initiative, and I wish to express my deep appreciation to Sierra Leone for choosing Japan as its partner.

We are grateful for the kind words extended to Sierra Leone and Japan. On behalf of our two Permanent Missions, which co-facilitated the five-month intergovernmental process, I would like to

thank all delegations for their constructive engagement and valuable inputs.

All survivors of sexual violence have the right to be free from stigma and to live in dignity. All survivors of sexual violence are entitled to freedom from fear and freedom from want, with an equal opportunity to enjoy all their rights, fully recover from their wounds and further develop their human potential. That is a critical issue of human security.

By adopting draft resolution A/76/L.80, the first-ever General Assembly draft resolution devoted solely to international cooperation under this important agenda item, Member States will commit to offering a helping hand to the survivors of sexual violence. It will be a huge step towards ensuring protection and empowerment for all survivors of sexual violence, including those in conflict situations and humanitarian crises, as well as in any community in the world — developing and developed alike.

Frankly speaking, the negotiations were not easy. Every country has its own domestic context, constituencies and national policies that would be happier with or without certain language in the text, which is perfectly normal. With that in mind, the co-facilitators gave their best efforts and worked tirelessly to strike the best balance among the different positions expressed during the informal consultations. Our only wish was that our first baby would be blessed by everyone in town by being adopted by consensus by all Member States.

To our profound regret, draft amendments to four paragraphs of draft resolution A/76/L.80 have been introduced. Those paragraphs will have to be finalized through a vote. However, once the language of those paragraphs is sealed, in one way or another, it is my most sincere wish and hope that the draft resolution — amended or not — will be adopted without a vote.

The positions of delegations will be clearly registered through the paragraph votes. They will be on the official record if delegations wish to make explanations of position. Some delegations may choose to dissociate themselves from the consensus, which is fine, if they so wish. However, requesting a vote and voting against or abstaining in the voting will be an enormous setback for such an important global and universal agenda that no one in our countries would deny. Who would dare to object to promoting international cooperation to help

the survivors of sexual violence by improving their access to justice, remedies and assistance?

Japan commends existing initiatives, such as the Spotlight Initiative and the Generation Equality Forum. By adopting draft resolution A/76/L.80 by consensus and implementing it, we will have more of those encouraging initiatives to support one another domestically and internationally.

The restrictions under the coronavirus disease pandemic or the geopolitical tensions in recent years may have withered our willpower to strive for consensus in intergovernmental negotiations at the United Nations and may have lured delegations towards decision-taking by vote. I appeal to all delegations, once again, to exercise maximum flexibility and restraint for the sake of consensus on such an important global agenda.

The Acting President: I give the floor to the observer of the Observer State of the Holy See.

Monsignor Murphy (Holy See): Sexual violence is an affront to human dignity and a heinous crime. Those who have experienced it must be able to seek, from the competent judicial and law enforcement authorities, protection from further abuses and justice for the harm suffered.

Sadly, victims' pain is often compounded when people dismiss their experiences as unbelievable or even place the blame on them for the wrong done to them. Those social factors often pose the first barrier to access to justice. Women and girls, who comprise the majority of victims, are at particular risk of being held culpable for wrongs done to them when society fails to accord them respect equal to that accorded to men and boys. Fewer in number but no less important are male victims, who face their own unique challenges in accessing justice.

Victims of sexual violence will not have access to justice unless the law properly criminalizes those harmful acts in ways that conform to the relevant principles of national legal systems, including evidentiary standards, witness requirements, protection for victims, due process and respect for the rights of the accused. Clear legal standards must govern evidence collection and preservation. Protection from intimidation, retaliation and violations of privacy must be guaranteed.

Victims of sexual violence should also be able, as appropriate, to voice their perspectives and concerns. In

particular, child victims and witnesses require special protection and care during the course of proceedings. Access to justice requires that both the law and the operational standards of law enforcement authorities do not place excessive burdens on reporting crimes of sexual violence. Alleged victims and their families are always to be treated with dignity and respect and must be offered medical, social and psychological support, as required by each specific case.

Regrettably, no country is free of the scourge of sexual violence or its harmful effects. However, we can all adopt measures to prevent and reduce the incidence of such crimes. Capacity-building assistance, including through the sharing of best practices and other partnerships, particularly in support of developing countries, can help ensure that every victim of sexual violence is protected from further harm. In each of those matters, local ownership is necessary for durable *de jure* — and also *de facto* — change. My delegation would like to add the following remarks on resolution A/76/L.80.

The Holy See wishes to thank Ms. Roselynn Finda Senesi and Mr. Kaoru Magosaki for facilitating the draft resolution. Credit is due to in particular to Sierra Leone for placing this important topic on the agenda.

While we remain hopeful regarding the potential positive impact of the draft resolution, the Holy See regrets that its potential impact is severely diminished by unclear, controversial and long-disputed terms and concepts with little relation to the theme, including ambiguous and contentious terminology related to violence, discrimination and health care. The inclusion of paragraph 6, despite many objections throughout the negotiations, is particularly troubling. Moreover, it is worrisome that long-standing language on women's participation in peacebuilding processes taken from women and peace and security resolutions was altered to include children.

The co-facilitators strived to be inclusive in their approach to negotiations. Nevertheless, the concerns about the draft resolution cannot be separated from its negotiation process, which produced a text in which not a single paragraph was agreed *ad referendum* before it was submitted for adoption. At the outset, it must be noted that many of the most challenging elements were included in the zero draft and remained unaltered, or even increased in number, through subsequent revisions, entrenching rather than bridging differences.

In addition, while recognizing the importance of building on prior efforts, the Holy See does not consider text that has been voted on or subject to reservations to be agreed language. Moreover, each text has its own balance and internal coherence as the result of the common effort to find consensus. Regrettably, that process was impeded for draft resolution A/76/L.80 owing to the inability to alter, rework, add to or delete from paragraphs that had appeared in other resolutions, which would have necessitated additional consultations.

Regarding the text to be adopted, the Holy See is obliged to recall that the reservations it submitted at the Fourth World Conference on Women and the International Conference on Population and Development remain valid and in force, including reservations on the terms “sexual and reproductive health and reproductive rights”, “health services” and other related terms, including so-called “safe abortion”, the asserted “right to have control over and decide freely and responsibly on matters related to human sexuality” and the term “gender”. When this crucial subject is next addressed, the Holy See sincerely hopes that a consensus-based and focused text will be adopted. To that end, my delegation offers the following considerations.

First, draft resolution A/76/L.80 and the survivors it seeks to help would be best served by concentrating on the four key elements of the theme — access to justice, remedies, assistance and international cooperation in support of the first three elements.

Secondly, an open approach to the text is necessary. Delegations should be permitted to work on the language and take the lead in striking the necessary balances and finding compromises.

Finally, controversial elements and weakly related topics that divert time and attention from substantive provisions should be avoided.

The Holy See hopes that those suggestions will be taken on board at the seventy-ninth session of the General Assembly.

The Acting President: I now give the floor to the observer of the International Development Law Organization.

Mr. Brinkman (International Development Law Organization): It is a pleasure to take the floor on behalf of the International Development Law Organization (IDLO), the only global intergovernmental

organization focused on the promotion of peace and sustainable development through the rule of law. The IDLO welcomes the presentation of draft resolution A/76/L.80, on international cooperation on access to justice, remedies and assistance for survivors of sexual violence.

Gender-based violence, including sexual violence, is one of the most pervasive human rights violations against women and girls. Eliminating gender-based violence and ensuring access to justice for women and girls is at the core of the work of the IDLO. We have been working for many years to counter gender-based violence through research, policy, advocacy and programming in various countries, including Honduras, Myanmar, Mongolia, Somalia and Tunisia.

Our work has shown that women and girls’ vulnerability to gender-based violence is exacerbated in complex contexts, such as conflict, organized crime, health emergencies and climate crises. Women face heightened difficulties in accessing justice and protection owing to weakened justice systems, disrupted justice delivery, low levels of trust in State institutions and the deprioritization of gender-based violence responses, as evidenced during the coronavirus disease pandemic. Women are therefore more likely to experience violence in situations of crisis and less likely to receive justice. Those are profound challenges to combating gender-based violence, especially in complex settings. However, our work has also shown that there are concrete approaches to enhance justice for the survivors of gender-based violence if we are fully committed to eradicating it.

First, we need to implement a comprehensive survivor-centred justice response to gender-based violence that meets the needs of diverse groups of women, including the use of effective gender-responsive laws and the elimination of discriminatory ones.

Secondly, we need to foster the integration of services for survivors of gender-based violence in ways that enhance prevention, protection and access to redress, including through formal and informal pathways to justice.

Thirdly, we must strengthen the legal empowerment of women and girls, including by raising their awareness on their rights and the legal support services available to survivors of gender-based violence.

Fourthly, it is imperative that we support women’s collective action against gender-based

violence, including by providing targeted financing for local women's organizations and essential community networks.

Fifthly and lastly, we must expand the monitoring and collection of data on gender-based violence and strengthen research on what works.

The IDLO strongly supports draft resolution A/76/L. 80 and is committed to working with partners to enhance multilateral action and collaboration to ensure access to justice for survivors of sexual and gender-based violence.

The Acting President: We have heard the last speaker in the debate on this item.

Before we proceed to take a decision on draft resolution A/76/L. 80 and draft amendments A/76/L.81, A/76/L.82, A/76/L.83 and A/76/L.84, may I remind the Assembly that delegations wishing to make a statement in explanation of vote before the voting on the draft resolution and draft amendments are invited to do so in one intervention.

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

Mr. Kulhánek (Czechia): I have the honour to speak on behalf of the European Union and its member States. The candidate countries North Macedonia, Montenegro, Albania, Ukraine and the Republic of Moldova; the country of the Stabilization and Association Process and potential candidate, Bosnia and Herzegovina; and the European Free Trade Association countries, Iceland, Liechtenstein and Norway, members of the European Economic Area, as well as Georgia, Monaco and San Marino, align themselves with this statement.

We deeply regret the decision to present last-minute amendments on agreed language in such an important draft resolution as A/76/L.80. We commend Sierra Leone and Japan for the way in which they conducted the negotiations, and we thank all other delegations for their genuine efforts to maintain consensus and achieve a good outcome for all.

Eliminating sexual and gender-based violence and ensuring access to justice for survivors requires us to join forces, go beyond our differences and act in a responsible way. Undermining the consensus on draft resolution A/76/L.80 can have only negative consequences that impact first and foremost the rights

of survivors. The text before us represents a fine balance among the various positions expressed during the negotiations. The facilitators decided to revert to previously agreed language when it became clear that concerted and lengthy efforts to find alternative wording would not lead to an agreement acceptable to all delegations.

The States Members of the United Nations, many of which hold divergent views on the issue at hand, have always been able to agree on the language attacked by the amendments submitted today, which illustrates how carefully crafted and balanced those long-standing paragraphs are. The Beijing Declaration and Platform for Action clearly defines those terms.

Two years ago, on the occasion of the twenty-fifth anniversary of the Beijing Declaration, the Secretary-General called on us to resist the push-back against gender equality and women's rights. That is what we must do today to send a positive signal to all survivors around the world.

For those reasons, we will vote against those hostile amendments, and we call on all Member States to do the same.

Mr. Turay (Sierra Leone): With deep regret given the circumstances and our fraternal relationship, my delegation takes the floor to object to the amendments to the eighth and sixteenth preambular paragraphs and to operative paragraphs 2 and 6 of draft resolution A/76/L.80, as contained in documents A/76/L.81, A/76/L.82, A/76/L.83 and A/76/L.84, respectively, proposed by the Federal Republic of Nigeria. My delegation's objection is premised on both the facilitation process and the substance.

Allow me to reiterate that on the issue of the facilitation of draft resolution A/76/L.80, the delegations of Sierra Leone and Japan led open and transparent negotiations for more than five months, including consultations on the various iterations of the text from the pre-draft and zero draft to the Rev.1 through Rev.4.5 versions of the text, the last of which contained the text of draft resolution A/76/L.80. All delegations were able to express their views, including the brotherly delegation of Nigeria, which was part of the core group.

With regard to substance, let me also reiterate that the final text represents a fine balance among the various positions expressed and offers practical guidance on how to improve the situation of the

victims and survivors of sexual violence. The concepts referred to in draft resolution A/76/L.80 are based on long-standing agreed language, on which the States Members of the United Nations have been able to find consensus on multiple occasions in the past, including our brother Nigeria.

Allow me now to address the specific proposed amendments contained in documents A/76/L.81, A/76/L.82, A/76/L.83 and A/76/L.84.

Concerning documents A/76/L.81 and A/76/L.83, containing the proposed amendments to the eighth preambular paragraph and operative paragraph 2 (a), respectively, namely, to delete the words “Recognizing the particular risk of sexual and gender-based violence faced by all those who suffer multiple and intersecting forms of discrimination” and to delete the words “paying particular attention to women and girls facing multiple and intersecting forms of discrimination”, we continue to note that several international instruments and human rights mechanisms explicitly recognize the impact of multiple and intersecting forms of discrimination on women and girls on the enjoyment of their human rights. The language calls for specific and targeted protection from multiple compounded and/or intersecting forms of discrimination.

The Vienna Declaration, the Fourth World Conference on Women, held in Beijing, and the third World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, addressed discrimination based on multiple grounds, such as sex, language, religion, political or other opinions, social origin, property, birth, disability or other status.

Furthermore, Member States committed to tackle the multiple and intersecting forms of discrimination against refugees and migrant women and girls, indigenous people and people of African descent in the New York Declaration for Refugees and Migrants, the United Nations Declaration on the Rights of Indigenous Peoples and the International Decade for People of African Descent, respectively.

With regard to the deletion from the sixteenth preambular paragraph of draft resolution A/76/L.80 of the words “including intimate partner violence”, as proposed in draft amendment A/76/L.82, we note that the proposed amendment contradicts established facts and agreed language. For instance, the World Health Organization briefs on the coronavirus disease

pandemic note that intimate partner violence is the most common form of violence globally.

Intimate partner violence is an inclusive technical term that has been agreed and used in various forums and General Assembly resolutions, including in resolution 70/266, entitled “Political Declaration on HIV and AIDS: On the Fast-Track to Accelerating the Fight against HIV and to Ending the AIDS Epidemic by 2030”, paragraph 61 (h); resolution 71/170, entitled “Intensification of efforts to prevent and eliminate all forms of violence against women and girls: domestic violence”, tenth and nineteenth preambular paragraphs; resolution 72/162, entitled “Implementation of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto: situation of women and girls with disabilities”, paragraph 14 (a); and resolution 75/161, entitled “Intensification of efforts to prevent and eliminate all forms of violence against women and girls”, sixteenth preambular paragraph.

With regard to the deletion of substantial elements of paragraph 6 of draft resolution A/76/L.80, as proposed in draft amendment A/76/L.84, we reiterate the important point that the language in question is taken verbatim from paragraph 14 (f) of resolution 71/170, which was adopted by consensus. The language simply recalls the need to ensure access to sexual and reproductive health and reproductive rights for victims and survivors of sexual violence, in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action, as well as the outcomes of their review conferences.

Those references have been regularly included in General Assembly resolutions since the adoption of those documents in 1994 and 1995, including a number of African-led initiatives. Furthermore, the wording of paragraph 6 includes a caveat in that the reference is to specific services “permitted by national law” to accommodate all views, leading to a balanced text.

In addition to reflecting paragraph 14 (f) of resolution 71/170, which was adopted by consensus, the language in paragraph 6 of draft resolution A/76/L.80 reflects agreed language contained in the following non-exhaustive declarations and resolutions.

First, such language is contained in paragraph 61 (j) of the Political Declaration on HIV and AIDS of 2016 and the agreed conclusions of the fifty-seventh session of the Commission on the Status of Women on

the elimination and prevention of all forms of violence against women and girls.

Secondly, such language is contained in paragraph 20 (y) of resolution 69/147, entitled “Intensification of efforts to eliminate all forms of violence against women and girls”, which was adopted in 2014.

Thirdly, such language is contained in paragraph 9 of Human Rights Council resolution 32/19, entitled “Accelerating efforts to eliminate violence against women: preventing and responding to violence against women and girls, including indigenous women and girls”, which was adopted in 2016; paragraph 11 of Human Rights Council resolution 32/4, entitled “Elimination of discrimination against women”, which was also adopted in 2016; and Human Rights Council resolution 29/14, entitled “Accelerating efforts to eliminate all forms of violence against women: eliminating domestic violence”, which was adopted in 2015. All of those resolutions included the relevant references.

Fourthly and finally, paragraph 106 (j) of the Beijing Declaration and Platform for Action of 1995 recognizes and deals with the health and impact of unsafe abortion as a major public health concern, as agreed in paragraph 8.25 of the International Conference on Population and Development Programme of Action. Of course, it is also referenced in paragraph 61 (h) of the Political Declaration on HIV/AIDS of 2016.

The wording of paragraph 6 of draft resolution A/76/L.80 was taken verbatim from each of those documents and resolutions that I have just mentioned.

With regret, we are compelled to state that the call for amendments cannot be justified, given that the proponent joined consensus on the adoption of resolution 71/170, for instance, which contains the same language in its paragraph 14 (f). The proponent also voted in favour of resolution 75/161.

While remaining respectful of the expression of the sovereign will and equality of each State Member of the United Nations, as provided for in the Charter of the Organization, we can ask only that Member States do so in good faith, as also required by the Charter. We therefore call on all Member States to vote against the amendments in support of the draft resolution.

Mr. Rizal (Malaysia): Malaysia recognizes and supports efforts to ensure that victims and survivors of sexual violence are accorded proper access to justice, remedies and assistance. There should be absolutely

no room for impunity for the perpetrators of such heinous acts.

While we appreciate the efforts of Sierra Leone and Japan in introducing the text, we regret that the process leading up to the submission of draft resolution A/76/L.80 has done a great disservice to such an important issue. Many delegations, including my own, participated in the negotiations on the draft resolution in good faith with the goal of achieving a consensus text, as envisioned by the co-facilitators.

However, the approach undertaken was inconsistent with that desire. After many rounds of consultations and tireless reasoning, it appeared to some of us — including my delegation — that there was no genuine interest in finding the lowest common denominator upon which all delegations could agree. Numerous concerns expressed by a number of delegations, including my own, regrettably fell on deaf ears.

We regret that contentious terms such as “multiple and intersecting forms of discrimination”, “diverse situations and conditions” and “the right to have control over and decide freely and responsibly on matters related to their sexuality” are featured in the text despite clear and repeated opposition from a number of delegations, on the grounds that they are consensual language.

It is extremely irresponsible to assert that such terminology, although featured in resolutions adopted without a vote, constitutes consensual language, since a number of Member States, including Malaysia, have consistently expressed reservations concerning such terminology. The deliberate and persistent mischaracterization of consensual language by certain delegations to promulgate contentious terminology must stop. As such, Malaysia will vote in favour of amendment A/76/L.81, concerning the eighth preambular paragraph; amendment A/76/L.83, concerning paragraph 2 (a); and amendment A/76/L.84, concerning paragraph 6 of draft resolution A/76/L.80.

Despite the dissatisfactory conduct of the negotiations on draft resolution A/76/L.80, the issue at hand is of great importance and deserves the attention of the General Assembly. If the draft resolution were to be put to the vote as a whole, my delegation would abstain in the voting. We hope that the co-facilitators will adopt a more inclusive approach in the future towards achieving a text that can be supported unanimously by all delegations.

Mr. Kim In Chol (Democratic People's Republic of Korea): My delegation takes the floor to explain its position on draft resolution A/76/L.80.

It is highly ironic and very hypocritical of Japan to sponsor such a draft resolution, given the fact that it desperately seeks to cover up its most heinous crime of sexual violence and evade its responsibility to atone for past crimes. Despite the full disclosure of criminal facts involving the extremely cruel incidents of modern-day sexual slavery enforced by the Imperial Japanese Army, Japan denies them even on the international stage, which constitutes a shameless act aimed at evading legal and moral accountability for its past crimes.

It is by no means a cooked-up history that Japanese imperialists kidnapped countless Korean women to force them to work as sexual slaves for the Imperial Japanese Army in the past. Women who were passing by, working in the fields and lifting water from their wells, and even young girls who were playing in their yards, fell victim to the Japanese army's human hunting. They number as many as 200,000. The Japanese imperialists committed the heinous and unethical crimes of abusing abducted women as playthings of the Imperial Japanese Army at battle sites and massacring them.

As the witnesses of history, survivors are exposing the crimes of the Japanese imperialists, and some assailants who were involved in the abduction cases have testified to their crimes, while repenting their past. Their testimonies have irrefutably proved that the Japanese Government and military were directly involved in institutionalizing modern-day sexual slavery of a coercive nature from the very beginning.

Nevertheless, Japan flatly denies it, far from feeling accountable for that atrocious crime. On the contrary, Japan brazenly tries to justify its history of aggression by saying that there is no need to feel guilty about past history and that the Japanese do not have to be burdened by making apologies, as 80 per cent of them were born after the war. Not content with insulting the victims of the sexual slavery as prostitutes and insisting that wartime rapes are neither war crimes nor crimes against humanity, Japan desperately resorts to deleting sexual slavery, which was part of its history, from textbooks in order to erase the criminal facts. Worse still, Japan has banned the term "sexual slavery" and is now attempting to strike the words "service in the war".

Japan's behaviour is intolerable and shameful and is a mockery and defiance of justice and human

conscience vis-à-vis human morality, as well as international law. The world has been appalled by the impudence of Japan in its struggle to shirk its legal and moral responsibility for its past crimes by denying and hiding the worst-ever ethical crime of violating the basic human right to life and women's dignity by all kinds of deceit and forgeries.

Japan's distorted viewpoint comes from its yearning for the past, when it invaded and lorded over other countries and nations and also reveals its sinister intention to repeat its history of aggression. Japan's crimes can neither be erased nor changed, no matter how hard it tries to deny or dodge its responsibilities. Japan must bear in mind that war crimes must be punished, especially sexual violence against women, which is a war crime to which no statute of limitations applies.

Japan must sincerely apologize for its unprecedented crimes and properly settle past events out of a sense of guilt, not try to evade the evident and undeniable crimes. The international community should pay special attention to the unjust behaviour of the Japanese Government, which is on its way to committing other crimes against humanity by sweeping the grave crimes committed by the Imperial Japanese Army under the carpet.

Ms. Bukuru (United Kingdom): The United Kingdom welcomes draft resolution A/76/L.80, entitled "International cooperation for access to justice, remedies and assistance for survivors of sexual violence". We are grateful to Sierra Leone and Japan for their leadership on this important initiative. The United Kingdom is deeply committed to strengthening the international response to sexual and gender-based violence, including conflict-related sexual violence.

We reject the four draft amendments (A/76/L.81, A/76/L.82, A/76/L.83 and A/76/L.84) put forward, which seek to modify, roll back or delete agreed language. The draft resolution before us is largely based on language that has been carefully crafted over the years to strike a balance among the different views and priorities of Member States. Allow me to make the following three points addressing the draft amendments.

First, in this organ we have agreed time and time again that multiple and intersecting forms of discrimination exist and must be addressed in responding to sexual and gender-based violence. Acknowledging that means prioritizing the rights and

needs of all survivors, including those with disabilities and other at-risk or marginalized groups.

Secondly, as has been said by previous speakers, the data is clear. One third of women and girls aged 15 to 49 report that they have been subjected to some form of physical and/or sexual violence by their intimate partner.

Thirdly, we know that sexual and reproductive health services are among the first places that survivors of sexual violence seek assistance. Weakening paragraph 6, which is taken verbatim from other United Nations resolutions, not only undermines the rights of survivors but also goes against the spirit of multilateral negotiations.

In conclusion, we regret that we are being forced to vote on those issues. We urge all delegations to support the rights of all survivors and vote against the draft amendments.

Mrs. Hassan (Egypt): At the outset, let me thank Sierra Leone and Japan for facilitating the discussions on draft resolution A/76/L.80, on international cooperation for access to justice, remedies and assistance for survivors of sexual violence.

My delegation would like to thank the delegation of Nigeria for submitting draft amendments A/76/L.81, A/76/L.82, A/76/L.83 and A/76/L.84. Egypt will vote in favour of all of them, which aim to bring balance to the text of the draft resolution. They were reiterated by many delegations during the long negotiation process and submitted in writing to the co-facilitators on many occasions, including after the silence procedure on the draft resolution was broken by 14 delegations.

We regret that, during the negotiation process, delegations were asked to change their national positions in order to accept controversial terms considered to be agreed language, despite the well-known, consistent and long-standing positions of those delegations with regard to the terms included in the draft resolution. Language that is copied, pasted, compiled and altered from its sources, regardless of the context, cannot be considered agreed language. Delegations' reservations and votes on certain language in the General Assembly should not be ignored during negotiations.

Mrs. Arab Bafrani (Islamic Republic of Iran): I would like to make the following statement in explanation of position before action is taken on draft resolution A/76/L.80, entitled "International cooperation for

access to justice, remedies and assistance for survivors of sexual violence". I would also like to express my appreciation to the co-facilitators for presenting and facilitating the draft resolution.

My delegation takes note of the importance of supporting and protecting the victims and survivors of sexual violence and condemns any acts of sexual violence, particularly against women and girls in armed conflict. We believe that the empowerment of women is critical to preventing and responding to any form of violence, including sexual violence. In that regard, the Islamic Republic of Iran attaches great importance to all international cooperation within its national legal system for the empowerment of women, as well as the protection of victims and survivors of sexual violence. With that, we would like to further elaborate our national position on the process of negotiation and content of the draft resolution.

My delegation actively and constructively engaged in the process of the relevant negotiations on this important draft resolution from the beginning. Despite the fact that we participated in several bilateral meetings with the co-facilitators and took part in other pertinent meetings in an attempt to improve the text, as well as to clarify and highlight our country's principled position, it is very regrettable that not only were our main concerns ignored in the latest version but also our multiple requests to focus on specific language were disregarded and objected to by the co-facilitators.

We had expected a streamlined and focused text that takes into consideration the concerns and views of all States in a balanced manner. We believe that the proliferation of controversial and non-consensual language throughout the text will prevent us from finding common ground to further implement its provisions, while also weakening our shared efforts.

Therefore, in addition to our dissatisfaction with the process I would like to announce that my delegation supports draft amendments A/76/L.81, A/76/L.82, A/76/L.83 and A/76/L.84, submitted by the representative of Nigeria, and will vote in favour of them. In that regard, Iran also disassociates itself from the eighth preambular paragraph, the sixteenth preambular paragraph, paragraph 2 (a), paragraph 6 and other non-consensual and controversial terminology.

It is the understanding of my Government that the implementation of the provisions of the draft resolution will be based on States' national laws and regulations.

Accordingly, we would like to reiterate that the content of the draft resolution will be interpreted in a manner consistent with our national policies, laws and regulations, including our cultural and ethical values and religious background, in line with internationally recognized human rights.

In conclusion, the Islamic Republic of Iran does not intend to challenge the adoption of this important draft resolution by consensus. However, it reserves that right for itself with regard to the issues I mentioned. If a recorded vote is requested on draft resolution A/76/L.80 as a whole, the Islamic Republic of Iran will abstain in the voting.

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

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

Mr. Nakano (Department for General Assembly and Conference Management): I will address sponsorship on draft resolution A/76/L.80 and draft amendments A/76/L.81, A/76/L.82, A/76/L.83 and A/76/L.84, one by one.

First, since the submission of draft resolution A/76/L.80 and in addition to the delegations listed in the document, the following countries have become sponsors of draft resolution A/76/L.80: Albania, Andorra, Armenia, Australia, Bosnia and Herzegovina, Canada, Chile, Colombia, Costa Rica, El Salvador, Equatorial Guinea, Gabon, Ghana, Honduras, Iceland, Israel, Lesotho, Liberia, Liechtenstein, Mexico, Monaco, Mongolia, Montenegro, Namibia, New Zealand, Panama, Peru, the Republic of Korea, the Republic of Moldova, San Marino, South Africa, Switzerland, Timor-Leste, Tunisia, Türkiye, the United Kingdom and the United States.

I should also like to announce that since the submission of draft resolution A/76/L.80, Czechia has withdrawn its sponsorship.

I should like to announce that since the submission of draft amendment A/76/L.81 and in addition to the delegations listed in the document, the following countries have become sponsors of draft amendment A/76/L.81: Belarus, Cameroon, Ethiopia, Libya, Mauritania and Senegal.

I should also like to announce that since the submission of draft amendment A/76/L.82 and in addition to the delegations listed in the document, the

following countries have become sponsors of draft amendment A/76/L.82: Belarus, Cameroon, Ethiopia, Libya, Mauritania and Senegal.

I should like to announce that since the submission of draft amendment A/76/L.83 and in addition to the delegations listed in the document, the following countries have become sponsors of draft amendment A/76/L.83: Belarus, Cameroon, Ethiopia, Libya, Mauritania and Senegal.

I should also like to announce that since the submission of draft amendment A/76/L.84 and in addition to the delegations listed in the document, the following countries have become sponsors of draft amendment A/76/L.84: Belarus, Cameroon, Ethiopia, Libya, Mauritania, Nicaragua and Senegal.

The Acting President: Before we proceed to take a decision on draft resolution A/76/L.80, in accordance with rule 90 of the rules of procedure the Assembly shall first take a decision on draft amendments A/76/L.81, A/76/L.82, A/76/L.83 and A/76/L.84, one by one.

The Assembly will first take a decision on draft amendment A/76/L.81.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Bahrain, Belarus, Brunei Darussalam, Burkina Faso, Cameroon, China, Egypt, Eritrea, Ethiopia, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Kiribati, Kuwait, Libya, Malaysia, Mauritania, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, Sudan, Syrian Arab Republic, Uganda, United Arab Emirates, Yemen, Zimbabwe

Against:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Barbados, Belgium, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cabo Verde, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Guyana, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Myanmar, Namibia, Nepal,

Netherlands, New Zealand, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, Timor-Leste, Tunisia, Türkiye, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay

Abstaining:

Bangladesh, Bolivia (Plurinational State of), Djibouti, Gambia, India, Kenya, Madagascar, Maldives, Sri Lanka, Suriname, Togo, Trinidad and Tobago

Draft amendment A/76/L.81 was rejected by 31 votes to 84, with 12 abstentions.

The Acting President: We now turn to draft amendment A/76/L.82.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Bahrain, Belarus, Brunei Darussalam, Burkina Faso, Cameroon, China, Egypt, Eritrea, Ethiopia, India, Indonesia, Iran (Islamic Republic of), Iraq, Kiribati, Kuwait, Libya, Mauritania, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, Sudan, Syrian Arab Republic, Uganda, United Arab Emirates, Yemen, Zimbabwe

Against:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Barbados, Belgium, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cabo Verde, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Sierra Leone, Singapore, Slovakia,

Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, Timor-Leste, Tunisia, Türkiye, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay

Abstaining:

Bangladesh, Benin, Djibouti, Gambia, Guinea-Bissau, Guyana, Jamaica, Kenya, Madagascar, Malaysia, Maldives, Sri Lanka, Suriname, Togo, Trinidad and Tobago

Draft amendment A/76/L.82 was rejected by 30 votes to 84, with 15 abstentions.

The Acting President: We now turn to draft amendment A/76/L.83.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Bahrain, Belarus, Brunei Darussalam, Burkina Faso, Cameroon, China, Egypt, Eritrea, Ethiopia, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Kiribati, Kuwait, Libya, Malaysia, Mauritania, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, Sudan, Syrian Arab Republic, Uganda, United Arab Emirates, Yemen, Zimbabwe

Against:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cabo Verde, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Guyana, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Sierra Leone, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, Timor-Leste, Tunisia, Türkiye, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay

Abstaining:

Bangladesh, Benin, Djibouti, Gambia, Guinea-Bissau, India, Kenya, Madagascar, Maldives, Sri Lanka, Suriname, Togo, Trinidad and Tobago

Draft amendment A/76/L.83 was rejected by 31 votes to 83, with 13 abstentions.

The Acting President: We now turn to draft amendment A/76/L.84.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Bahrain, Belarus, Brunei Darussalam, Burkina Faso, Cameroon, China, Egypt, Eritrea, Ethiopia, Gambia, India, Indonesia, Iran (Islamic Republic of), Iraq, Kuwait, Libya, Malaysia, Mauritania, Nicaragua, Nigeria, Pakistan, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, Sudan, Syrian Arab Republic, Uganda, United Arab Emirates, Yemen, Zimbabwe

Against:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Barbados, Belgium, Bhutan, Bosnia and Herzegovina, Botswana, Bulgaria, Cabo Verde, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Germany, Greece, Guyana, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Mongolia, Montenegro, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, Timor-Leste, Tunisia, Türkiye, Ukraine, United Kingdom of Great Britain and Ireland, United States of America, Uruguay

Abstaining:

Bangladesh, Benin, Bolivia (Plurinational State of), Brazil, Djibouti, Guatemala, Guinea-Bissau, Jamaica, Kenya, Madagascar, Maldives, Sri Lanka, Suriname, Togo, Trinidad and Tobago

Draft amendment A/76/L.84 was rejected by 33 votes to 80, with 15 abstentions.

The Acting President: Since draft amendments A/76/L.81, A/76/L.82, A/76/L.83 and A/76/L.84 were rejected, we shall proceed to take a decision on draft resolution A/76/L.80.

A separate recorded vote has been requested on paragraph 6 of draft resolution A/76/L.80.

A recorded vote was taken.

In favour:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Barbados, Belgium, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Bulgaria, Cabo Verde, Canada, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Germany, Greece, Guyana, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Mongolia, Montenegro, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, San Marino, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, Timor-Leste, Tunisia, Türkiye, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Viet Nam

Against:

Algeria, Belarus, Cameroon, Egypt, Eritrea, Ethiopia, Gambia, Guatemala, India, Iran (Islamic Republic of), Iraq, Libya, Mauritania, Nicaragua, Nigeria, Pakistan, Philippines, Russian Federation, Senegal, Sudan, Syrian Arab Republic, Uganda, Yemen, Zimbabwe

Abstaining:

Bahrain, Bolivia (Plurinational State of), Brazil, Brunei Darussalam, China, Djibouti, Indonesia, Jamaica, Jordan, Kenya, Kuwait, Madagascar, Malaysia, Qatar, Saudi Arabia, Sri Lanka, Suriname, Togo, Trinidad and Tobago, United Arab Emirates

Paragraph 6 of draft resolution A/76/L.80 was retained by 87 votes to 24, with 20 abstentions.

[Subsequently, the delegation of the Philippines informed the Secretariat that it had intended to abstain.]

The Acting President: May I take it that it is the wish of the General Assembly to adopt draft resolution A/76/L.80?

Draft resolution A/76/L.80 was adopted (resolution 76/304).

The Acting President: Before giving the floor to speakers in explanation of position on the resolution just adopted, may I remind delegations that explanations are limited to 10 minutes and should be made by delegations from their seats.

Mr. Kulháněk (Czechia): I have the honour to speak on behalf of the European Union (EU) and its member States. The candidate countries North Macedonia, Montenegro, Albania, Ukraine and the Republic of Moldova; the country of the Stabilization and Association Process and potential candidate Bosnia and Herzegovina; and the European Free Trade Association countries Iceland, Liechtenstein and Norway, members of the European Economic Area, as well as Georgia, Monaco and San Marino, align themselves with this statement.

The EU welcomes the adoption of resolution 76/304, on access to justice for survivors of sexual violence, and we thank Sierra Leone and Japan for their leadership.

Three years ago, the EU hosted the first-ever United Nations Survivors Town Hall, which called for the General Assembly to adopt a resolution on the human rights of survivors. We are happy to see that process concluded successfully today. We commend civil society organizations, in particular survivors' organizations, for their determination to push the initiative forward. This outcome is fully in line with the multi-stakeholder and survivor-centred approach promoted by the Spotlight Initiative. We also take note of the recommendations of the Generation Equality Forum in that regard.

Beyond the trauma itself, survivors are too often faced with unacceptable barriers against their access to assistance, justice and reparations. The resolution outlines a series of concrete actions that Member States should implement in order to set up effective

mechanisms of accountability and assistance, both nationally and internationally.

The resolution rightly emphasizes the need to tackle conflict-related sexual violence. In the Tigray region, the eastern Democratic Republic of the Congo, the Sahel region, Syria, Afghanistan and Ukraine, sexual violence continues to be used as a method of warfare.

We are horrified by the reports of sexual violence, including against children, perpetrated by the Russian troops in Ukraine.

Once again, the General Assembly has spoken. The resolution is clear. Rape and other forms of sexual violence can constitute a war crime, a crime against humanity or a constitutive act with respect to genocide or torture. Those crimes are punished under the Rome Statute of the International Criminal Court. Justice must be ensured.

We call on Russia to stop its war of aggression against Ukraine and to abide by the Charter of the United Nations and the principles of international law, including those reiterated in resolution 76/304.

At the celebration of the twenty-fifth anniversary of the Beijing Declaration, held two years ago, the Secretary-General warned us of the ongoing global pushback against gender equality and women's rights. Unfortunately, we have seen that pushback at work once again in the negotiations for the resolution just adopted. Any attempt to go back on human rights is unacceptable.

Let me recall fundamental principles in that regard. Women's rights are human rights. They are universal and non-negotiable. Discrimination fuels violence. To ban violence, we must ban all forms of discrimination, including on the grounds of sex, race, ethnic or social origin, religion or belief, political or any other opinion, disability, age, sexual orientation and gender identity.

Access to justice is a continuum that goes from immediate assistance to effective remedies. There is no justice without meaningful reparations.

The EU remains committed to the promotion, protection and fulfilment of all human rights, as well as the full and effective implementation of the Beijing Platform for Action and the Programme of Action of the International Conference on Population and Development and the outcomes of their review conferences, and remains committed to sexual and reproductive health and rights in that context.

With that in mind, the EU reaffirms its commitment to the promotion, protection and fulfilment of the right of every individual to have full control over, and decide freely and be responsible for, matters related to their sexuality and sexual and reproductive health, free from discrimination, coercion and violence.

The EU further stresses the need for universal access to quality and affordable comprehensive, sexual and reproductive health information and education, including comprehensive sexuality education and health-care service services.

We once again thank all survivors and human rights defenders who inspired this initiative. We must now deploy all efforts to ensure its implementation. The international community can count on the EU.

Mr. Alateek (Saudi Arabia) (*spoke in Arabic*): At the outset, it is an honour for me to deliver this statement on behalf of the countries of the Gulf Cooperation Council — the Kingdom of Bahrain, the State of Kuwait, the Sultanate of Oman, the State of Qatar, the United Arab Emirates and my own country, the Kingdom of Saudi Arabia.

The countries of the Gulf Cooperation Council express their sincere thanks and gratitude to the delegations of Sierra Leone and Japan for their efforts in submitting, for the first time on this topic, resolution 76/304, which was just adopted. Our countries joined the consensus on the resolution, as we believe in the importance of the issue that it addresses. Our countries make substantial efforts to support the survivors of sexual violence at the national and international levels. We value the need to intensify and unify international efforts at all levels in order to achieve justice and provide urgent and effective support to survivors of sexual violence.

We stress that health care, in particular for women, is of great interest in our countries, and many reproductive health programmes for women are being offered in that regard.

With respect to the use of controversial terminology such as “sexual and reproductive” rights in paragraph 6 of the resolution and other contentious terms, our countries affirm the need for such terminology to be in line with our countries’ cultural and societal realities as well as our national rules and regulations.

I now have the honour to deliver some further remarks on behalf of Saudi Arabia.

My country’s delegation expresses its sincere thanks and gratitude to the delegation of Sierra Leone for its initiative in calling for action on international cooperation for access to justice for survivors of sexual violence. We thank the delegations of Sierra Leone and Japan for having facilitated the negotiations on the resolution.

The General Assembly has reached a historic juncture in its affirmation of the importance of international cooperation for supporting victims of one of humankind’s most appalling crimes — sexual violence. The Kingdom of Saudi Arabia condemns sexual violence in all its forms and manifestations. My country also believes in the importance of protecting the victims of sexual violence, especially women and girls, given that our national laws stipulate their protection, and of imposing harsher punishment for perpetrators of sexual violence when they are subjected to imprisonment or the payment of fines. In order to prevent recidivism for those atrocities and ensure that justice is done, those punishments are doubled if the offence is repeated.

At the international level, through the King Salman Humanitarian Aid and Relief Centre, my country is committed to the protection of women and girls and the creation of a safe environment for them during and after conflicts and natural disasters, including protection against gender-based violence, through programmes that protect women from all forms of violence. Those programmes ensure that their needs are met, including the provision of psychological, social, protection and legal services.

My delegation participated in the negotiation process on the resolution from the outset and in recent months. We participated positively and effectively and were committed to supporting all efforts to adopt a resolution that ensures justice and reparations for the victims of sexual violence.

My country’s delegation regrets that a number of amendments proposed by certain delegations were not taken into account. Therefore, my delegation disassociates itself from the controversial language of resolution 76/304, such as that contained in its sixteenth preambular paragraph and in its paragraph 6. We also express our reservations on the repeated attempts to combine the two concepts of sexual violence and gender-based violence without a scientific or methodological basis.

My country's delegation supports resolution 76/304, given the suffering of the victims of sexual violence and the importance of unifying the efforts of the international community to support them. In that regard, we stress the specificity of the resolution and that some of its language cannot in any way be considered consensual or be included in future resolutions.

Mr. Jiménez (Nicaragua) (*spoke in Spanish*): Our delegation attaches great importance to the item under consideration. Nicaragua recognizes and promotes women's leadership and participation as a key priority policy of our Government in its national plan to combat poverty and advance human development. That is demonstrated in the *Global Gender Gap Report 2022* of the World Economic Forum, which ranks Nicaragua seventh in the world, and first in Latin America and the Caribbean, in that regard, and fifth in the world in terms of women's political participation.

We also have in place Law No. 779, the Comprehensive Law against Violence against Women, and reforms to Law No. 641 of our penal code, which establishes and guarantees protection, reparation and punishment for all forms of gender-based violence.

It is vitally important that the positions of all delegations be taken into account. We therefore regret that the concerns of many delegations were not taken into consideration during the consultation process and that controversial language that does not enjoy intergovernmental consensus was included in the text. In that regard, our delegation disassociates itself from paragraph 6 of resolution 76/304, which promotes abortion as a human right. We appreciate the amendment submitted by Nigeria in that regard, which would have balanced the text. We regret that it was not adopted.

Nicaragua would like to state its position on the use of the term "abortion", which cannot be considered a human right and should in no way be promoted as a method of family planning. Abortion or the interruption of pregnancy cannot under any circumstances be considered as a means of fertility regulation or birth control. The inclusion of the concept of abortion in United Nations documents violates the Charter of the United Nations and its purposes and principles, especially that of non-interference in the internal affairs of States. We reiterate, as established at the International Conference on Population and Development, that it is the sovereign right of each country to decide on its

domestic legislation in that regard. Nicaragua reaffirms its position of principle, pursuant to its Constitution and laws, which establishes that every person has the right to life as a fundamental and inalienable right from the moment of conception.

Nicaragua would also like to note that it disassociates itself from the ninth and tenth preambular paragraphs of resolution 76/304, concerning the International Criminal Court. Our country is not part of that court system, and therefore we do not recognize its jurisdiction. Neither are we signatories to the Rome Statute. We also disassociate ourselves from those paragraphs that contain concepts or terminology that do not enjoy intergovernmental consensus.

Mr. Lim (Indonesia): Indonesia fully supports the initiative to discuss international cooperation on access to justice for survivors of sexual violence, an issue that is very important to all States Members of the United Nations. That initiative presented a potential opportunity for the United Nations to have a meaningful impact in addressing the needs on the ground.

Indonesia's steadfast commitment in pursuing the agenda is reflected, among other things, in its recently enacted national Law No. 12, on the criminalization of sexual violence, in which we highlighted how efforts to provide protection, justice, remedies and assistance are everyone's responsibility. It requires multi-stakeholder collaboration. We have also highlighted that there must be harmony in the implementation of policies at national and local levels in addressing the need on the ground. Most important, we have stressed in the law the equal importance of preventing sexual violence from being perpetrated.

That law was enacted in a manner that complements and strengthens the existing means of implementation at the local level. Currently, we have in place 41 service centres for women's and children's protection across the 34 provinces of Indonesia. The service centres are mandated to address cases of violence, including sexual violence, at provincial and municipal levels. We have also launched and operationalized the Friends of Women and Children Call Centre service to provide rapid access for violence reporting and response.

While pursuing all those initiatives, Indonesia remains cognizant of the importance of international cooperation in that regard. We dedicated a specific chapter of the law to emphasizing the role of international cooperation.

Our experience and commitment led us to be very hopeful upon the initiation deliberations on resolution 76/304. We had ambitious expectations that it could elevate international cooperation and strengthen countries' capacities. To achieve such high expectations, we believed that a deep, meaningful, comprehensive and truly inclusive deliberation process was needed.

Indonesia regrets that, instead, the negotiation process on the resolution was conducted in a rushed and premature manner, with a take-it-or-leave-it approach. That undermines the true spirit of constructiveness and multilateralism at the United Nations. More important, it results in a document that falls short of addressing the real needs on the ground, guided by the topic under consideration.

There is a lack of emphasis on the role of countries with capacities in supporting other countries in need, as well as on the role of international cooperation in strengthening financing and funding for countries in need of support. On the contrary, the document includes elements that divert discussion away from what actually matters. It has been counterproductive to efforts to advance countries' capacities to address sexual violence.

In that regard, my delegation also expresses its reservations about the following references and notes that they do not contain universally agreed language: first, references to "gender-based violence" and "gender-based crimes" throughout the text, on the understanding that the resolution should focus on issues of sexual violence; secondly, references to "multiple and intersecting forms of discrimination" in the eighth preambular paragraph and paragraph 2 (a); thirdly, the reference to "intimate partner violence" in the sixteenth preambular paragraph; fourthly, the reference to "gender perspectives" in paragraph 2 (d); and fifthly, the reference to "gender perspectives" in paragraph 6 as a whole.

Finally, we wish to express our commitment to implementing resolution 76/304 in the future in accordance with our national policies, regulations and priorities.

Ms. Navarrete (Philippines): The Philippines joins the consensus on resolution 76/304 and recognizes the importance of ensuring access to justice, remedies and assistance for survivors of sexual violence. In joining the consensus today, we wish to clarify our position on some provisions of the resolution.

The Philippines dissociates itself from the ninth and tenth preambular paragraphs of resolution 76/304 and all other paragraphs in other resolutions that make reference to the International Criminal Court. The Philippines withdrew from the Rome Statute effective 17 March 2019, which reflects our principled stand against those who politicize human rights and disregard our country's independent and well-functioning organs and agencies. Notwithstanding our withdrawal from the Rome Statute, the Philippines firmly believes that sexual and gender-based violence has no place in modern society and that perpetrators thereof should be held fully accountable.

Mr. Vorobiev (Russian Federation) (*spoke in Russian*): Sexual violence is one of the most egregious crimes. The Russian Federation condemns all forms and manifestations of sexual violence and coercion and adheres to a policy of zero tolerance for such crimes.

In recent years, the United Nations has stepped up its efforts to combat sexual crimes in armed conflict and has produced an impressive range of documents on the subject. At the same time, criminal instances of sexual violence or coercion beyond the context of armed conflicts, in so-called "peaceful societies", have traditionally been ignored by our Organization. The new agenda item formulated by the State that initiated its consideration, Sierra Leone, should have filled that gap.

We are all familiar with Harvey Weinstein, Jeffrey Epstein and Ghislaine Maxwell and their high-profile clients, the sordid soirées attended by a number of leaders of European States and the abuse of minors in the United States, Canada and Britain. The slew of notorious sex scandals in recent years demonstrates the need to combat that scourge. We are convinced that efforts to prevent and eradicate sexual violence must be comprehensive and, above all, should aim to eradicate its root causes.

We regret that the content of resolution 76/304 has little in common with the original objective and effectively diverts the focus to very different issues, most of which are already reflected in other General Assembly resolutions.

We expected the discussion of the issue and the resolution to focus solely on the victims of sexual violence and measures to provide them with support and rehabilitation. However, what we have instead is a document that essentially echoes resolutions on the

eradication of violence against women, effectively duplicating them. Furthermore, the shift in focus from sexual violence to “gender-based violence” — a concept that remains contentious among States — effectively renders the new agenda item ineffective and further crowds the already overburdened agenda of the General Assembly.

We disagree with a number of provisions in the resolution just adopted. In particular, we believe that the International Criminal Court is not the appropriate tool for the administration of justice. The Court must first restore its credibility and abandon its policy of double standards. Neither can we support the use of terminology in the text that is not supported by States. Specifically, we feel that references to intimate partner violence, as well as multiple and intersecting forms of discrimination, are inappropriate.

We are concerned about the attempts of the sponsors of the resolution to rewrite language that was agreed upon by the Security Council in an attempt to tailor it to suit the necessary context and short-term interests. We are disappointed by the lack of elements in the text to encompass the legal dimension of ensuring access for victims of sexual violence to justice and legal protection. Instead, we see vague passages and slogans.

In our view, victims need practical support, first and foremost, not theorizing. Moreover, the Convention on the Rights of the Child defines a child as a human being below the age of 18 years, unless majority is attained earlier under the law applicable to the child. We believe that, in bringing children into the various sectors of public life, we must be guided by the provisions of the Convention on the primary responsibilities of parents or legal guardians, as well as developmental levels. Also contentious in the context of minors is the emphasis on access to sexual and reproductive health services. We believe that access needs to be provided only with the consent of a child’s parents or legal guardians.

From the very beginning, negotiations were deadlocked. The Russian Federation spared no effort to seek compromise in a number of areas, but we regret that our calls, like those of other delegations, fell on deaf ears. We are disappointed that the Japanese coordinator of negotiations lacked any desire to heed the views of a number of Member States. Instead, we saw blatant disregard for the positions of other States and a lack of interest in transparent and equitable dialogue.

We wish to note that the Russian Federation shall continue to proactively combat all crimes of a sexual nature on the basis of universal documents and will continue to meaningfully engage in international cooperation in that area. The resolution adopted today is not such a document.

In the light of those considerations, the Russian Federation disassociates itself from consensus on the document and does not view its provisions as agreed upon.

I turn now to the Russophobic, unfounded and unsubstantiated accusations against the Russian Federation and Russian military personnel carrying out their military duty under the special military operation in Ukraine. We strongly reject those baseless, insulting insinuations. We see it as part of an unprincipled information war that is actively being waged against the Russian Federation by Ukraine and its Western handlers. The actions of Russia in operational units in military duty and outside of it are subordinate to single uniform rules applicable to all, regardless of rank or position.

The Kyiv regime has been deliberately disseminating mendacious information about alleged rapes perpetrated by the Russian soldiers. I would counsel caution, for those kinds of allegations have no evidence to support them. Living proof of that is Ms. Denisova, the Ukrainian — now former — human rights ombudswoman. She went too far and was then fired by the Ukrainian regime, due to unexplained focus on numerous details of sexual crimes rapes perpetrated against children in occupied territory, which could not be backed by evidence. In other words, the Ukrainian Ombudsman, without evidence, lied to the world, as she acknowledged, in order for the West to continue to provide Ukraine with weapons. That was the purpose.

The conflict in Ukraine has activated an industry of exploitation of Ukrainian refugees on the territory of Western countries. According to our information, specialized European agencies consider the threat of trafficking of Ukrainian refugees to be very high. Given that in recent years Ukraine was among the top five countries in terms of the number of human trafficking and sexual exploitation victims in Europe, it would be naive to believe that situation has changed overnight. We call for that information not to be swept under the rug.

Mr. Al-shaikhli (Iraq): The plight of sexual violence in conflict is in every corner. Some Iraqi women and girls fell victim to the heinous crimes of terrorist groups such as Da'esh/the Islamic State in Iraq and the Sham (ISIS) and continue to face their implications.

Iraq adopted a milestone reparations bill, which is an essential step towards justice for Iraqis who suffered atrocities committed by Da'esh/ISIS. The Yazidi Survivors Law is one of the few examples of legislation globally to specifically address the rights and needs of survivors of conflict-related sexual violence. It includes numerous specific provisions on reparations. Iraq is committed to deliver justice to survivors in accordance with its national legislation and international commitments.

My delegation joined the consensus today on resolution 76/304. I would like to explain my country's position after its adoption, and we highlight the following.

Iraq would like to thank the co-facilitators of the resolution for presenting the text and facilitating the discussions on its content. Iraq firmly believes in the importance of multilateralism and friendly relations between States, which are crucial for this Organization. Although the resolution contains many positive elements, my delegation believes that it deviated from its main goal and included several instances of ambiguous and controversial terminology, all of which have been objected to by many delegations, including my delegation on previous occasions. A more inclusive approach is definitely needed in future.

My delegation understands the word "gender" in the resolution as referring to women and men, or male and female, according to its ordinarily agreed usage before, during and after the negotiations on the Beijing Declaration and Platform for Action.

Iraq would like to disassociate itself from the ninth and tenth preambular paragraphs, as they contain elements that are not in line with our national legislation.

My delegation would like also to stress that its understating of the interpretation of the terms "multiple and intersecting forms of discrimination" and "diverse situations and conditions", referred to in the eighth preambular paragraph and operative paragraph 2, sub-paragraphs (a) and (k), does not refer to any non-consensual concepts. Iraq understands the "review conferences" referred to in the third preambular paragraph and operative paragraph 6 to refer to

agreements negotiated and adopted by the General Assembly and the Economic and Social Council.

Iraq would like to disassociate itself from the reference in the sixteenth preambular paragraph to "intimate partner violence" and would like to reserve on elements referred to in operative paragraph 6.

Mr. González Behmaras (Cuba) (*spoke in Spanish*): My delegation, which supported resolution 76/304, dissociates itself from the references to the Rome Statute and the International Criminal Court in the ninth and tenth preambular paragraphs.

The promotion of international cooperation in order to guarantee greater and more robust access to justice for victims of sexual violence is a noble cause that we share. However, my delegation cannot align itself with references to the Rome Statute, to which Cuba is not party, or the International Criminal Court, whose jurisdiction we do not recognize.

My delegation expressed its legitimate concerns regarding those references to facilitators in a transparent and timely fashion. Sadly, they were not taken into consideration, which obligates us to act accordingly. My delegation therefore dissociates itself from the language mentioned and notes that we do not consider it to be agreed language and that we do not feel obligated to adhere to it or its potential scope.

Before concluding, I would like to reiterate my country's commitment to the collective efforts of the international community in the fight against sexual violence, especially against women and girls.

Mrs. Ndiaye (Senegal) (*spoke in French*): My delegation wishes to thank Sierra Leone and Japan for the work they have accomplished during the negotiations process on this important resolution (resolution 76/304), which is directly in line with our shared struggle for the liberation of women and the establishment of a world without sexual violence.

Senegal is firmly committed to the fight against sexual violence, as is attested to by a number of national laws such as Law 2020-05, which criminalizes rape and paedophilia. However, we regret that the resolution was considered during the General Assembly plenary without Member States having reached a consensus that unifies the views of all parties.

The stakes of the fight against all forms of violence against women should prompt us to take into consideration the positions that we have upheld

and clarified unstintingly since the beginning of negotiations. It is incumbent upon all of us to know that we are all in the same boat and to be cognizant of our common fate, which requires us to arrive at felicitous conclusions in order to leave no one out.

My delegation therefore voted in favour of the four amendments submitted by Nigeria (A/76/L.81 to A/76/L.84) — in order to demonstrate our disapproval with regard to the use of non-consensual concepts that were preserved in the final document. My delegation also wishes to underscore that, in our understanding, the term “gender” refers solely to social relations between the male sex and the female sex — to social relations between man and woman.

In that regard, Senegal also believes that the term “gender-based violence” refers exclusively to violence against women and does not include sexual orientation or gender identity. Neither does it require policies to promote acceptance of other social categories that have not found an accepted consensual definition under international law.

In conclusion, my delegation recalls that the notion of safe abortion as a human right, as in paragraph 6, is not internationally recognized. Therefore, any mention of abortion in a United Nations resolution should include or refer to caution about abortion in the final document of the International Conference on Population and Development in 1994, paragraph 8.25, which, I note, stipulates that abortion cannot be promoted as a method of family planning, that Governments should help women avoid abortion and that international agencies should not interfere in national abortion policies, insofar as that falls within the exclusive remit of sovereign States.

My delegation therefore disassociates itself from all of those terms and paragraphs in the amendments submitted to the vote.

Mr. Wang Zixu (China) (*spoke in Chinese*): China has pointed out many times that there is no internationally agreed, commonly recognized or legally based definition for the term “human rights defenders”. Each country has its own view on who those people are. As such, China opposes the inclusion in resolution 76/304 of a concept on which there is no consensus at the United Nations. That is a common concern for many countries. China therefore dissociates itself from the paragraphs in the resolution that contain the expression “human rights defenders”.

The Chinese position on the issue of comfort women has been consistent and clear. The forced recruitment of comfort women is a serious crime against humanity committed by Japanese militarism against the people of Asia and other victim countries during the Second World War. That is a historical fact supported by irrefutable evidence. It is a fact recognized by the international community. Any attempt to deny, distort or even embellish the history of aggression — any attempt to downplay or evade its historical responsibility — will be met with righteous and conscientious condemnation, and it appears even more ironic and ridiculous with the adoption of this resolution. We once again urge Japan to face up to and reflect deeply on history, adopt an honest and responsible attitude in order to properly address this and other unresolved historical issues and take practical steps to win the trust of its Asian neighbours and the international community.

The Acting President: We have heard the last speaker in explanation of vote or position. We shall hear the remaining speakers in explanation of vote or position after the voting on Wednesday, 7 September, after the consideration of agenda item 100.

The exercise of right of reply has been requested. May I remind members that statements in the exercise of the right of reply are limited to 10 minutes for the first intervention and to five minutes for the second intervention and should be made by delegations from their seats.

I now give the floor to the representative of Ethiopia.

Mr. Chala (Ethiopia): My delegation takes the floor to exercise its right of reply.

I would like to reply to the baseless claims and outrageous accusations made by the representative of European Union. The claims made by the European Union representative have been disproved by an internationally credible investigation. The motives for the statement are political and unacceptable. It is regrettable for this stage to be used to make such unbecoming and untrue statements against a sovereign State. My delegation urges the European Union to refrain from making such unsubstantiated allegations against my country.

The Acting President: The General Assembly has thus concluded this stage of its consideration of agenda item 133.

The meeting rose at 6 p.m.