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Seventy-seventh session

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## Fifth Committee

### Summary record of the second part\* of the 25th meeting

Reconvened at Headquarters, New York, on Friday, 30 December 2022, at 12 noon

*Chair:* Mr. Kridelka . . . . . (Belgium)  
*Chair of the Advisory Committee on Administrative  
and Budgetary Questions:* Mr. Bachar Bong

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\* The summary record of the first part of the meeting, held on Friday, 23 December 2022, at 5 p.m., appears as document [A/C.5/77/SR.25](#).

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Agenda item 136: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Completion of the work of the Fifth Committee at the main part of the seventy-seventh session of the General Assembly

*The meeting was reconvened at 12.15 p.m.*

1. **The Chair** informed the Committee that some of the draft resolutions and decisions to be introduced had only recently been adopted informally, and were thus provisional, subject to editorial review and quality control, and available in English only. They would be issued in the six official languages as rapidly as possible. With full regard for the resolutions of the General Assembly on multilingualism, he acknowledged the Committee's flexibility in proceeding on that basis so as to conclude its work at the main part of the session.

**Agenda item 135: Financial reports and audited financial statements, and reports of the Board of Auditors (A/C.5/77/L.16)**

*Draft resolution A/C.5/77/L.16: Financial reports and audited financial statements, and reports of the Board of Auditors*

2. *Draft resolution A/C.5/77/L.16 was adopted.*

**Agenda item 139: Programme planning (continued) (A/C.5/77/L.7 and A/C.5/77/L.13)**

*Draft resolution A/C.5/77/L.7: Programme planning*

3. **Mr. Laputin** (Russian Federation), speaking also on behalf of Belarus, China, Cuba, the Democratic People's Republic of Korea, Equatorial Guinea, Eritrea, Iran (Islamic Republic of), Kazakhstan, Nicaragua, the Syrian Arab Republic, Venezuela (Bolivarian Republic of) and Zimbabwe, introducing the draft resolution, said that, pursuant to the amendment contained in it, all narratives and references regarding the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 would be deleted from programme 6, Legal affairs, of the proposed programme budget for 2023, because the establishment of the Mechanism and its subsequent inclusion in the regular budget had been accompanied by flagrant violations of international law, including the Charter of the United Nations, the rules of procedure of the General Assembly related to financial matters, and the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation (ST/SGB/2018/3), which had been adopted by the Assembly.

4. The Secretary-General, drawn into a political adventure by a group of States, was attempting to lend legitimacy to that illegal body, which had no right to

exist. Syria was just one example of an instance in which a country which had become undesirable in the eyes of a group of States was made an example of and punished, in violation of the legal foundations of the Organization. The Russian Federation considered General Assembly resolution 71/248 to be invalid, did not recognize the Mechanism, and called on all other delegations to support the amendment by voting in favour of it.

5. **Ms. Schmied** (Switzerland), speaking also on behalf of Liechtenstein, said that the two delegations regretted the submission of draft resolution A/C.5/77/L.7, which was intended to undermine the expressed will and authority of the General Assembly. The Assembly had repeatedly and by a wide margin affirmed its intention to finance the Mechanism from the regular budget, from the point at which it had established the Mechanism to the point at which it had called on the Secretary-General to include the necessary funding in the regular budget for 2020, welcoming every step along that path. Over time, the Mechanism had become an integral part of the Organization's regular budget. The two delegations regretted that a small group of countries continued to challenge the will expressed by the Member States, setting a bad precedent for the Fifth Committee. Her delegation was calling for a recorded vote on draft resolution A/C.5/77/L.7, and would vote against that proposal as a mark of support for the integrity and authority of the Assembly. In addition, it intended to vote against draft resolution A/C.5/77/L.8, pertaining to the programme budget, which would be introduced later at the current meeting.

*Statements made in explanation of vote before the voting*

6. **Mr. Zelený** (Czechia), speaking on behalf of the European Union and its member States and, in addition, Albania, Andorra, Georgia, Monaco, Montenegro, North Macedonia and the Republic of Moldova, said that the Fifth Committee, as the Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters, should ensure that the mandates established by the Member States and other legislative forums were fully implemented. That entailed adherence to mandates, which came from resolutions and decisions, not negotiations. The Committee should refrain from discussions which belonged in other United Nations forums.

7. The General Assembly, in its resolution 71/248, had approved the mandate of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, and the European Union was committed to

ensuring that that resolution was respected and implemented. The draft resolution before the Committee, in proposing the deletion of all narratives and references regarding the Mechanism, would violate the decisions taken by the General Assembly and conflict with the practice of the Committee to strive for consensus-based decision-making. Accordingly, the States members of the European Union, and the States aligning themselves with its position on the matter, regretted the submission of the draft resolution, would vote against it, and urged other delegations to follow suit.

8. **Mr. Al-Sulaiti** (Qatar) said that the Mechanism played an important role as the main repository of evidence regarding crimes committed in Syria. The Mechanism's own reports to the General Assembly showed that it had made progress in implementing the mandate conferred on it. It deserved recognition for having adhered to the highest professional standards, and for making use of modern technology and innovative methods in order to augment and maximize effectiveness. If the Mechanism was to fulfil its mandate and have a firm financial foundation, it must be allocated resources from the regular budget, in accordance with the terms of resolution [71/248](#). Qatar would therefore vote against draft resolution [A/C.5/77/L.7](#).

9. *At the request of the representative of Switzerland, a recorded vote was taken on draft resolution [A/C.5/77/L.7](#).*

*In favour:*

Belarus, Bolivia (Plurinational State of), Cameroon, China, Congo, Cuba, Democratic People's Republic of Korea, Eritrea, Ethiopia, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Lao People's Democratic Republic, Mali, Nicaragua, Russian Federation, Sri Lanka, Syrian Arab Republic, Zimbabwe.

*Against:*

Albania, Andorra, Argentina, Australia, Austria, Barbados, Belgium, Botswana, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Netherlands (Kingdom of the), New Zealand, Norway, Palau, Panama, Papua New

Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saint Lucia, San Marino, Sierra Leone, Slovakia, Slovenia, Spain, Sudan, Sweden, Switzerland, Thailand, Trinidad and Tobago, Tunisia, Türkiye, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Yemen.

*Abstaining:*

Algeria, Angola, Armenia, Bahrain, Bangladesh, Bhutan, Bosnia and Herzegovina, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Côte d'Ivoire, Djibouti, Egypt, Fiji, Gabon, Ghana, Haiti, India, Indonesia, Iraq, Jordan, Kenya, Lesotho, Libya, Madagascar, Mauritania, Mauritius, Mongolia, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Philippines, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Serbia, Singapore, South Africa, Timor-Leste, Togo, Uganda, United Arab Emirates, Viet Nam, Zambia.

10. *The draft resolution was rejected by 83 votes to 19, with 49 abstentions.*

11. **Mr. Alshahin** (Syrian Arab Republic) said that his delegation valued the work and mandate of the Organization, which must receive sufficient and sustainable financing. The Organization's budget must be managed wisely, and used to further development rather than being squandered to meet politicized ends that served the selfish interests of only a few countries, violating the principles of the Charter of the United Nations and undermining the role and reputation of the Organization. Funding the Mechanism from the regular budget would have just that effect. The Syrian Arab Republic rejected such a step and reiterated its refusal to recognize the Mechanism, established by General Assembly resolution [71/248](#) in violation of Article 12 of the Charter of the United Nations, which provided that while the Security Council was exercising in respect of any dispute or situation the functions assigned to it in the Charter, the General Assembly must not make any recommendation with regard to that dispute or situation unless the Security Council so requested. The Security Council was seized of the situation in Syria, and was still exercising its authority in that regard. Consequently, for the General Assembly to interfere in the work of the Security Council would be a flagrant violation of the Charter.

12. The Government and the legal and judicial institutions of the Syrian Arab Republic were fully capable of administering justice and ensuring accountability without destructive interference from

elsewhere. The establishment of the Mechanism ran counter to the mandate of the Organization and risked providing a precedent that could be used in connection with other countries. His delegation regretted the rejection of the amendment proposed by the Russian Federation and called on the Member States to disassociate themselves from the illegal Mechanism, and to refrain from communicating with it, particularly in the light of the absence of consensus on the entire question of the Mechanism in the Committee on Programme and Coordination.

13. **Mr. Evseenko** (Belarus) said that his delegation had co-sponsored the amendment proposed by the Russian Federation, believing that – as the representative of the Syrian Arab Republic had indicated – the decision to establish the Mechanism had been taken in violation of the fundamental prerogatives of the Security Council. The issue of creating such international structures fell within the remit of that principal organ of the United Nations, which had responsibility for the maintenance of international peace and security. The resolution establishing the Mechanism had been adopted by the General Assembly in the absence of a consensus, and in the presence of substantial disagreements among delegations. Belarus consequently did not support the part of the resolution on programme planning which related to the financing of the Mechanism. Making appropriations available for the Mechanism from the regular budget in the knowledge that the Organization was facing serious financial challenges and without an attempt to find alternative sources of funding appeared counterproductive.

14. **Mr. Tavoli** (Islamic Republic of Iran) said that his delegation joined others in expressing its refusal to recognize the Mechanism, which had been established illegitimately and for political reasons supporting the interests of only a few countries. Providing funding for it from the regular budget was a violation of the Charter of the United Nations and the rules of procedure of the General Assembly.

*Draft resolution A/C.5/77/L.13: Programme planning*

15. **Mr. Al-Sulaiti** (Qatar) said that his delegation wished to propose an oral amendment to the draft resolution, consisting of the insertion of the following:

*Further approves the programme plan for programme 6, Legal affairs, of the proposed programme budget for 2023, as contained in the report of the Secretary-General (A/77/6 (Sect. 8));*

16. **Mr. Laputin** (Russian Federation) said that his delegation, which opposed the proposed oral amendment, wished to call for a recorded vote on it.

17. **Mr. Alshahin** (Syrian Arab Republic), speaking in explanation of vote before the voting, said that his delegation supported the request for a recorded vote made by the representative of the Russian Federation, and urged all delegations to vote against the oral amendment proposed by the representative of Qatar.

18. *At the request of the representative of the Russian Federation, a recorded vote was taken on the oral amendment to draft resolution A/C.5/77/L.13 proposed by the representative of Qatar.*

*In favour:*

Albania, Andorra, Argentina, Australia, Austria, Barbados, Belgium, Botswana, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Mauritania, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Myanmar, Netherlands (Kingdom of the), New Zealand, Norway, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Senegal, Slovakia, Slovenia, Spain, Sudan, Sweden, Switzerland, Thailand, Timor-Leste, Trinidad and Tobago, Türkiye, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Yemen.

*Against:*

Belarus, Bolivia (Plurinational State of), China, Congo, Cuba, Democratic People's Republic of Korea, Eritrea, Ethiopia, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Lao People's Democratic Republic, Mali, Nicaragua, Russian Federation, Sri Lanka, Syrian Arab Republic, Zimbabwe.

*Abstaining:*

Algeria, Angola, Armenia, Bahrain, Bangladesh, Bhutan, Bosnia and Herzegovina, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Côte d'Ivoire, Djibouti, Egypt, Gabon, Ghana, India, Indonesia, Iraq, Kenya, Lesotho, Libya, Mauritius, Mongolia, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Philippines, Rwanda,

Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Serbia, Sierra Leone, Singapore, South Africa, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zambia.

19. *The oral amendment was adopted by 88 votes to 18, with 46 abstentions.*

20. **Mr. Tur de la Concepción** (Cuba) said that his delegation wished to disassociate itself from the inclusion in the draft resolution on programme planning of references to the Mechanism, which his delegation considered an illegitimate structure violating the sovereignty and territorial integrity of the Syrian Arab Republic.

21. **Mr. Bayley Angeleri** (Bolivarian Republic of Venezuela) said that his delegation wished to echo the view expressed by the representative of Cuba. The Syrian Arab Republic had made no request for technical assistance that might validate the Mechanism, and its Government could not accept the use without its consent of evidence from outside the country's borders to justify the existence of that entity. The financial burden of supporting that illegitimate body, which was not subject to any rules, should not fall on the Organization. The General Assembly had illegitimately usurped the role of the Security Council, violating the Charter of the United Nations and the principle of non-interference in the affairs of the Member States. The Syrian Arab Republic had not given its assent to such an experiment.

22. **Ms. Muñoz Ponce** (Plurinational State of Bolivia) said that her delegation rejected the Mechanism, as it existed on the margins of the rules and regulations of the Organization and harmed the sovereignty of the Syrian Arab Republic. Accordingly, her delegation disassociated itself from all the references to the Mechanism in the draft resolution on programme planning.

23. **Mr. Kim Nam Hyok** (Democratic People's Republic of Korea) said that his delegation rejected the allocation of funding to the Mechanism, and disassociated itself from all the references to it in the draft resolution on programme planning. The Mechanism had been established in clear violation of the Charter of the United Nations and other international norms. There was no justification for allowing the Mechanism to operate within the United Nations system or for funding its activities from the regular budget of the Organization. The Syrian issue should be addressed in a peaceful manner, in conformity with the interests of the people of that country, without interference from entities such as the Mechanism.

24. **Mr. Evseenko** (Belarus) said that his country consistently opposed selective, country-specific, rights-related measures within the United Nations, and accordingly disassociated itself from all the references to the Mechanism in the draft resolution on programme planning

25. **Mr. Laputin** (Russian Federation), **Ms. Llano** (Nicaragua), **Mr. Cheng Lie** (China), **Mr. Hadgu** (Eritrea) and **Mr. Tavoli** (Islamic Republic of Iran) said that their delegations wished to disassociate themselves from the consensus on the draft resolution in connection with the wording relating to the Mechanism.

26. *Draft resolution [A/C.5/77/L.13](#), as orally amended, was adopted.*

#### **Agenda item 141: Pattern of conferences (continued)** ([A/C.5/77/L.17](#))

*Draft resolution [A/C.5/77/L.17](#): Pattern of conferences*

27. *Draft resolution [A/C.5/77/L.17](#) was adopted.*

#### **Agenda item 145: United Nations common system (continued)** ([A/C.5/77/L.21](#) and [A/C.5/77/L.22](#))

*Draft resolution [A/C.5/77/L.21](#): United Nations common system*

28. *Draft resolution [A/C.5/77/L.21](#) was adopted.*

*Draft resolution [A/C.5/77/L.22](#): Review of the jurisdictional set-up of the United Nations common system*

29. *Draft resolution [A/C.5/77/L.22](#) was adopted.*

#### **Agenda Item 146: United Nations pension system (continued)** ([A/C.5/77/L.14](#))

*Draft resolution [A/C.5/77/L.14](#): United Nations pension system*

30. *Draft resolution [A/C.5/77/L.14](#) was adopted.*

#### **Agenda item 148: Report on the activities of the Office of Internal Oversight Services (continued)** ([A/C.5/77/L.15](#))

#### **Agenda item 136: Review of the efficiency of the administrative and financial functioning of the United Nations (continued)** ([A/C.5/77/L.15](#))

*Draft resolution [A/C.5/77/L.15](#): Report on the activities of the Office of Internal Oversight Services*

31. *Draft resolution [A/C.5/77/L.15](#) was adopted.*



**Agenda item 149: Administration of justice at the United Nations (A/C.5/77/L.11)**

*Draft resolution A/C.5/77/L.11: Administration of justice at the United Nations*

32. *Draft resolution A/C.5/77/L.11 was adopted.*

**Agenda item 150: Financing of the International Residual Mechanism for Criminal Tribunals (A/C.5/77/L.18)**

*Draft resolution A/C.5/77/L.18: Financing of the International Residual Mechanism for Criminal Tribunals*

33. *Draft resolution A/C.5/77/L.18 was adopted.*

**Agenda item 138: Proposed programme budget for 2023 (continued)**

*Programme budget implications relating to the proposed programme budget for 2023 (A/C.5/77/L.19)*

*Draft decisions contained in document A/C.5/77/L.19: Programme budget implications relating to the programme budget for 2023*

34. **Ms. Zilbergeld** (Israel) said that the draft decision contained in section D of document [A/C.5/77/L.19](#) related to the programme budget implications of draft resolution [A/C.4/77/L.12/Rev.1](#), a resolution which was part of a wider campaign of systematic discrimination against Israel at the United Nations. The Palestinians were once again using the Organization to advance, and to force upon the international community, their anti-Israel agenda. During the Committee's consultations on the draft decisions contained in document [A/C.5/77/L.19](#), Israel had proposed that the programme budget implications of the resolution concerned should be fully absorbed and allocated no budget resources. That position remained unchanged. Her delegation therefore wished to call for a recorded vote on the draft decision contained in section D of document [A/C.5/77/L.19](#), intended to vote against that draft decision, and urged other delegations to do likewise.

35. **Mr. Durrani** (Pakistan), speaking on behalf of the Group of 77 and China, said that the position of the Group was in favour of the draft decision regarding the programme budget implications of draft resolution [A/C.4/77/L.12/Rev.1](#).

36. *At the request of the representative of Israel, a recorded vote was taken on the draft decision contained in section D of document A/C.5/77/L.19.*

*In favour:*

Algeria, Andorra, Angola, Argentina, Armenia, Azerbaijan, Bahrain, Bangladesh, Barbados, Belgium, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Cambodia, Chile, China, Colombia, Congo, Cuba, Cyprus, Democratic People's Republic of Korea, Denmark, Djibouti, Egypt, El Salvador, Finland, France, Gabon, Ghana, Greece, Grenada, Guyana, Haiti, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Liechtenstein, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Namibia, Netherlands (Kingdom of the), New Zealand, Nicaragua, Niger, Nigeria, North Macedonia, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Sierra Leone, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Trinidad and Tobago, Tunisia, Türkiye, United Arab Emirates, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:*

Albania, Czechia, Democratic Republic of the Congo, Guatemala, Hungary, Israel, Liberia, Marshall Islands, Micronesia (Federated States of), Palau, Papua New Guinea, Republic of Korea, Togo.

*Abstaining:*

Australia, Austria, Belarus, Bosnia and Herzegovina, Bulgaria, Burundi, Canada, Côte d'Ivoire, Croatia, Czechia, Dominican Republic, Eritrea, Estonia, Ethiopia, Fiji, Georgia, Germany, Honduras, India, Italy, Latvia, Lithuania, Madagascar, Panama, Republic of Moldova, Romania, Rwanda, Serbia, Singapore, Slovakia, Solomon Islands, Thailand, Timor-Leste, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay.

37. *The draft decision contained in section D of document A/C.5/77/L.19 was adopted by 105 votes to 13, with 37 abstentions.*

38. **Ms. Wong** (Australia) said that Australia's abstention in the vote on the draft decision contained in section D of document [A/C.5/77/L.19](#) had been

motivated by its belief that a request to the International Court of Justice to provide an advisory opinion on a series of issues was not justified. For that reason, and because it opposed the resolution's clear bias against Israel, it had voted against draft resolution [A/C.4/77/L.12/Rev.1](#) in the Fourth Committee. A referral to the International Court of Justice would be unhelpful in bringing the parties together for negotiation. Australia's established position was that the advisory jurisdiction of the International Court of Justice should not be used to address bilateral disputes. However, Australia respected the fact that the mandate in the draft resolution had been agreed in the Fourth Committee. The country's long-standing, principled, position was to support the allocation of resources for human rights matters even in the event that it did not support the mandate in question, and to seek consensus in the Fifth Committee. Australia was committed to advancing human rights throughout the world, and to a strong multilateral human rights system. That commitment reflected its national values and was a fundamental principle of the country's engagement with the international community.

39. **Mr. den Hartog** (Kingdom of the Netherlands) said that the Fifth Committee should refrain from political discussions belonging in other forums of the Organization. Once a resolution had been approved by the General Assembly, it was as a matter of principle the responsibility of the Fifth Committee to ensure that the necessary funding was provided for full and adequate implementation of that resolution. His delegation had therefore voted in favour of the draft decision contained in section D of document [A/C.5/77/L.19](#).

40. **Mr. Kasabri** (Observer for the State of Palestine) said that his delegation expressed its gratitude to all delegations that had voted in favour of the draft decision contained in section D of document [A/C.5/77/L.19](#). That reflected the view of the overwhelming majority of Member States that the right of the General Assembly to request an advisory opinion from the International Court of Justice should not be obstructed by manipulating the financial process and by attempting to deny that Court the resources required to perform the duties for which a mandate had been established. The attempt to create such an obstruction had failed completely. For many Member States, the vote had been an indication of their principled support for Palestine and its people.

41. His delegation thanked the Committee for supporting the ability of the International Court of Justice to carry out its duties, including, in the present case, the duty to respond to a request from the General Assembly for an advisory opinion on the ongoing violation of the right to self-determination of the

Palestinian people, on the prolonged occupation, settlement and annexation of their land, and on discriminatory measures and legislation against them. Once the General Assembly adopted the draft resolution, as his delegation did not doubt that it would, the matter would be in the hands of the International Court of Justice. His delegation trusted that all States that abided by international law would honour the opinion of the Court, once it had been issued, regardless of their position on the request of the General Assembly.

42. *The remaining draft decisions contained in document [A/C.5/77/L.19](#) were adopted.*

43. **Ms. Zilbergeld** (Israel) said that her delegation wished to disassociate itself from the consensus in connection with the draft decision contained in section D of document [A/C.5/77/L.19](#), disagreeing with the inclusion in that section of the programme budget implications of draft resolution [A/C.4/77/L.12/Rev.1](#), and rejecting the request to the International Court of Justice to provide an advisory opinion.

*Questions relating to the proposed programme budget for 2023 ([A/C.5/77/L.6](#), [A/C.5/77/L.8](#), [A/C.5/77/L.20](#) and [A/C.5/77/L.26](#))*

*Draft resolution [A/C.5/77/L.8](#): Proposed programme budget for 2023: Section 8, Legal affairs*

44. **Mr. Laputin** (Russian Federation), speaking also on behalf of Belarus, China, Cuba, the Democratic People's Republic of Korea, Equatorial Guinea, Eritrea, Iran (Islamic Republic of), Kazakhstan, Nicaragua, the Syrian Arab Republic, Venezuela (Bolivarian Republic of) and Zimbabwe, introducing the draft resolution, said that, pursuant to the amendment contained in it, all narratives and references regarding the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 would be deleted from the proposed programme budget for 2023, and financing for the Mechanism would therefore be denied. There were a number of reasons for the proposed amendment. The Mechanism had no mandate, as General Assembly resolution [71/248](#) was null and void. The General Assembly had unlawfully exercised the role of the Security Council, in continued violation of the Charter of the United Nations, in particular its provisions regarding non-interference in the internal affairs of States. The Government of the Syrian Arab Republic had not consented to that experiment.

45. The Mechanism was undertaking a politically motivated investigation outside the framework of



international law and the Charter of the United Nations. The investigation's results, or rather purported results, bore no relationship to justice. The Russian Federation did not recognize the Mechanism. Accordingly, he counted on all other delegations to support the proposed amendment.

46. **Mr. Alshahin** (Syrian Arab Republic) said that his delegation wished to reiterate its position, which had not changed. General Assembly resolution 71/248 did not take due account of the prerogatives of United Nations organs, and contained principles which were not backed by a consensus. A number of Member States which had called for the establishment of the Mechanism had governments which had, directly or indirectly, supported and armed terrorist groups in Syria. Some Member States had turned a blind eye to terrorists passing through their territories, on their way to enter Syria and destabilize the situation there.

47. He wished to ask a very logical question. Did any member of the United Nations expect the Syrian Arab Republic to agree to the collection of evidence by an entity thousands of kilometres from its borders and established without consulting it or obtaining its consent? Despite the circumstances brought by a terrorist war against it, the Syrian Arab Republic was proud of its judicial and security institutions. It had the capability and the will to bring about reconciliation and accountability, not through a Geneva-based Mechanism which gathered evidence without adhering to United Nations or international or national procedural or legal standards. His delegation therefore called on all Member States to support the amendment proposed by the representative of the Russian Federation.

48. **Mr. Zelený** (Czechia), speaking on behalf of the European Union and its member States and, in addition, Albania, Andorra, Georgia, Monaco, Montenegro, North Macedonia and the Republic of Moldova, said that the European Union regretted the submission of draft resolution A/C.5/77/L.8 and wished it to be put to a recorded vote. The Fifth Committee, as the Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters, should ensure that the mandates established by the Member States and other legislative forums were fully implemented and, to that end, ensure adequate resources for those mandates. The European Union and its member States strongly believed that the requirement to fund the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 from the regular budget was unequivocal.

49. The General Assembly had established the mandate of the Mechanism in its resolution 71/248. In paragraph 35 of its resolution 72/191, the Assembly had called on the Secretary-General to include the funding necessary for the Mechanism in his budget proposal for 2020. Should draft resolution A/C.5/77/L.8 be adopted, the Mechanism would be deprived of all funding and would be unable to deliver on its important mandate. That would violate the decisions of the General Assembly. Accordingly, the European Union called on all delegations to vote against that draft resolution.

*Statements made in explanation of vote before the voting*

50. **Mr. Al-Sulaiti** (Qatar) said that the programme of work of the Committee had been established in order to ensure funding through the regular budget. His delegation intended to vote against the draft resolution.

51. *At the request of the representative of Czechia on behalf of the European Union member States, a recorded vote was taken on draft resolution A/C.5/77/L.8.*

*In favour:*

Belarus, Bolivia (Plurinational State of), China, Cuba, Democratic People's Republic of Korea, Eritrea, Ethiopia, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Lao People's Democratic Republic, Mali, Nicaragua, Russian Federation, Sri Lanka, Syrian Arab Republic, Tajikistan, Zimbabwe.

*Against:*

Albania, Andorra, Argentina, Australia, Austria, Barbados, Belgium, Botswana, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Netherlands (Kingdom of the), New Zealand, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, Timor-Leste, Trinidad and Tobago, Türkiye, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Yemen.

*Abstaining:*

Algeria, Angola, Armenia, Bahrain, Bangladesh, Bhutan, Bosnia and Herzegovina, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Côte d'Ivoire, Djibouti, Egypt, Fiji, Gabon, Ghana, Grenada, Haiti, India, Indonesia, Iraq, Jordan, Kenya, Lesotho, Libya, Madagascar, Mauritius, Mongolia, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Paraguay, Philippines, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, South Africa, Sudan, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zambia.

52. *The draft resolution was rejected by 82 votes to 18, with 54 abstentions.*

*Draft resolution A/C.5/77/L.6: Revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its forty-ninth, fiftieth and fifty-first regular sessions, and at its thirty-fourth special session: Human Rights Council Resolution 51/27, Situation of human rights in Ethiopia*

53. **Ms. Minale** (Ethiopia), introducing the draft resolution, said that it proposed that no resources be allocated for the International Commission of Human Rights Experts referred to in Human Rights Council resolution 51/27 of 7 October 2022, entitled "Situation of human rights in Ethiopia". Ethiopia attached the utmost importance to the respect, protection and fulfilment of human rights. Its legal framework, including the country's Constitution and civil, criminal and administrative legislation, and its institutional framework, advanced the cause of full realization of human rights. Although the country had not yet attained its full potential and aspirations, it was enhancing its efforts and securing progress. Its experience in November 2020, with the Ethiopian National Defence Forces coming under attack by local actors connected with a destructive foreign agenda from near and far, had marked a critical juncture in the country's history. Her delegation did not doubt that other delegations were keenly observing subsequent developments in order to influence the strategic future of the Horn of Africa. A prominent characteristic of such efforts was instrumentalization of every aspect of international cooperation: security, trade, humanitarian cooperation, development finance and human rights. As her delegation had said in the past, every African country, and every developing country, was or would be the target of that obsolete approach. For that reason, African and other developing-country members of the Human Rights Council had voted against resolution 51/27.

54. While Ethiopia believed that States were the only, and the primary, actors in the effort to achieve human rights, it valued, and had acquired substantial benefit from, international cooperation in a wide range of areas. For that reason, at the most delicate time its modern history, in the immediate aftermath of an attack against the Ethiopia's largest military base, the Ethiopian Human Rights Commission had signed a memorandum of understanding to facilitate the conduct of joint investigations into alleged human rights violations. The Government had provided all the requisite cooperation for the conduct of the investigation. Once the report of the International Commission of Human Rights Experts had been released, Ethiopia had agreed – despite serious reservations regarding several of its elements – to implement the recommendations made. The country had continued to work with the office of the High Commissioner for Human Rights to complement the activities of the interministerial task force. The joint work between the Ethiopian Human Rights Commission and the office of the High Commissioner for Human Rights had been promising. At the time that the proponents of resolution 51/27 had proposed it, talks had been under way to extend the existing cooperation. Unfortunately, The Human Rights Council resolution had scuttled that positive development.

55. That situation notwithstanding, the Ethiopian authorities had not abandoned their commitment to human rights and international cooperation and, in that spirit had invited the International Commission of Human Rights Experts to the country, in order to explore avenues of joint work. To the authorities' complete surprise, the Commission had rejected that offer. What was more, six months on from its week-long visit to Ethiopia, the Commission had openly accused that country, and others, of hostility. That would surely cause shock to anyone. The Commission had proceeded to produce an extremely professionally deficient and politicized report that was merely a compilation of media reports. It had made recommendations that simply relied on a blueprint of abominations used against any African country. It had exceeded its mandate and purported to replace the institutions of the State.

56. The Commission had been established for a political purpose; Ethiopia did not expect any professionalism or functional independence from it. Since its establishment in 2021, it had so far had three chairpersons in the space of a year. The futile efforts to give it credibility by continuing to appoint African chairpersons would not work. Ethiopia hoped that the new appointee as chairperson would exhibit maximum integrity and professionalism. The Office of the High Commissioner for Human Rights – as the secretariat for

the International Commission of Human Rights Experts – should not compromise its integrity for sake of an initiative that had been established for political reasons, and would be disbanded for similar reasons.

57. In the quest to preserve freedom and sovereign integrity, which Ethiopia valued highly, the country was faced with, and continued to brace for, unjust treatment and external hostility. Those profiting from the country's crisis, including scavenging elements that fed the hostility towards Ethiopia, were powerless against its people's perseverance. Her delegation urged the members of the Committee to put a stop to the ongoing unlawful practice. In the face of the obliteration of all the principles that purported to guide the multilateral platform of the Organization, the General Assembly could not possibly turn a blind eye, and countenance financing what was a political initiative by a particular bloc of States. A vote in favour of the draft resolution proposed by Ethiopia would at least reassert the existence of a check over those that held to a policy of politicization and instrumentalization of human rights.

58. **Mr. Zelený** (Czechia), speaking on behalf of the European Union and its member States and, in addition, Albania, Andorra, Georgia, Monaco, Montenegro, North Macedonia and the Republic of Moldova, said that the European Union regretted the submission of draft resolution [A/C.5/77/L.6](#) and wished it to be put to a recorded vote. The Fifth Committee, as the Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters, should ensure that the mandates established by the legislative forums were fully implemented and, to that end, ensure adequate resources for those mandates. In order to comply with that duty, the Fifth Committee must abide by the resolutions and decisions establishing such mandates. It was not its role to renegotiate them. The Committee was examining the request to provide funding for the International Commission of Human Rights Experts which had been established by Human Rights Council resolution [S-33/1](#) of 17 December 2021 and whose mandate had been renewed at the fifty-first session of the Human Rights Council on 7 October 2022. The proposal in draft resolution [A/C.5/77/L.6](#) was to de-fund the Commission completely; that would result in the Commission being unable to deliver on its mandates. Believing that the proposal was therefore in direct violation of a decision of the Human Rights Council, the European Union called on all Member States to vote against it.

59. *At the request of the representative of Czechia on behalf of the European Union member States, a recorded vote was taken on draft resolution [A/C.5/77/L.6](#).*

*In favour:*

Algeria, Angola, Belarus, Burkina Faso, Cameroon, Chad, China, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Eritrea, Ethiopia, Gabon, Iran (Islamic Republic of), Kenya, Madagascar, Mali, Mauritius, Morocco, Nicaragua, Philippines, Russian Federation, Senegal, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Uganda, United Arab Emirates, Zimbabwe.

*Against:*

Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Netherlands (Kingdom of the), New Zealand, North Macedonia, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, Timor-Leste, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

*Abstaining:*

Bahrain, Bangladesh, Barbados, Bhutan, Bolivia (Plurinational State of), Brunei Darussalam, Burundi, Egypt, Fiji, Ghana, Grenada, Haiti, India, Indonesia, Iraq, Israel, Jordan, Kuwait, Lebanon, Lesotho, Libya, Malaysia, Maldives, Mongolia, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Sierra Leone, Singapore, Solomon Islands, South Africa, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, United Republic of Tanzania, Uzbekistan, Yemen, Zambia.

60. *The draft resolution was rejected by 71 votes to 32, with 50 abstentions.*

*Draft resolution A/C.5/77/L.20: Revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its forty-ninth, fiftieth and fifty-first regular sessions, and at its thirty-fourth and thirty-fifth special sessions, in 2022*

61. **Mr. Laputin** (Russian Federation), speaking also on behalf of Belarus, China, the Democratic People's Republic of Korea, Eritrea, Iran (Islamic Republic of), Nicaragua, the Syrian Arab Republic and Venezuela (Bolivarian Republic of), introducing the draft resolution, said that it sought to deny the allocation of resources from the regular budget in connection with a series of resolutions of the Human Rights Council. The proposed wording was aimed at ensuring that the Organization's entire membership of 193 countries did not bear the cost of implementing politically motivated resolutions directed at Belarus, the Democratic People's Republic of Korea, Eritrea, Iran, Nicaragua, Russia, Syria and Venezuela. Unfortunately, the work of the Human Rights Council had been affected by inconsistency and double standards. His delegation's position on Human Rights Council resolutions 49/1, S-34/1 and 51/25 had been set out in detail at the time of the presentation of the relevant reports to the Fifth Committee (see A/C.5/77/SR.23, paras. 26 and 27). The Russian Federation categorically rejected the principle of providing funding from the regular budget of the Organization for any of the resolutions indicated in draft resolution A/C.5/77/L.20, including 49/1, S-34/1 and 51/25, and wished to urge all Member States to lend their support by voting in favour of the draft resolution.

62. **Mr. Alshahin** (Syrian Arab Republic) said that his delegation wished to point out that the General Assembly, in establishing the Human Rights Council through its resolution 60/251, had sought to confirm human rights as universal, inalienable and interdependent. All human rights should be addressed fairly and on an equal footing, with the same interest and attention devoted to all of them. However, since the establishment of the Human Rights Council, the situation in practice had been that some Western States approached its business in a politicized and selective way, applying double standards when dealing with human rights issues, and pursuing their political aims by focusing on particular cases in particular countries while turning a blind eye to serious human rights violations in similar cases in other countries. Like previous Human Rights Council resolutions against Syria, resolution 49/27 was yet another example of politicized practice and methods being funded from the regular budget of the Organization to serve the interests of countries that were seeking to intervene in the internal affairs of that country.

63. Furthermore, the resolution had built on the outcomes of the so-called International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, which had failed to be either impartial or independent. The Mechanism served the interests of its proponents, while failing to address the root causes of the situation in Syria and simply directing accusations at its Government, as part of a campaign to mislead and falsify. The resolution claimed to seek protection of the sovereignty and territorial integrity of the Syrian Arab Republic, but in fact worked against those principles. The human rights situation which the resolution purported to address was a result of specific factors, including terrorism that continued to threaten the lives of Syrians and that received funding from the parties that had sponsored, and drafted the language of, the resolution. Those parties promoted embargoes and the looting of the country's natural resources and wealth. Those factors had not been addressed by the resolution on the Independent International Commission of Inquiry on the Syrian Arab Republic. For those reasons, his delegation rejected resolution 49/27. It called on all other delegations to reject double standards, to refrain from politicizing human rights, and to vote in favour of draft resolution A/C.5/77/L.20.

64. **Mr. Zelený** (Czechia), speaking on behalf of the European Union and its member States and, in addition, Albania, Andorra, Georgia, Monaco, Montenegro, North Macedonia and the Republic of Moldova, said that the European Union regretted the submission of draft resolution A/C.5/77/L.20 and wished it to be put to a recorded vote. The duty of the Fifth Committee was to ensure that the mandates established by the legislative forums of the Organization, including the Human Rights Council, were fully implemented and, to that end, ensure adequate resources for those mandates. In order to comply with that duty, the Fifth Committee must abide by the resolutions and decisions establishing such mandates. The proposal in draft resolution A/C.5/77/L.20 was to de-fund a series of Human Rights Council mandates completely; that would result in those mandates not being implemented. Believing that the proposal was therefore in direct violation of a decision of the Human Rights Council, the European Union called on all Member States to vote against it.

65. *At the request of the representative of Czechia on behalf of the European Union member States, a recorded vote was taken on draft resolution A/C.5/77/L.20.*



*In favour:*

Belarus, Bolivia (Plurinational State of), China, Cuba, Democratic People's Republic of Korea, Equatorial Guinea, Eritrea, Ethiopia, Iran (Islamic Republic of), Mali, Nicaragua, Russian Federation, Sri Lanka, Syrian Arab Republic, Zimbabwe.

*Against:*

Albania, Andorra, Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Chile, Colombia, Congo, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Netherlands (Kingdom of the), New Zealand, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Senegal, Slovakia, Slovenia, Spain, Sweden, Switzerland, Timor-Leste, Türkiye, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

*Abstaining:*

Algeria, Angola, Bahrain, Bangladesh, Barbados, Bhutan, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Côte d'Ivoire, Djibouti, Egypt, Grenada, Haiti, India, Indonesia, Iraq, Jordan, Kazakhstan, Kenya, Lebanon, Lesotho, Libya, Madagascar, Malaysia, Maldives, Mauritania, Mauritius, Mongolia, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Philippines, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Sierra Leone, Singapore, Solomon Islands, South Africa, Sudan, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Yemen, Zambia.

66. *The draft resolution was rejected by 80 votes to 15, with 57 abstentions.*

67. **Mr. Al-Sulaiti** (Qatar) said that his delegation, because of its commitment to the Human Rights Council and the important role of the latter as a pillar of the Organization, had voted against the draft resolution. As a current member of the Human Rights Council, Qatar

had undertaken to respect decisions and resolutions of that body, to respect the mechanisms established by it, and to ensure the provision of the resources needed for the Human Rights Council to fulfil its mandate.

68. **Ms. Llano** (Nicaragua) said that her delegation reiterated its firm rejection of the politicized double standards seen in the Human Rights Council, with Western nations attacking and violating the sovereignty of developing countries which would not submit to their imperialist interests and agenda. Nicaragua, as a free and sovereign country, reaffirmed that it did not recognize, and entirely repudiated, the Human Rights Council, because it was biased and illegitimate, and established entities which violated Nicaragua's sovereignty, in step with the intentions of the imperialist powers. Nicaragua was moving forward with public policies aimed at protecting the human rights of all of its people, despite the imposition of illegal and inhuman unilateral coercive measures, which were a crime against humanity. Her delegation had voted in favour of the draft resolution, seeking to deny funding for the implementation of Human Rights Council resolution 49/3 concerning Nicaragua and for the implementation of other country-specific resolutions.

69. **Mr. Evseenko** (Belarus) said that his delegation wished to reiterate that it did not recognize the Human Rights Council resolution on the situation of human rights in Belarus in the run-up to the 2020 presidential election and in its aftermath, or the resolution on the situation of human rights in Belarus. Belarus had consistently opposed the instrumentalization of the work of the Human Rights Council through selective establishment of country-specific mechanisms. Also a matter of considerable concern was the approach of the Office of the High Commissioner for Human Rights to the implementation of mandates conferred on it by a number of resolutions, as its actions had been worsening the climate of distrust provoked in particular by the recent instance of financial misconduct allowed by its representative in Belarus. In the current circumstances, Belarus did not consider cooperation of any kind with the Office in the matter of implementation of those resolutions to be possible or productive. Belarus likewise did not recognize the mandate of the Special Rapporteur on the situation of human rights in Belarus, had maintained that position, and had prevented the work of the Special Rapporteur from proceeding.

70. Approximately 1.2 billion people were living in abject poverty, on less than \$1.90 per person per day. About half of that total – 593 million – continued to have no access to electricity or to environmentally sound sources of cooking fuel. The world had still not recovered from the Covid-19 pandemic, and was



experiencing the most severe economic slump since the Great Depression, worsened by armed conflict, climate change and a loss of biodiversity. Against that background, the unfounded allocation of millions of dollars from the regular budget of the Organization for what were termed country-specific mandates was not just a waste, but a financial crime.

*Draft report of the Fifth Committee*  
(A/C.5/77/L.9, A/C.5/77/L.10, A/C.5/77/L.23,  
A/C.5/77/L.24, A/C.5/77/L.25 and A/C.5/77/L.26)

71. **The Chair** said that he wished to draw the attention of the Committee to the draft report of the Fifth Committee, contained in document A/C.5/77/L.26, and to invite the Committee to take action on the recommendations in section II thereof.

*Draft resolution I: Questions relating to the proposed programme budget for 2023 (A/C.5/77/L.23)*

72. **Mr. Zelený** (Czechia), speaking on behalf of the European Union and its member States and, in addition, Albania, Andorra, Georgia, Monaco, Montenegro, North Macedonia and the Republic of Moldova, said that he wished to propose an oral amendment to draft resolution I, in order to ensure full funding of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, and consisting of the insertion of the following paragraphs:

*Takes note* of paragraphs III.64, III.65, III.66 and III.67 of the report of the Advisory Committee;

*Decides* that regular budget resources for the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 under section 8, Legal affairs, for 2023, amount to 17,129,200 dollars before recosting.

With those resources, the Mechanism would be able to deliver on its mandates fully. He called on all delegations to support the proposed amendment.

73. **Mr. Laputin** (Russian Federation) said that his delegation, which opposed the proposed oral amendment, wished to call for a recorded vote on it.

*Statement made in explanation of vote before the voting*

74. **Mr. Alshahin** (Syrian Arab Republic) said that the position of his delegation on the Mechanism remained unchanged, and it could therefore not accept the oral amendment proposed. It supported the request for a recorded vote made by the representative of the Russian Federation.

75. *At the request of the representative of the Russian Federation, a recorded vote was taken on the oral amendment to draft resolution A/C.5/77/L.23 proposed by the representative of Czechia on behalf of the European Union member States.*

*In favour:*

Albania, Andorra, Argentina, Australia, Austria, Barbados, Belgium, Botswana, Brazil, Bulgaria, Canada, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Netherlands (Kingdom of the), New Zealand, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, Timor-Leste, Trinidad and Tobago, Türkiye, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Yemen.

*Against:*

Belarus, Bolivia (Plurinational State of), Cameroon, China, Cuba, Democratic People's Republic of Korea, Equatorial Guinea, Eritrea, Ethiopia, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Lao People's Democratic Republic, Mali, Nicaragua, Russian Federation, Sri Lanka, Syrian Arab Republic, Zimbabwe.

*Abstaining:*

Algeria, Angola, Armenia, Bahrain, Bangladesh, Bhutan, Bosnia and Herzegovina, Brunei Darussalam, Burkina Faso, Burundi, Djibouti, Egypt, Fiji, Gabon, Ghana, Grenada, Haiti, India, Indonesia, Iraq, Jordan, Kenya, Lesotho, Libya, Madagascar, Mauritania, Mauritius, Mongolia, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Paraguay, Philippines, Rwanda, Saint Lucia, Saint

Vincent and the Grenadines, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, South Africa, Sudan, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zambia.

76. *The oral amendment was adopted by 84 votes to 19, with 53 abstentions.*

77. *Draft resolution [A/C.5/77/L.23](#), as orally amended, was adopted.*

78. **Ms. Zilbergeld** (Israel) said that her delegation wished to disassociate itself from the consensus on the draft resolution in respect of approval of the level of resources for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) proposed by the Secretary-General, and in respect of the reference in the draft resolution to the resolution of the Fourth Committee proposing the allocation of resources to UNRWA from the regular budget. Despite numerous reports, and condemnation from the international community, UNRWA had shown no willingness nor taken any practical steps to alter its education system. For that reason, Israel objected to the allocation to UNRWA of additional funding.

79. The Agency indoctrinated Palestinian children by using textbooks which included incitement, hatred and antisemitism, and which supported acts of terror against Israel's civilian population. It refused to take any responsibility for using such material, refused to take concrete action to remove that material, and claimed that it was operating in accordance with United Nations standards. Those standards required that learning for children under the care of a United Nations aid agency must be in line with the local education system; consequently, UNRWA claimed that it had no control over textbooks provided by the Palestinian Authority. That was no more than an excuse. Under no circumstances should UNRWA receive a blank cheque of funds from international taxpayers to indoctrinate Palestinian children with messages of antisemitism, hostility and terrorism.

80. It was clear that UNRWA wished to avoid confronting a dysfunctional Palestinian Authority in Judea and Samaria, just as it wished to avoid condemning Hamas, an organization designated as terrorist, which ruled the Gaza Strip, using its own people as human shields and digging terror tunnels under UNRWA schools. Israel called on UNRWA, which had proven to be an irresponsible and unethical United Nations agency, to take immediate action to halt the use of one-sided propaganda, to begin taking responsibility, and to put an end to the incitement and hatred that filled its school curricula.

81. **Mr. Laputin** (Russian Federation), **Mr. Cheng Lie** (China), **Mr. Kim Nam Hyok** (Democratic People's Republic of Korea), **Mr. Tur de la Concepción** (Cuba), **Mr. Evseenko** (Belarus), **Mr. Bayley Angeleri** (Bolivarian Republic of Venezuela), **Ms. Muñoz Ponce** (Plurinational State of Bolivia), **Mr. Tavoli** (Islamic Republic of Iran), **Mr. Hadgu** (Eritrea) and **Ms. Llano** (Nicaragua) said that their delegations wished to disassociate themselves from the consensus on the draft resolution in connection with the provisions regarding the financing of what was termed the International, Impartial and Independent Mechanism, for the reasons that they had explained earlier in the current meeting.

82. **Mr. Alshahin** (Syrian Arab Republic) said that his delegation disassociated itself fully from the consensus with respect to the funding of the Mechanism from the regular budget of the Organization. The Syrian Arab Republic would fulfil its financial obligations to the United Nations in 2023 accordingly. That entity was not connected in any way with the Syrian Arab Republic, and served only as a pretext for certain countries to burden Syria with funding the Mechanism. The Organization should disassociate itself from the Mechanism. Cooperation with the Government of the Syrian Arab Republic was important in the field of humanitarian aid, which should be delivered via the legitimate crossing points and within Syria, as its Government was the principal partner in the distribution of such aid to the citizens of the country, wherever in the country they were located.

*Draft resolution II: Special subjects relating to the proposed programme budget for 2023 ([A/C.5/77/L.24](#))*

83. **Mr. Tur de la Concepción** (Cuba) said that, in connection with section V of the draft resolution, relating to estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council, his delegation had been pointing out for over a decade that there was no legal basis for activities relating to the responsibility to protect, because there was no intergovernmental agreement, negotiated by the Member States, to define the scope and implementation of that concept. As his delegation had pointed out in the past, it was unacceptable for the position of the Special Advisor to the Secretary-General on the Responsibility to Protect not to be backed by a legislative mandate from the Member States, and for that position to be funded from the regular budget of the Organization. Consequently, a considerable number of Member States voiced their reservations every year on the subject of that position.

84. There were serious irregularities in the financing of the position, as the expenditure concerned was not justified in the requisite manner by the Special Adviser's duties. The programme of work of the office of the Special Adviser to the Secretary-General on the Prevention of Genocide made not one single reference to, and failed to describe the responsibilities conferred on, the Special Advisor to the Secretary-General on the Responsibility to Protect. In proposing an oral amendment to the draft resolution, his delegation was not in any way seeking to undermine the functions or funding of the office of the Special Adviser to the Secretary-General on the Prevention of Genocide; that office was fully supported by the Government of Cuba, in line with its principled stand against genocide. The budget estimates and related narrative for the Special Adviser on the Responsibility to Protect should be removed from the budget document until the General Assembly took decisions on the concept, its implementation and scope, and other related matters.

85. He proposed that two new preambular paragraphs and two new operative paragraphs be inserted in section V of draft resolution [A/C.5/77/L.24](#). The first new preambular paragraph would read, "*Recalling* that the General Assembly has not decided on the concept of responsibility to protect, its scope, implications and possible forms of implementation"; the second new preambular paragraph would read, "*Noting* that the estimates for thematic cluster I comprise narratives, functions, strategy and external factors, results, performance measures, deliverables and other information related to the Special Adviser to the Secretary-General on the Responsibility to Protect". The first new operative paragraph would read, "*Decides* to eliminate the narratives, functions, strategy and external factors, results, performance measures, deliverables and other information related to the Special Advisor to the Secretary-General on the Responsibility to Protect, as contained in the strategic framework and the related narratives of the Office of the Special Adviser to the Secretary-General on the Prevention of Genocide ([A/77/6 \(Sect. 3\)/Add.2](#))"; the second new operative paragraph would read, "*Requests* the Secretary-General to issue a corrigendum to his report [A/77/6 \(Sect. 3\)/Add.2](#)". He asked delegations to consider, and vote in favour of, the proposed oral amendment, with a view to ensuring that appropriate funding was provided for mandates that were the subject of intergovernmental consensus.

86. **Mr. Zelený** (Czechia), speaking on behalf of the European Union and its member States and, in addition, Albania, Andorra, Georgia, Monaco, Montenegro, North Macedonia and the Republic of Moldova, said

that the European Union regretted the submission of the proposed oral amendment to draft resolution [A/C.5/77/L.24](#), and wished it to be put to a recorded vote. The Fifth Committee, as the Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters, should ensure that the mandates established by the Member States and other legislative forums were fully implemented and, to that end, should ensure the provision of adequate resources.

87. The mandate of the Office of the Special Adviser to the Secretary-General on the Prevention of Genocide had been approved in Security Council resolution [1366 \(2001\)](#). It was the responsibility of the Committee to ensure that that Office was able to implement effectively its mandate and all of the functions related to the Office. The proposed oral amendments would greatly reduce the capacity of the Office to do so, and would in particular hamper the performance of that mandate by the Office in close collaboration with other United Nations entities, particularly the Special Adviser on the Responsibility to Protect, who focused on developing the conceptual, political and operational aspects of the responsibility to protect. The European Union would vote against the proposed amendments, and called on other delegations to do likewise.

*Statements made in explanation of vote before the voting*

88. **Ms. Muñoz Ponce** (Plurinational State of Bolivia) said that her delegation supported, and would vote in favour of, the oral amendment proposed by the representative of Cuba. The establishment of the post concerned lacked a clear mandate from the Member States. While her delegation recognized the importance of the responsibility to protect, no intergovernmental agreement on the definition of that concept had been reached to date. Allocating resources indirectly and appointing a Special Adviser to the Secretary-General on the Responsibility to Protect was inconsistent with the principles of, and practice within, the Organization.

89. **Mr. Evseenko** (Belarus) said that his delegation would vote in favour of the oral amendment proposed by the representative of Cuba, believing that the controversial concept of the responsibility to protect did not have universal support, and had been adopted without consensus. There were many questions regarding its implementation, its lack of a legal basis, and its operation, and suspicion that it might be used for political ends. For those reasons, his delegation could not support the portion of the proposed programme budget devoted to the responsibility to protect.

90. **Mr. Tavoli** (Islamic Republic of Iran) said that although supporting any lawful action against the crime of genocide was a principled position of the Islamic Republic of Iran, his country believed that the appointment of the Special Adviser to the Secretary-General on the Responsibility to Protect had been discussed only by the Secretary-General and the Security Council, and that it lacked the backing of any intergovernmental agreement. Moreover, the inclusion of the item in the agenda of the General Assembly lacked consensus. For those reasons, his delegation supported the oral amendment proposed by the representative of Cuba.

91. **Mr. Kim Nam Hyok** (Democratic People's Republic of Korea) said that his delegation supported, and would vote in favour of, the oral amendment proposed by the representative of Cuba. As members of the Committee were aware, there was still no consensus among the Member States on the concept of the responsibility to protect, and there was therefore no legal basis for activities in that connection. Resources should only be allocated for a Special Adviser on the Responsibility to Protect once the General Assembly had reached a decision on the concept by consensus.

92. **Ms. Llano** (Nicaragua) said that her delegation fully supported the oral amendment proposed by the representative of Cuba, being firmly opposed to the provision of resources for the Special Adviser to the Secretary-General on the Responsibility to Protect, whose appointment had not been backed by an intergovernmental decision. Nicaragua stood alongside the international community and the United Nations in its principled opposition to genocide, war crimes, ethnic cleansing and crimes against humanity. However, it continued to maintain that the responsibility to protect came with a genuine risk of manipulation by interventionists in disguise seeking to justify by various means the use of interference and force to destabilize and replace legitimate governments. She called on all delegations to vote in favour of the proposed oral amendment.

93. **Mr. Alshahin** (Syrian Arab Republic) said that his delegation supported the oral amendment proposed by the representative of Cuba. The concept of the responsibility to protect was a controversial one, and it had not gathered any intergovernmental consensus. The General Assembly had yet to adopt a resolution to define the scope, implications and method of implementation of the responsibility to protect. Some States could exploit the responsibility to protect to interfere in the internal affairs of other States, in blatant violation of the principles of the Charter of the United Nations, in

particular national sovereignty and of respect for the territorial integrity of the Member States.

94. **Mr. Cheng Lie** (China) said that his delegation supported, and would vote in favour of, the oral amendment proposed by the representative of Cuba. The concept of the responsibility to protect was highly controversial and had been prone to distortion. The allocation of resources for a Special Adviser to the Secretary-General on the Responsibility to Protect would have a negative effect.

95. **Mr. Bayley Angeleri** (Bolivarian Republic of Venezuela) said that his delegation fully supported the oral amendment proposed by the representative of Cuba. The post of Special Adviser to the Secretary-General on the Responsibility to Protect did not have its roots in any resolution expressly requesting its establishment. The description of the activities that such a Special Adviser would carry out, provided in the relevant report of the Secretary-General, suffered from omissions, and lacked detail about the posts that would report directly to the Special Adviser and the operating costs related directly to the Special Adviser. The General Assembly had not adopted any decision on the concept, scope, application, implications or method of implementation of the responsibility to protect. His delegation would consequently vote in favour of the proposed amendment.

96. **Mr. Laputin** (Russian Federation) said that his delegation shared the views expressed by the representative of Cuba on the controversial concept of the responsibility to protect and supported the proposed oral amendment.

97. *At the request of the representative of Czechia on behalf of the European Union member States, a recorded vote was taken on the oral amendment to section V of draft resolution A/C.5/77/L.24 proposed by the representative of Cuba.*

*In favour:*

Belarus, Bolivia (Plurinational State of), Burkina Faso, Cambodia, Cameroon, China, Congo, Cuba, Democratic People's Republic of Korea, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Haiti, Iran (Islamic Republic of), Nicaragua, Russian Federation, Saint Vincent and the Grenadines, Sudan, Syrian Arab Republic, Zimbabwe.

*Against:*

Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Botswana, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany,



Ghana, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Myanmar, Netherlands (Kingdom of the), New Zealand, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, San Marino, Senegal, Slovakia, Slovenia, Spain, Sweden, Switzerland, Türkiye, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

*Abstaining:*

Algeria, Angola, Bahrain, Bangladesh, Barbados, Bhutan, Bosnia and Herzegovina, Brunei Darussalam, Burundi, Côte d'Ivoire, Djibouti, Dominican Republic, Guyana, India, Indonesia, Iraq, Jamaica, Jordan, Kenya, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Morocco, Namibia, Nepal, Nigeria, Oman, Pakistan, Paraguay, Philippines, Saint Lucia, Samoa, Saudi Arabia, Serbia, Sierra Leone, Singapore, South Africa, Sri Lanka, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Yemen.

98. *The oral amendment was rejected by 77 votes to 22, with 56 abstentions.*

99. **Mr. Zelený** (Czechia), speaking on behalf of the European Union and its member States and, in addition, Albania, Andorra, Georgia, Monaco, Montenegro, North Macedonia and the Republic of Moldova, the United States of America and the United Kingdom of Great Britain and Northern Ireland, said that he wished to propose an oral amendment to section XIV of draft resolution [A/C.5/77/L.24](#) in order to approve post and non-post resources for 2023 related to resolutions and decisions adopted by the Human Rights Council in 2022 as proposed by the Secretary-General, including those anticipated in the proposed programme budget for 2023. The proposed oral amendment would be as follows: At the end of paragraph 2, "subject to the provisions of the present resolution" would be added. Paragraph 4 would be replaced with: "*Appropriates* an additional amount of 55,925,000 United States dollars, comprising 3,735,600 dollars under section 2, General Assembly and Economic and Social Council affairs and conference management, 51,636,100 dollars under section 24, Human rights, 455,700 dollars under section 28, Global communications, 31,800 dollars under section 29E,

Administration, Geneva, and 65,800 dollars under section 34, Safety and security, of the proposed programme budget for 2023, representing a charge against the contingency fund". In paragraph 5, "6,282,900 dollars" would be replaced with "6,773,900 dollars". Paragraphs 1 and 3 would remain unchanged.

100. With those resources, the various mechanisms would be able to deliver their mandates fully. He called on all other delegations to support the proposed oral amendment to section XIV of draft resolution [A/C.5/77/L.24](#).

101. **Mr. Laputin** (Russian Federation) said that his delegation, which opposed the proposed oral amendment, wished to call for a recorded vote on it.

*Statement made in explanation of vote before the voting*

102. **Mr. Cheng Lie** (China) said that his delegation firmly opposed the proposed oral amendment seeking to increase the resource requirements for the implementation of Human Rights Council resolutions, as that would not only impose an additional financial burden on the Member States, but would also mark a complete rejection of the recommendations of the Advisory Committee, thus undermining its role and challenging its authority. That increase would also undermine the right of the Member States to exercise oversight of the budget proposals through the Advisory Committee. The increased resources would be used to support mandates deriving from a series of controversial Human Rights Council resolutions which had been adopted through a vote. The effect of the amendment would be to exacerbate disagreements among the Member States and to impact the work of the Fifth Committee negatively. His delegation would vote against the proposed oral amendment, and called on others to do likewise.

103. **Ms. Minale** (Ethiopia) said that her delegation supported the request for a recorded vote on the proposed oral amendment to draft resolution [A/C.5/77/L.24](#), and urged all delegations to vote against it.

104. **Mr. Evseenko** (Belarus) said that his delegation would vote against the oral amendment, which was an entirely unacceptable obstacle to the authority of the Advisory Committee and would lead to an increased assessment burden for all the Member States. As the representative of China had already pointed out, it would also have a negative effect on the ability to exercise oversight of the Organization's resources. It was unfortunate that the proposed amendment had been



presented in spite of the exhaustive discussion of the matter during the Committee's consultations.

105. **Mr. Tavoli** (Islamic Republic of Iran) said that his delegation opposed the allocation of additional resources for the implementation of resolutions and decisions adopted by the Human Rights Council, and would vote against the proposed oral amendment.

106. **Mr. Videche Guevara** (Costa Rica), speaking also on behalf of Argentina, Chile, Ecuador, El Salvador, Panama, Paraguay, Peru and Uruguay, said that defending and advancing human rights was a foreign policy priority of the countries on whose behalf he was speaking. Those countries therefore acknowledged the essential role of the Human Rights Council as the main intergovernmental body tasked with addressing violations of human rights throughout the world and with making human-rights-related recommendations. An adequate and predictable level of funding for the implementation of the resolutions and decisions of the Human Rights Council was essential to ensure effective implementation of the mandates concerned, and was a vital part of the system for protecting human rights. Accordingly, all the delegations in question supported the approval of the level of resources requested by the Secretary-General, so that the mandates agreed by the Human Rights Council could be implemented in an effective and timely manner. They would vote in favour of the proposed oral amendment, and urged others to do likewise.

107. **Mr. Blickle** (Switzerland) said that his delegation would vote in favour of the proposed oral amendment, which would provide sufficient funding for the implementation of mandates adopted by the Human Rights Council. It was a matter of regret that it had not been possible to adopt a resolution by consensus. During the discussion of resources for the Human Rights Council at the current session, there had been an unfortunate lack of constructive approaches to pursue the consensus that was the norm for, and part of the long-standing practice of, the Fifth Committee. That consensus was important, particularly in connection with budgetary matters. His delegation hoped that future decisions on funding implementation of Human Rights Council mandates would once again be adopted by consensus, a method of decision-making that was essential for the proper operation of the Committee.

108. *At the request of the representative of the Russian Federation, a recorded vote was taken on the oral amendment to draft resolution A/C.5/77/L.24 proposed by the representative of Czechia on behalf of the States members of the European Union, and other Member States.*

*In favour:*

Albania, Andorra, Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Netherlands (Kingdom of the), New Zealand, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Senegal, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, Timor-Leste, Türkiye, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

*Against:*

Belarus, Bolivia (Plurinational State of), Cameroon, China, Cuba, Democratic People's Republic of Korea, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Iran (Islamic Republic of), Lesotho, Mali, Nicaragua, Russian Federation, Somalia, Sri Lanka, Syrian Arab Republic, Zimbabwe.

*Abstaining:*

Algeria, Angola, Armenia, Bahrain, Bangladesh, Barbados, Bhutan, Brunei Darussalam, Burkina Faso, Burundi, Djibouti, Egypt, Ghana, Haiti, India, Indonesia, Iraq, Jordan, Kazakhstan, Kenya, Lebanon, Libya, Madagascar, Malaysia, Mauritania, Mauritius, Morocco, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Philippines, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Sierra Leone, Singapore, Solomon Islands, South Africa, Sudan, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Yemen.

109. *The oral amendment was adopted by 84 votes to 19, with 50 abstentions.*

110. **Mr. Al-Sulaiti** (Qatar) said that his delegation, because of its commitment to the Human Rights Council and the important role of the latter as a pillar of the Organization, had voted in favour of the oral amendment. As a current member of the Human Rights

Council, Qatar had undertaken to respect decisions and resolutions of that body, to respect the mechanisms established by it, and to ensure the provision of the resources needed for the Human Rights Council to fulfil its mandate. His delegation's position on the oral amendment had taken individual account all of the resolutions and decisions of the Human Rights Council, and was consistent with its position of principle on the adoption of the proposed programme budget in order to enable the Organization to fulfil its mandate, including its mandate to protect human rights.

111. **Mr. Lu** (United States of America) said that his delegation applauded the adoption of the oral amendment to draft resolution [A/C.5/77/L.24](#) in order to provide full funding for the mandates of the Human Rights Council. Although it had been the long-standing practice of the Fifth Committee to take decisions by consensus, there were instances in which consensus could not be reached, and a vote became necessary. At the current session, the Advisory Committee had disproportionately targeted human rights mandates for reductions. The proposed funding cuts would have undermined the Human Rights Council and a core pillar of the Charter of the United Nations. As the Organization entered a year in which it would mark the seventy-fifth anniversary of the Universal Declaration of Human Rights, it was entirely appropriate for the Fifth Committee to have restored critical funding.

112. **Mr. Laputin** (Russian Federation) said that his delegation wished to request a recorded vote on section XIV, as orally amended, of draft resolution [A/C.5/77/L.24](#).

113. *At the request of the representative of the Russian Federation, a recorded vote was taken on section XIV, as orally amended, of draft resolution [A/C.5/77/L.24](#).*

*In favour:*

Albania, Andorra, Argentina, Australia, Austria, Bahrain, Barbados, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Canada, Chile, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Latvia, Lebanon, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Morocco,

Namibia, Netherlands (Kingdom of the), New Zealand, North Macedonia, Norway, Oman, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Türkiye, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Yemen, Zambia

*Against:*

Belarus, China, Democratic People's Republic of Korea, Eritrea, Ethiopia, Iran (Islamic Republic of), Mali, Nicaragua, Russian Federation, Somalia, Sri Lanka, Syrian Arab Republic.

*Abstaining:*

Algeria, Angola, Armenia, Bangladesh, Bhutan, Burkina Faso, Burundi, Cameroon, Chad, Côte d'Ivoire, Ghana, India, Lesotho, Libya, Nepal, Niger, Nigeria, Pakistan, Saint Lucia, Saint Vincent and the Grenadines, Solomon Islands, Sudan, Togo, Tuvalu, Uganda, Zimbabwe.

114. *Section XIV, as orally amended, of draft resolution [A/C.5/77/L.24](#) was adopted by 112 votes to 12, with 26 abstentions.*

115. *Draft resolution [A/C.5/77/L.24](#), as orally amended, was adopted.*

116. **Mr. Gunaratna** (Sri Lanka) said that Sri Lanka did not support funding politically-motivated country-specific mandates from the Organization's regular budget. His delegation had rejected resolution [51/1](#) of the Human Rights Council on promoting reconciliation, accountability and human rights in Sri Lanka, to which resources had been allocated by means of section XIV of draft resolution [A/C.5/77/L.24](#). According to the information provided by the Secretariat, previous such mandates had already consumed \$5.46 million, valuable resources which had produced no tangible benefits. The resources allocated for the so-called external evidence-gathering mechanism pursuant to resolution [51/1](#) would unfortunately be similarly wasteful, contributing neither to post-conflict development, nor to reconciliation, but rather serving the political agendas of a select few. The Government of Sri Lanka, having categorically rejected that resolution, the budget implications of which were unwarranted and were an unhelpful and misdirected drain on the resources of all the Member States, disassociated itself from the consensus regarding section XIV of draft resolution [A/C.5/77/L.24](#).

117. **Mr. Tavoli** (Islamic Republic of Iran) said that the commitment of the Islamic Republic of Iran to the promotion and protection of human rights and dignity was unwavering. It believed that the promotion and protection of human rights for all was unachievable in a politically burdened environment in which confrontation, political biases and negative stereotyping prevailed. The establishment of the Independent, International Fact-Finding Mission on the Islamic Republic of Iran was another patent example of the instrumentalization of the Human Rights Council for political gain. His delegation had made its position on that body clear at the 23rd meeting of the Committee (see [A/C.5/77/SR.23](#), paras. 22–25), and wished to disassociate itself from the related allocation of resources.

118. **Mr. Alshahin** (Syrian Arab Republic) said that his delegation disassociated itself from the consensus regarding the draft resolution because of its principled position of opposing the treatment of human rights issues in an illegitimate, selective and politicized manner. It also rejected the use of United Nations mechanisms to target specific countries in order to serve the interests of certain influential Member States and their allies and to interfere in the internal affairs of other States under various pretexts. That contravened the principles and purposes of the Organization. Moreover, the reports of the Human Rights Council, especially those regarding the situation in certain countries, were subjective.

119. **Mr. Bayley Angeleri** (Bolivarian Republic of Venezuela) said that his delegation wished to disassociate itself from the consensus regarding the draft resolution, given its rejection of the imposition of instruments and mechanisms without the consent of the Venezuelan State, in particular through Human Rights Council resolution [51/29](#), which manipulated and politicized human rights, generated inconsistent reports lacking any methodological rigour, resorted to tertiary sources of information and aimed to cause internal destabilization. That approach had been strongly opposed by the Venezuelan people and by the international community. His country's sovereign position was also motivated by the absence of due accountability of the country-specific special procedures, violating sovereignty and the principles of self-determination and non-interference in the internal affairs of States. His delegation demanded that each of the special procedures be held to account for the substantial sums of money allocated to them in the past, and that a special audit of the so-called Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela be conducted.

120. **Ms. Minale** (Ethiopia), **Ms. Llano** (Nicaragua), **Mr. Cheng Lie** (China), **Mr. Kim Nam Hyok** (Democratic People's Republic of Korea), **Mr. Laputin** (Russian Federation), **Mr. Hadgu** (Eritrea) and **Mr. Evseenko** (Belarus) said that their delegations opposed country-specific mandates and wished to disassociate themselves from the consensus on the draft resolution in connection with the provisions regarding financing related to resolutions and decisions adopted by the Human Rights Council in 2022.

*Draft resolution III: Proposed programme budget for 2023 (A/C.5/77/L.25)*

121. **Mr. Ramanathan** (Assistant Secretary-General, Controller) said that he wished to inform the Committee of a number of technical updates. The adoption of the oral amendment relating to draft resolution [A/C.5/77/L.23](#) resulted in an increase of \$137,900 under Section 8, Legal affairs, of the proposed programme budget for 2023. The adoption of the oral amendment relating to draft resolution [A/C.5/77/L.24](#) resulted in an overall increase of \$5,213,100, comprising \$4,600,500 under Section 24, Human rights, \$36,400 under section 28, Global communications, \$19,400 under section 29C, Office of Information and Communications Technology, \$65,800 under section 34, Safety and security, and \$491,000 under section 36, Staff assessment, offset by an equivalent amount under Income from staff assessment. Accordingly, the total programme budget for 2023 would amount to \$3,396,308,300. Sections A, B and C of draft resolution [A/C.5/77/L.25](#) would be technically adjusted to reflect those changes.

122. *Draft resolution [A/C.5/77/L.25](#), as technically updated, was adopted.*

123. **Ms. Zilbergeld** (Israel) said that her delegation wished to disassociate itself from the consensus in respect of the portions of the draft resolution which included budget provisions derived from anti-Israel resolutions and decisions, including the provisions in sections 24 and 26, and in respect of the draft resolution on programme budget implications relating to the programme budget for 2023.

*Draft resolution IV: Unforeseen and extraordinary expenses for 2023 (A/C.5/77/L.9)*

124. *Draft resolution [A/C.5/77/L.9](#) was adopted.*

*Draft resolution V: Working Capital Fund for 2023 (A/C.5/77/L.10)*

125. *Draft resolution [A/C.5/77/L.10](#) was adopted.*

*Draft report of the Fifth Committee on the proposed programme budget for 2023 (A/C.5/77/L.26, parts I and II)*

126. *The draft report of the Fifth Committee on the proposed programme budget for 2023, as technically updated, was adopted.*

**Agenda item 136: Review of the efficiency of the administrative and financial functioning of the United Nations (continued) (A/C.5/77/L.12)**

*Draft resolution A/C.5/77/L.12: Shifting the management paradigm in the United Nations: review of changes to the budgetary cycle*

127. *Draft resolution A/C.5/77/L.12 was adopted.*

*Draft decision A/C.5/77/L.27: Questions deferred for future consideration*

128. **The Chair** said that he wished to recognize the great effort made by the members of the Committee, which had concluded discussion of all of the items on the agenda. With regard to the issues referred to in section A of the draft decision, he understood that the Committee had agreed by consensus to defer its consideration of reports relating to the Peacebuilding Fund, but that no consensus had yet been reached on whether that consideration should take place at the first part or the second part of the resumed seventy-seventh session of the Assembly. However, the members of the Committee had been emphasizing the importance of those issues and the need to take the necessary steps to promote agreement. Given that the Committee must complete its work without delay, and in order to prevent a halt of the business of the Organization, he suggested that the members of the Committee continue their discussion in the coming weeks, in the lead-up to the first part of the resumed seventy-seventh session.

129. **Mr. Mahmoud** (Egypt), speaking in his national capacity and in his capacity as Chair of the peacebuilding caucus of the Group of African States, said that he wished to propose an oral amendment to section A of draft decision A/C.5/77/L.27, in which “The General Assembly decides to defer consideration of the following documents:” would instead read “The General Assembly decides to defer, to the first part of the resumed seventy-seventh session, consideration of the following documents:”. He urged all delegations to consider the amendment in the constructive spirit in which it was intended, particularly given the utmost priority accorded to the matter by the Group of African States.

130. **Mr. Cheng Lie** (China) said that, while the issue of providing financing for peacebuilding was extremely important, the Member States had been unable to reach consensus in their discussions on postponement of its consideration. China had a clear position on the matter: the first part of the resumed session would be short and would need to provide time for consideration of significant human resources issues. Adding to its original agenda the issue of peacebuilding financing would compress the time available. His delegation therefore could not support the discussion of peacebuilding financing at the first part of the resumed session, and wished to take as a basis for further consultations the text referred to by the Chair. Given the Committee’s predicted heavy workload for the resumed parts of the seventy-seventh session, proposing amendments to the draft decision at the current time would seriously undermine the Chair’s authority. His delegation would respect the final position of the Chair regarding the matter, and would disassociate itself from any consensus regarding the proposed amendment to the draft decision.

131. *Draft decision A/C.5/77/L.27, as orally amended, was adopted.*

**Completion of the work of the Fifth Committee at the main part of the seventy-seventh session of the General Assembly**

132. **Mr. Durrani** (Pakistan), speaking on behalf of the Group of 77 and China, said that the Committee, at the main part of the seventy-seventh session of the Assembly, had considered extremely important matters with historic consequences relating to the functioning of the Organization that would be felt for decades. The Group celebrated the fact that the Fifth Committee had displayed full confidence in the Secretary General’s reform agenda in connection with the review of the budget cycle. The Group believed that the direction adopted for that budget cycle at the current meeting had been the outcome of thorough and lengthy discussion. While the Committee had been able to conclude its consideration of numerous matters, including programme planning and construction projects, the Group felt that discussion of the proposed programme budget for 2023 had not received the time and attention that it deserved, as the Committee’s attention had been diverted to considering the reform of the budget cycle, and opportunities might have been missed to reach agreement of a kind that favoured all of the Member States. However, the Group’s commitment to constructive engagement and its desire to concluding consideration of the agenda of the Committee had led it to concede ground on many important budget issues. As

always, the Group stood ready to work with all colleagues to build a more accountable, effective, and fit-for-purpose United Nations that worked for the interests of all Member States in bettering the lives of people.

133. **Mr. Ainomuhisha** (Uganda), speaking on behalf of the Group of African States, said that the Group reaffirmed the importance of the work of the Organization and the need to ensure smooth functioning and effective discharge of mandated programmes and activities. It was pleased that the Committee had concluded its consideration of a number of agenda items, but remained disappointed that, for the second time in a row, it had been unable to reach agreement on peacebuilding issues, despite the expressed interest and flexibility from a number of delegations.

134. While the Group commended the flexibility shown the members of the Committee, it also remained disappointed at the unusual, yet consistent, outcome of discussions regarding financing for special political missions. As the Group had said before, adopting a text regardless of the level of financial resources involved, and depriving the Member States of their ability to adopt policy wording that gave guidance to the Secretariat, set a bad precedent, particularly in the context of such an important agenda item. The Group reiterated its view that special political missions required financial and human resources as much as they required proper guidance from the Member States through the General Assembly. In that regard, the Group wished to stress that existing agreed language from the General Assembly, unless the latter decided otherwise, continued to apply to the special political missions. Adopting a skeletal resolution for those missions could not be taken as a precedent.

135. **Mr. Camelli** (Representative of the European Union, in its capacity as observer) said that the outcome of the main part of the seventy-seventh session had been positive, despite the difficulties that had arisen during the Committee's consultations. The Committee had complied with its responsibility, adopting the programme budget for 2023, just in time, so that the Organisation was able to operate without discontinuity, to continue to deliver on its mandates and to serve the people who need it the most.

136. The Committee had successfully completed the last piece of the Secretary-General's agenda for management reform, delivering on his vision with the review of the annual budget cycle. It had decided, by consensus, to end the trial period for the annual budget cycle, and had adopted several budget-related improvements in order to consolidate the benefits of a

shorter cycle and focus on mandate delivery and performance. In a mindful and consensual decision towards equality, contributing to building a United Nations of the twenty-first century, the Committee had supported the decision of the International Civil Service Commission to establish unified parental leave arrangements for the United Nations common system. Similarly laying the ground for the future of the Organization, it had provided resources for the Youth Office, and had made significant progress towards a common understanding regarding funding for peacebuilding; the European Union looked forward to continuing and concluding the discussions on that important issue at the first part of the resumed session.

137. In contrast, however, completing consideration of the matters before it at such a late stage was a clear indication of the Committee members' inability to rally together around common priorities. The current session marked only the second time in more than 50 years that the Committee's deliberations had extended beyond Christmas. There had been no excuse for that occurrence, and lessons had clearly not been learned: that situation could not become the new norm. The Committee's carelessness in delaying its deliberations had put intense pressure on the Organization and on its staff, who deserved appreciation for their contribution to the conclusion of this session. The Committee must take a hard look at the reasons for such dysfunctional way of working, and commit to improving its working methods.

138. Some of the factors involved were external. One such factor was the delay in providing the necessary documentation. Timeliness was key, and the European Union therefore strongly urged the Secretariat to issue its reports, and the Advisory Committee to provide its recommendations, more expeditiously. Delays in the publication of the Advisory Committee recommendations regarding the review of the annual budget cycle or revised estimates regarding resolutions and decisions of the Human Rights Council, two of the most sensitive topics of the session, had proved detrimental to discussions in the Committee.

139. The European Union also wished to invite the Advisory Committee to take stock of the very difficult debates that the Fifth Committee had faced regarding some of its recommendations. While the technical expertise of the Advisory Committee, which informed the Member States' political decisions, were valuable, those recommendations had on several occasions not driven consensus. It was alarming that on the last day of the session several delegations had been unable to see in the Advisory Committee recommendations on the revised estimates for the Human Rights Council any



acceptable way forward or compromise. However, the European Union welcomed the openness of the Chair of the Advisory Committee to engage with the Committee, and appreciated his appeal for feedback on its sessions, and his commitment to improving the Advisory Committee's working practices. The Fifth Committee needed the technical advice of the Advisory Committee more than ever before.

140. At the same time, the Fifth Committee must recognize that it was the main cause of its predicament, mostly because of departures from what had been its traditional working methods. The European Union and its Member States continued to believe that consensus must remain the guiding principle in the Committee's work. That required that each of the members engage in a spirit of good faith, collegiality and constructive cooperation to find positions that all could join and support, even when those positions did not correspond to individual preferred choices.

141. It was alarming that the current session had once again seen the calling of a number of votes to de-fund entire mandates, especially mandates regarding human rights. The European Union was concerned by the narrative that the Fifth Committee should address mandates depending on how the other United Nations forums had adopted them. It wished to reiterate that the duty of the Committee was to ensure that all mandates given by the members of the Organization and any United Nations forum were fully executed, and to that end, that those mandates were adequately resourced. The Committee's role was to comply with the resolutions defining mandates, not to revisit or question them.

142. The European Union was also concerned by the increasing trend – when divergences were too difficult to overcome – to defer consideration of agenda items, take no action, or adopt skeletal resolutions, sometimes even in the presence of agreed wording. As a result, the Committee failed to provide political guidance to the Secretariat on the implementation of mandates. The quality of the Committee's decisions was anchored in its members' ability to engage, understand each other, and rally around a reasonable compromise. It was therefore a matter of great urgency to restore that ability, failing which the Committee faced the risk of being permanently stuck in the status quo.

143. The Committee must also reflect on its working methods and find ways to start its substantive engagement earlier during the sessions, and to do so more constructively, without waiting until early December. It had proved time and again its ability to rise to that challenge, including during the current session

involving the review of the annual budget cycle. Making that assessment would not be enough unless the Committee was also committed to providing adequate answers. The critical factor was not time, but trust. The European Union was concerned that, throughout the discussion of some agenda items, a number of proposals had been dismissed or discarded without consideration for their actual content. Trust must be the foundation of the Committee's work, and the cornerstone of the Committee members' cooperation, across regional groups.

144. Lastly, the European Union and its Member States wished to reaffirm their commitment to serving the core values and principles of the Organization, and to continue to work with the Chair and all members of the Fifth Committee in a spirit of constructive cooperation, consensus and collegiality to achieve the implementation of those core values and principles.

145. **Mr. Elmahs** (Egypt) said that the current meeting was marking the conclusion of a difficult session. However, the Committee had successfully provided financing for a number of mandates, and, notably, allocated funding for UNRWA at the level proposed by the Secretary-General, confirming the desire of the international community to help the refugees concerned and to find a fair solution to their cause. His delegation also welcomed the Committee's financing decisions in connection with the request for an advisory opinion from the International Court of Justice on the legal consequences of the prolonged occupation and colonization by Israel of the Palestinian Territory, including East Jerusalem, and its violation of the Palestinian people's right to self-determination, and reiterated its position in favour of the exercise of the legitimate rights of the Palestinian people based on the establishment of an independent Palestinian State within the borders of 4 June 1967, with East Jerusalem as its capital, in accordance with the relevant international and Arab Group resolutions and initiatives.

146. His delegation was disappointed that the Committee had been unable, for the second successive time, to reach consensus on the matter of financing for peacebuilding. That represented a missed opportunity, particularly in the light of the landmark resolution of the General Assembly, [76/305](#), through which the Member States had undertaken to explore all options for the Peacebuilding Fund, including the use of assessments, and had entrusted the Fifth Committee with concluding its consideration of modalities to operationalize the proposal of the Secretary-General. The political commitment shown by the Member States in the plenary of the General Assembly should be matched in their actions in the Fifth Committee. Achieving consensus on

that important issue required a different approach that viewed the financing of peacebuilding through assessed contributions as a cost-effective investment rather than a financial burden. His delegation did, however, acknowledge the progress made at the present session in narrowing differences in positions, and encouraged all Member States to show the required flexibility and engage in good faith to allow consensus to emerge during the discussions to be held at the first part of the resumed session in March 2023, in accordance with mandate from the plenary of the General Assembly, which clearly indicated that consideration of the item should be concluded at the seventy-seventh session.

147. The Committee had succeeded at the current session in arriving at a consensus regarding the review of the annual budget cycle. While the resolution adopted might not be perfect, it represented the best possible outcome given the circumstances. Against the backdrop of very difficult outcomes for multiple agenda items at the current session, his delegation was highlighting the budget cycle review because it wished to stress that consensus in the Fifth Committee did not entail the power of veto, which was limited to the Security Council. Indeed, consensus in the Fifth Committee went hand in hand with constructive work to achieve the optimum outcomes under the conditions of the moment.

148. **Mr. Ishikane** (Japan) said that, despite not having been able to conclude its business as planned, before the Christmas holiday, the Committee had been able to achieve important outcomes before the end of the year by exercising flexibility to ensure that the Organization could deliver its mandate efficiently, effectively and nimbly from the very beginning of 2023. One of the biggest achievements of this session had been the lifting of the trial period for the annual budget cycle; that would enable the Organization to continue to be effective in addressing the changing needs of the international community with programme budget that was more responsive and rapidly adaptable. His delegation looked forward to seeing continuous improvement in the process and content of the budget, as the annual cycle enabled it to be made more predictable and transparent, and to be based on more accurate assumptions.

149. There was much that gave the Fifth Committee a unique place in the United Nations system: its working methods and working languages; its continuing of deliberations while the city around it was celebrating the holiday season; its collaboration with the United Nations Secretariat, the Advisory Committee and United Nations offices and entities in New York, Geneva, Nairobi, Vienna, Bangkok and other locations; and its long-established practice of achieving agreement by

consensus. The Committee should cherish and uphold its decision-making method, which could be time-consuming and require difficult decisions, determined negotiation, and sacrifice, but its members could never exhaust their efforts to reach an agreement that had the support of all. His delegation hoped that the Committee could not just celebrate what it had achieved, but also learn from the lessons of the current session, renew its commitment to negotiating constructively and in good faith, and continue to improve its working methods.

150. **Mr. Staples** (United Kingdom) said that the Committee had delivered numerous positive outcomes at the current session. The United Kingdom welcomed its swift decision regarding funding for the Black Sea Grain Initiative; the amendment to the statute of the International Civil Service Commission which – after several years – would help to ensure full implementation of post-adjustment multipliers; the endorsement of a new parental leave framework that would contribute to greater equality and a more inclusive and empowering work environment; and the important decision to approve the design of updated conference facilities at the United Nations Office at Nairobi. As a firm supporter of the Secretary-General's reforms, the United Kingdom was pleased that the Committee had recognised the benefits of an annual budget cycle and decided to make it permanent. It wished to encourage the Secretariat to consolidate and build further on those gains to ensure an even more results-orientated, agile and responsive Organization, and it looked forward to seeing the impact of those permanent changes on the intergovernmental budget review process and United Nations operations and mandate delivery.

151. However, the session had not been uniformly positive. The Fifth Committee depended on all delegations striving for consensus, and the United Kingdom had worked hard with like-minded partners to put forward many compromise positions, with a view to delivering outcomes that were acceptable to all. It appreciated those who had made genuine efforts to find compromise. Regrettably, the current session had seen growing inflexibility, disengagement and polarisation. That was the reason behind the late completion of the Committee's work, and was the reason behind the unprecedented number of proposals being adopted in skeletal form – in the case of special political missions for the third successive year. The increased frequency of skeletal proposals at the current session served as a symbol of the Committee members' failure to work together effectively to achieve consensus.

152. His delegation welcomed the adoption of an annual programme budget for 2023 that provided the Organization with the resources to deliver most of its

important mandates fully, effectively and efficiently. However, it regretted profoundly that that was not the case for the consolidated resources for certain Human Rights Council mandates, despite the appeal made by the General Assembly the previous year. The resources for these mandates had only been secured after a vote. Responsibility for the Committee's problems in that area lay with the Advisory Committee: its recommendations had served only to undermine stable and predictable funding for human rights – one of the pillars of the Organization under its Charter. The Committee must learn lessons from the current session and find its way back to the traditional culture of compromise and cooperation on which it depended. The United Kingdom delegation stood ready to work with other delegations to achieve that.

153. **Mr. Lu** (United States of America) said that the current meeting marked the end of months of difficult budget deliberations. Thanks was due not only to the Chair and the Secretariat staff, but to the delegates who had worked hard to adopt the programme budget, exemplifying the best of the Organization. It was often said that United Nations budgets were a reflection of the values of the Member States. The 2023 budget was fiscally responsible and would enable the Organization to maintain peace and security, foster economic development, promote universal human rights, and uphold the rules-based international order. Most notably, by funding the Black Sea Grain Initiative, the budget helped to address the humanitarian crisis caused by food insecurity. For those reasons, the United States was proud to support it.

154. The United States also wished to lend its strong support to one of the Secretary-General's top management reforms: the annual budget cycle, which had been made permanent, advanced the values of transparency and accountability, and created an Organization that was more agile and better able to address the global challenges of the twenty-first century. His delegation had particularly backed a number of the achievements of the 2023 programme budget, including its provision of funding to fight sexual exploitation and abuse and strengthen protections against workplace harassment; its aim of eliminating different cost-of-living adjustments that undermined the integrity of the United Nations common system; and the first steps in ensuring that the United Nations Office at Nairobi could have a modern conference centre befitting its important status as the United Nations headquarters in Africa.

155. Throughout the session, the United States delegation had also sought to ensure that the values of the Organization were reflected in the way that its staff were treated. Greater support would be provided to

expectant parents and parents caring for children with disabilities, and pension benefits would be provided retroactively for previously ineligible same-sex marriage partners. Collectively, those and other changes will help the Organization to recruit and retain the diverse, high-quality staff needed to address global challenges.

156. Despite supporting the budget, the United States delegation was troubled by the concerted effort of a small number of countries to undermine a core pillar of the Organization: human rights. Those countries had resisted efforts to guarantee more predictable funding streams for recurring mandates of the Human Rights Council, despite the call, made by the General Assembly in a resolution adopted the previous year, for such predictability. It was positive that the Committee had restored funding for that important work, and his delegation remained committed to ensuring that those human rights mandates were funded in a more predictable manner in the future.

157. While everyone could find something to like and dislike in the 2023 budget, it was no understatement to say that all delegations shared a dislike and frustration with how the outcome of the session had been reached. The current United Nations budget process was inefficient and dysfunctional, and, most importantly, it too often led to bad outcomes and constant deferrals of important decisions. Regardless of their ideological differences, the members of the Committee must engage in a serious re-examination of the Committee's working methods. The current practice had brought the Committee within 36 hours of shutting the Organization down. That was not good for that institution, for the countries that the Committee members represented, or for the people around the world who depended on the Organization's assistance.

158. **Mr. Cheng Lie** (China) said that, thanks to the effort of all parties, and after arduous consultations, the Committee had finally concluded its work. Noting that the budget reform that had been undertaken would have a bearing on the future course of the Organization's work, he said that his delegation supported the reform agenda of the Secretary-General and had shown flexibility during the Committee's consultations, with a view to promoting consensus. However, the issue of the compatibility of the annual budget cycle with the sequencing of the consideration of items on the Committee's agenda remained unresolved. His delegation hoped that the Secretariat would continue its consultations with the Member States in accordance with the budget resolution, respond to the concerns of developing countries, and improve the implementation of the annual budget on a continuing basis.

159. The matter of financing for peacebuilding involved the Organization's priorities for future work, the financial regulations and rules, and the Fifth Committee. If there was a need to support peacebuilding with assessed contributions from Member States, the question should be addressed in accordance with the financial regulations and rules regarding such assessment. His delegation had proposed a solution early on in the session, but regretted that consensus had not yet been achieved. It hoped that, as a next step, constructive consultations would continue. In the current situation, the Organization should support the development of all countries, promote economic recovery, implement the 2030 Agenda for Sustainable Development, respond to the concerns of developing countries, ensure adequate resources for development, and promote global development. His delegation hoped that the Secretariat would allocate and use resources in a more sound and rational way, and strengthen performance management and monitoring, so as to make good use of everything received from the Member States. Lastly, his delegation hoped that, under the leadership of the Chair, the first part of the resumed session would be a success.

160. **Mr. Mmalane** (Botswana) said that his delegation welcomed the accomplishments of the Committee at the main part of the seventy-seventh session. They included a positive outcome on the review of the implementation of the annual budget cycle and the allocation of post and non-post resources for the United Nations Office for Human Settlements, for the United Nations Conference on Trade and Development, and for special political missions. His delegation placed emphasis on protecting the development account, the regular programme of technical cooperation and the budgets of Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States, the Office of the Special Adviser on Africa, the Office for the Coordination of Humanitarian Affairs, UNRWA, the Economic Commission for Africa, the Department of Global Communications; and the Office of Information and Communications Technology.

161. His delegation also believed that a budget commensurate with the mandate of the Organization was most important, especially in the case of the entities that he had just listed, which serving the development pillar of the Organization. It also welcomed the agreement by the General Assembly to see the United Nations and Africa's regional and subregional organizations engage in partnerships regarding the most pressing development, humanitarian and peace and security issues on the African continent. It made no

sense to neglect working together as one and avoid duplication of efforts, but maximize the gains.

162. **The Chair** declared that the Fifth Committee had completed its work at the main part of the seventy-seventh session of the General Assembly.

*The meeting rose at 4.05 p.m.*