



Security Council

Seventy-eighth year

Provisional

9429th meeting

Friday, 29 September 2023, 11.50.m.

New York

President: Mr. Hoxha (Albania)

Members:

Brazil	Mr. França Danese
China	Mr. Geng Shuang
Ecuador	Mrs. Sánchez Izquierdo
France	Mr. De Rivière
Gabon	Mr. Nanga
Ghana	Mr. Abudu-Birresborn
Japan	Mr. Ishikane
Malta	Mrs. Frazier
Mozambique	Mr. Bambissa
Russian Federation	Mr. Polyanskiy
Switzerland	Mr. Hauri
United Arab Emirates	Mr. Abushahab
United Kingdom of Great Britain and Northern Ireland . .	Mr. Phipps
United States of America	Mr. Wood

Agenda

Maintenance of international peace and security

Report of the Secretary-General on the implementation of Security Council resolution 2652 (2022) (S/2023/640)

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The meeting was called to order at 11.50 a.m.

Adoption of the agenda

The agenda was adopted.

Maintenance of international peace and security

Report of the Secretary-General on the implementation of Security Council resolution 2652 (2022) (S/2023/640)

The President: In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representatives of Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, the Kingdom of the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I should like to draw the attention of Council members to document S/2023/640, which contains the report of the Secretary-General on the implementation of Security Council resolution 2652 (2022).

Members of the Council have before them document S/2023/708, which contains the text of a draft resolution submitted by Albania, Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Kingdom of the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden.

The Council is ready to proceed to the vote on the draft resolution before it.

I shall now give the floor to those members of the Council who wish to make statements before the voting.

Mrs. Frazier (Malta): We remain concerned about the continued precarious journeys of refugees, asylum seekers and other migrants. Those journeys are often facilitated by human traffickers and smugglers. Draft resolution S/2023/708, which the Council will be voting on, is intended to send a strong message to all those who seek to profit from that human suffering.

Malta, as co-penholder along with France, has extensively engaged with Member States. We have spared no effort to take into account the perspectives and concerns raised while at the same time ensuring

that we do not stray away from the scope of the draft resolution.

The text the Council will now take action on is a reflection of those efforts. It centralizes the human rights and the immediate needs of refugees, asylum seekers and other migrants at the core of efforts to prevent and counter smuggling and trafficking. The Council can now reaffirm its determination to combat the smuggling of migrants and the trafficking of persons off the coast of Libya in a manner that safeguards human rights.

Meanwhile, Malta remains committed to saving lives and to the effective management of mass migration in a manner that fully respects international law.

The President: I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

Albania, Brazil, China, Ecuador, France, Gabon, Ghana, Japan, Malta, Mozambique, Switzerland, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

None

Abstaining:

Russian Federation

The President: The draft resolution received 14 votes in favour, none against and one abstention. The draft resolution has been adopted as resolution 2698 (2023).

I shall now give the floor to those members of the Council who wish to make statements after the voting.

Mr. Polyanskiy (Russian Federation) (*spoke in Russian*): The Russian Federation abstained in the voting on resolution 2698 (2023), prepared by France and Malta, which gives the European Union (EU) a mandate to conduct the European Union Naval Force Mediterranean Operation IRINI to counter the smuggling of migrants and human trafficking.

Yesterday's briefing (see S/PV.9428), which was held at our request, did not, unfortunately, provide an answer to the question of why this resolution is needed if the European Union, as we saw once again yesterday, is not able to properly carry out the functions it asked for.

We did not prevent the adoption of the resolution solely out of respect for the efforts of the French and Maltese penholders, who have done a remarkable amount of work on the new text. This was preceded by consultations, held at our insistence, during which it became clear that it would be wrong to leave the text without changes and limit it to a technical rollover. Among other things, the penholders restored to the text of the resolution important provisions taken from resolution 2240 (2015), which was adopted eight years ago. However, anyone with even a little knowledge of the situation in the region or who has read the report of the Secretary-General on the implementation of resolution 2652 (2022), (S/2023/640) understands that this is not enough and that the mechanism provided for in resolution 2240 (2015) and subsequent resolutions is not working. Human traffickers are evading criminal responsibility. Migrants are dying at sea or ending up in detention centres.

During yesterday's briefing, the representatives of the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration's Office to the United Nations provided us with facts and figures that clearly showed that the Mediterranean Sea had become a graveyard for many thousands of people fleeing Africa. Inaction under those circumstances would undermine the authority of the Security Council.

The recommendations of the Secretary-General and his report are quite clear about what additional measures are needed in this situation. At a minimum, all rescued or intercepted persons at sea should have safe ports of disembarkation, in accordance with the international law of the sea. Furthermore, crimes committed against migrants and refugees must be investigated, access to justice for victims must be ensured, damages must be redressed and the perpetrators must be held accountable. We proposed that such language be included in the resolution. I would like to point out that our proposal is in keeping with the standard line of our Western colleagues with regard to greater accountability and combating impunity. But, in this case, bound by the EU discipline, the coordinators refused to take our amendments on board. Protecting the European Union turned out to be more important to them than the practical steps needed to rectify the current intolerable situation.

I will be very candid with the Council and say that we are very surprised by what we heard from some of

our Western colleagues yesterday when they praised Operation IRINI, which, according to them, contributes greatly to the rescue of migrants at sea. It would seem that we are reading different reports. In any event, the report of the Secretary-General (S/2023/640) that we received shows very clearly that the contribution of the EU to rescues at sea is — shall we say — very modest.

Unfortunately, the resolution adopted today does not give us reason to believe that the inhumane approach taken by the EU with regard to migrants and refugees in the Mediterranean will change, and the shameful practice of pushing vessels with migrants outside of the jurisdiction of the EU leads to the agonizing death of people in distress, including women and children. It is unlikely that the member States of the EU that tell us about the importance of cooperating of civil society will lift the ban on humanitarians and non-governmental organizations in order to help migrants and refugees or that they will stop jailing the sailors who allow those in distress to board and then end up with jail sentences and accused of human trafficking.

More than likely, the European Union will once again try to hide behind the screen of their proclaimed exclusivity and will say that everything it does, by default, is in the interests of its neighbours, on the basis of the infamous logic of Europe being the wonderful garden in the jungle. We find that logic totally unsatisfactory, and we will continue to push for European human rights advocates to strictly comply with their commitments.

The President: Before adjourning the meeting, as this is the last scheduled meeting of the Council for the month of September, on behalf of the delegation of Albania and our entire team, I would like to express our sincere appreciation to the members of the Council and to the Secretariat for all the support they have provided to us. Indeed, it has been a particularly busy month, as September always is, and one in which we rallied to consensus on several important issues within our purview. We could not have done it alone and without the hard work, support and positive contributions of every delegation and the representatives of the Secretariat, including the conference service officers, interpreters, verbatim reporters and security staff.

As we end our presidency, I know that I speak on behalf of the Council in wishing the delegation of Brazil good luck in the month of October.

The meeting rose at noon.