



General Assembly

Seventy-eighth session

53rd plenary meeting

Tuesday, 16 January 2024, 3 p.m.
New York

Official Records

President: Mr. Francis (Trinidad and Tobago)

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

Agenda item 138 (continued)

Scale of assessments for the apportionment of the expenses of the United Nations

Letter dated 11 January 2024 from the Secretary-General addressed to the President of the General Assembly (A/78/707/Add.1)

The President: In keeping with established practice, I would like to invite the attention of the General Assembly to document A/78/707/Add.1, in which the Secretary-General informs the President of the General Assembly that since the issuance of his communication contained in document A/78/707, Antigua and Barbuda and the Islamic Republic of Iran have made the payments necessary to reduce their arrears below the amount specified in Article 19 of the Charter.

May I therefore take it that the General Assembly takes note of the information contained in this document?

It was so decided.

Agenda item 132 (continued)

Review of the efficiency of the administrative and financial functioning of the United Nations

Report of the Fifth Committee (A/78/664)

The President: The Assembly has before it draft decision I, recommended by the Committee in its report. We will now take a decision on draft decision I,

entitled "Questions deferred for future consideration". The Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft decision I was adopted (decision 78/542 B).

The President: The Assembly has thus concluded this stage of its consideration of agenda item 132.

Agenda items 13 and 117 (continued)

Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields

Follow-up to the outcome of the Millennium Summit

Draft decision (A/78/L.35)

The President: We shall now proceed to consider draft decision A/78/L.35.

I give the floor to the representative of the Secretariat.

Ms. DeMiranda (Department for General Assembly and Conference Management): I will first deliver an oral statement of programme budget implications in connection with draft decision A/78/L.35. That oral statement will be followed by an oral statement of meeting scheduling implications of draft decision A/78/L.35.

The present oral statement is made in the context of rule 153 of the rules of procedure of the General

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Assembly and will also be distributed to Member States. Under the terms of operative paragraph (a) of the draft decision, the General Assembly

“[d]ecides to convene a one-day high-level meeting of the plenary of the General Assembly, within existing resources, on addressing the existential threats posed by sea level rise, on 25 September 2024”.

With regard to paragraph (a) of the draft decision, references made to paragraph 11 of resolution 69/250 and subsequent resolutions, the most recent of which is resolution 78/245, of 22 December 2023, in which the Assembly invited Member States to include a new legislative mandate, adequate information on the modalities for the organization of conferences or meetings.

The Secretariat has taken note of the decision by the General Assembly to implement the new mandate within existing budgetary resources. The Secretariat wishes to inform the General Assembly that its ability to implement the new mandate will depend on the availability of adequate cash resources.

I will now read the oral statement of meeting scheduling implications of draft decision A/78/L.35.

The following statement is made pursuant to paragraph 20 of resolution 77/335, of 1 September 2023, in which the General Assembly requested the Secretariat to draw the attention of the General Assembly and its subsidiary organs to overlapping high-level meetings of the Assembly prior to action on proposals that mandate the holding of meetings of the Assembly on specific dates.

Under the terms of paragraph 8 of the draft decision before it, the Assembly would decide to convene a one-day high-level plenary meeting of the General Assembly on addressing the existential threats posed by sea level rise on Wednesday 25 September 2024. That meeting would overlap with mandated meetings of the General Assembly. On Wednesday 25 September 2024, the Assembly will hold the second day of its general debate at the seventy-ninth session from 9 a.m. to 9 p.m.

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

I now give the floor to the representative of the Russian Federation.

Mr. Chumakov (Russian Federation) (*spoke in Russian*): We listened with concern to the Secretariat’s presentation on the holding of a high-level plenary meeting on sea level rise, within existing resources.

We stress the fact that in order to entirely fulfil its mandate, the Secretariat requires the necessary financial resources to be available. If we do not hear otherwise from the President of the General Assembly before the Assembly takes a decision, then we will assume that this event will provide all delegations that wish to speak the opportunity to do so. We expect that priority, in this high-level meeting, will be given to Member States.

Furthermore, we take it that paragraph 2 of draft decision A/78/L.35, which envisages consultations with Member States, to mean that the General Assembly will adopt the finalized modalities for the event at a later date in accordance with regular practice.

The President: The Assembly will take action on draft decision A/78/L.35, entitled “High-level plenary meeting on addressing the existential threats posed by sea level rise”.

May I take it that the Assembly decides to adopt draft decision A/78/L.35?

Draft decision A/78/L.35 was adopted (decision 78/544).

The President: Before giving the floor for explanations of position after adoption, may I remind delegations that explanations of vote or position are limited to 10 minutes and should be made by delegations from their seats.

Mr. Tōnē (Tonga): I have the honour to deliver these remarks on behalf of the members of the Pacific Islands Forum with presence at the United Nations, namely, Australia, Fiji, Kiribati, the Marshall Islands, the Federated States of Micronesia, Nauru, New Zealand, Palau, Papua New Guinea, Samoa, Solomon Islands, Tuvalu, Vanuatu and my own country, Tonga.

Forum members recognize the threats and adverse impacts of climate change and sea level rise as the defining issue that imperils the lives, livelihoods and well-being of Pacific peoples, communities and countries and undermines the full realization of a peaceful, secure and sustainable future for our region.

Coastal States, particularly small island developing States and low-lying States, are disproportionately impacted and specially affected by sea level rise and climate change. Forum members are committed to reducing and preventing those impacts and strengthening the resilience of our communities.

We appreciate efforts by the President of the General Assembly to promote cooperation within the international community on the challenges posed by sea level rise amid the climate crisis. In that connection, we support the convening by the President of a high-level plenary meeting of the General Assembly on 25 September to address those challenges, and we appreciate the initiative of the President in that regard.

We do wish to deliver this explanation of position to stress three main points with respect to the proposed high-level meeting of the General Assembly on 25 September, including the organizational arrangements for that meeting, in a spirit of transparency and cooperation with all involved in the meeting.

First, the Forum acknowledges that climate change poses the single greatest existential threat to the Blue Pacific, which threatens the livelihoods, security and well-being of its people and ecosystems. However, language about existential threats must be carefully calibrated to avoid undermining certain rights, entitlements and duties under international law related to climate change-related sea level rise. In that respect, we have reservations about any overly general language regarding the existential threats posed by climate-change related sea level rise, particularly with respect to certain legal matters. Rather, it is critical that the international community cooperate to ensure that States' rights, entitlements and duties under international law are preserved.

On that point, we recall that Pacific Islands Forum leaders endorsed the Declaration on Preserving Maritime Zones in the Face of Climate Change-related Sea-level Rise in 2021. The Declaration, among other things, proclaims that our maritime zones, as established and notified to the Secretary-General in accordance with the United Nations Convention on the Law of the Sea, and the rights and entitlements that flow from them shall continue to apply, without reduction, notwithstanding any physical changes connected to climate change-related sea level rise. As a necessary corollary, in that context, we cannot support language that suggests that such climate change-related sea level

rise poses an existential threat to the legal status of such maritime zones, rights and entitlements.

We also recall that Pacific Islands Forum leaders endorsed the Declaration on the Continuity of Statehood and the Protection of Persons in the Face of Climate Change-related Sea-level Rise in November 2023. The Declaration, among other things, affirms that international law supports a presumption of continuity of statehood and does not contemplate its demise in the context of climate change-related sea level rise and declares that the statehood and sovereignty of Forum members will continue and the rights and duties inherent thereto will be maintained, notwithstanding the impact of climate change-related sea level rise. As with law of the sea issues, we cannot support language that portrays climate change-related sea level rise as posing existential threats to the legal constructs of statehood and sovereignty.

Secondly, the Forum notes that General Assembly decision 78/544 proposed before us today leaves open the question of whether there should be an outcome document from the high-level meeting in September. Forum members look forward to participating actively and constructively in discussions on that possible outcome document. It will be critical for Forum members that the substance of any potential outcome document be carefully calibrated to avoid undermining relevant rights, entitlements and duties under international law.

Thirdly, in connection with that last point, any potential outcome document from the high-level meeting must be agreed by consensus of all United Nations Member States in advance of the high-level meeting and be fully consistent with the Forum's 2021 and 2023 Declarations on the issue of climate change-related sea level rise.

We look forward to working closely with all to ensure that the next steps are fully informed by the points just raised and proceeding in an open, transparent and inclusive manner.

In conclusion, the Forum acknowledges the need for the international community to establish a collective understanding of the challenges posed by sea level rise. We look forward to engaging in the organization of the high-level meeting, as well as in the high-level meeting itself, with that objective in mind.

Mr. Falefou (Tuvalu): I have the honour to deliver the following joint statement on behalf of the Coalition

for Addressing Sea-level Rise and its Existential Threat (C-SET). The Coalition is co-chaired by Tuvalu and Germany and led by a group of champions, namely Antigua and Barbuda, Costa Rica, Denmark, Morocco, New Zealand, Bangladesh, the Republic of Korea, Malta, Palau and Romania.

We applaud your leadership, Sir, in convening this plenary meeting of the General Assembly dedicated to addressing the existential threats posed by sea level rise.

From the outset, we express our full support to convening a one-day high-level meeting on this vital and urgent issue. We all look forward to closely engaging on the organizational arrangements and consultations for the high-level meeting in order to underscore our shared positions and objectives, advance common solutions and elevate this issue to the top of the international agenda, including through a solid and action-oriented outcome document.

As we look forward to embarking on this process, we are grateful for the opportunity to reiterate the important points raised by the Coalition during the informal plenary meeting of the General Assembly last year on addressing the existential threats posed by sea level rise:

First, sea level rise is posing an existential threat to low-lying small island States and coastal communities. It is the single greatest threat to the livelihoods, security and safety of affected Member States. It is increasingly clear that sea level rise will result in irreversible impacts to the habitability of affected countries and communities.

Secondly, we must ensure legal stability, security, certainty and predictability in the face of sea level rise. That is particularly critical for Member States whose economies depend on their maritime zones for livelihoods and economic resources.

Thirdly, no effort should be spared to safeguard the inalienability of the sovereignty and statehood of the affected Member States. Their United Nations membership is enduring and will continue, notwithstanding sea level rise. That should be a clear tenet of our pursuit of a collective response.

Fourthly, sea level rise threatens the rich cultures and traditions of small island States and low-lying communities. Collective action and support are needed to protect and preserve their unique heritage.

Fifthly, climate financing must be increased for small island developing States and affected communities. It is urgently needed to empower and accelerate local solutions for strengthening the adaptive capacities and resilience of affected populations.

Sixthly, we must also forge strong partnerships to address the adverse impacts of sea level rise, pooling resources, knowledge and technologies. Efforts should give affected communities access to effective early warnings, ensure well-informed choices and enable positive adaptation journeys. Particular attention should be given to empowering the agency of women and youth and people with disabilities, given their unique and invaluable contributions to the resilience of their communities.

Lastly, we should leverage resources towards sustainable solutions that leave no one behind, enabling the most vulnerable people to forge their adaptation journeys in dignity, safety and predictability, while preserving their rights, culture and heritage.

Ms. Flores Soto (El Salvador) (*spoke in Spanish*): My delegation welcomes the draft decision presented to the plenary today. We wish to clarify our position with regard to three considerations.

Firstly, the scope must maintain the relationship between sea level rise and the protection of the person affected by that phenomenon, where the guardianship of human dignity is a universal obligation that goes beyond the link with the Law of the Sea.

Secondly, the theme and future considerations of the modalities of this high-level meeting must maintain close collaboration with the scientific community, particularly with the Intergovernmental Panel on Climate Change.

Finally, on issues regarding statehood and sea level rise, El Salvador believes any format for tackling this topic must maintain close consultation and dialogue with the current work of the International Law Commission. The expertise of that subsidiary organ of the General Assembly and the progress it has made on this topic thus far can certainly feed into the debates being held and even give greater detail on technical issues. It is necessary to avoid the duplication of work. My delegation will keep a close eye on developments of consultations on the modalities of this meeting so as to work constructively in order to safeguard

these considerations and those related to the active participation of other delegations.

Mr. Luteru (Samoa): I have the honour to deliver this statement on behalf of the members of the Alliance of Small Island States (AOSIS), the 39 small island developing States (SIDS) that are particularly affected by the effects of sea level rise.

We begin by thanking you, Mr. President, for your persistent advocacy on this critical issue. In this era of unprecedented and relentless sea level rise, we must make sure that all organs of our international institutions are directed to confront the reality of the climate crisis and the disproportionate effect that it has on small island developing States.

AOSIS has been deeply engaged in the discussions around sea level rise and international law. Here, at Headquarters, we have engaged with the International Law Commission and our colleagues in the Sixth Committee on the issue. And for 30 years, we have been the world's moral compass in the international climate negotiations. That reflects our ongoing commitment to engaging in the development and application of international law on an issue that deeply affects each of our nations.

As we have repeatedly stated in many forums for many years, we do not see climate change or sea level rise as posing an existential threat to our statehood, sovereignty or United Nations membership. As we have said in the past, we urge caution in characterizing climate change as an existential threat to nations, particularly small island developing States, in relation to international law. We must not conflate the physical reality of land territory disappearing or becoming uninhabitable with the legal rules concerning statehood and sovereignty, including permanent sovereignty over natural resources. On the latter point, we are exceptionally clear. No matter the physical changes wrought by the climate crisis, we will remain sovereign States. Change to our sovereignty will happen only if we, as individual States, freely decide it. It is our view that once a State is created by a people expressing their right to self-determination through statehood, that statehood will cease only if another form of expression of the right to self-determination is explicitly sought and exercised by that people.

Over the past decade, SIDS have taken several steps to secure their legal rights in the face of climate change. The Heads of State and Government of AOSIS and the

Pacific Islands Forum have made three declarations now confirming what is becoming an accepted interpretation. The United Nations Convention on the Law of the Sea does not obligate States to keep baselines and outer limits of maritime zones under review nor to update charts or lists of geographical coordinates once they are deposited with the Secretary-General. Such maritime zones and the rights and entitlements that flow from them shall continue to apply without reduction, notwithstanding any physical changes connected to climate change-related sea level rise. In that connection, we reject the notion that climate change-related sea level rise poses an existential threat to the legal status of such maritime zones and the rights and entitlements that flow from them. That decision may displace the discussion on sea level rise that has been happening quite productively in the Sixth Committee, including in collaboration with the International Law Commission.

We welcome discussion of the utility of an outcome document from the high-level meeting. We reserve our position as a group for now on that issue. We also wish to clearly state that, if an outcome document is developed and adopted, it must be with the full consent of all United Nations Member States. We emphasize at this point that we will not be able to accept any potential outcome document that weakens the legal interpretation of SIDS and others on the issue of the legal relationship between climate change-related sea level rise and sovereignty, statehood, United Nations membership and maritime zones and the rights and entitlements that flow from them.

To be clear, we do not see that sea level rise poses an existential threat or threats to statehood, sovereignty and United Nations membership in relation to international law, though we recognize that climate change will cause many serious and irreversible threats.

AOSIS will constructively engage in continued discussion on the appropriate way forward.

The President: We have heard the last speaker in explanation of position after adoption.

I will now deliver a statement from the rostrum.

Statement by the President

The President: I thank all delegations for their valued support at the briefing this morning and also for prioritizing the urgent need to address the existential threats posed by sea level rise. In doing so, they are

standing firmly with the most vulnerable and acutely affected communities, especially those in small island developing States and countries with low-lying coastal areas.

We hear varied personal accounts and real stories of the dangers and risks posed by those threats ranging from irrecoverable loss of ancestral lands, as well as the loss of rich culture and heritage, not to mention the lasting destabilization of livelihoods.

Now is not the time to stand idle and watch, but rather for the General Assembly to act deliberately and in solidarity with those on the front lines of the problematic phenomenon of sea level rise. I therefore look forward to open, transparent and inclusive consultations in the General Assembly towards finalizing the organizational arrangements and modalities of the proposed 25 September high-level plenary meeting. The meeting will be exceptionally held on the sidelines of the general debate of the seventy-ninth session of the Assembly in order to accommodate the schedules of Heads of State and Government and other high-ranking representatives.

I am confident that, together, we can chart a path towards an action-oriented outcome that would prevent, protect and resolve the untenable situations arising out of sea level rise.

The Assembly has thus concluded this stage of its consideration of agenda items 13 and 117.

Agenda item 114 (continued)

(a) Election of members of the Committee for Programme and Coordination

Note by the Secretary-General (A/78/519/Add.1)

The President: Pursuant to General Assembly decision 42/450, of 17 December 1987, and on the nomination of the Economic and Social Council, the Assembly elects the members of the Committee for Programme and Coordination. Members will recall that at its 37th plenary meeting, held on 20 November, the General Assembly elected 19 members to the Committee for a three-year term of office beginning on 1 January 2024 and expiring on 31 December 2026.

The Assembly has before it a note by the Secretary-General, circulated in document A/78/519/Add.1, which contains a nomination by the Economic and Social Council to fill an outstanding vacancy in the Committee for Programme and Coordination.

As indicated in the document, by its decision 2024/204 of 5 December 2023, the Economic and Social Council nominated Bulgaria for election by the General Assembly to fill an outstanding vacancy in the Committee for Programme and Coordination for a term of office beginning on 1 January 2024 and expiring on 31 December 2026.

In accordance with rule 92 of the rules of procedure, all elections should be held by secret ballot. However, I should like to recall paragraph 16 of General Assembly decision 34/401, whereby the practice of dispensing with the secret ballot for elections to subsidiary organs when the number of candidates corresponds to the number of seats to be filled should become standard, unless a delegation specifically requests a vote on a given election.

In the absence of such a request, may I take it that the Assembly decides to proceed to the election on the basis of dispensing with the secret ballot?

It was so decided.

The President: The number of States nominated from among the Eastern European States is equal to the number of seats to be filled for that Group. May I therefore take it that the Assembly wishes to declare Bulgaria elected as a member of the Committee for Programme and Coordination for a term of office beginning on the date of the election and expiring on 31 December 2026?

It was so decided (decision 78/409 B).

The President: I congratulate Bulgaria on its election as a member of the Committee for Programme and Coordination.

May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (a) of agenda item 114?

It was so decided.

The meeting rose at 3.50 p.m.