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Chairman: Mr. Prandler (Hungary)

Contents

Agenda item 157: Report of the Committee on Relations with the Host Country
(*continued*)

Agenda item 156: Report of the International Law Commission on the work of its
fifty-fourth session (*continued*)

Agenda item 162: International convention against the reproductive cloning of
human beings (*continued*)

Agenda item 160: Measures to eliminate international terrorism (*continued*)

Agenda item 5: Election of the officers of the Main Committees

Other matters

Completion of the Committee's work

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The meeting was called to order at 10.20 a.m.

Agenda item 157: Report of the Committee on Relations with the Host Country (*continued*)
(A/C.6/57/L.25)

1. **The Chairman** announced that Spain had joined the sponsors of draft resolution A/C.6/57/L.25 and reminded the Committee of the oral revision introduced at the 27th meeting.

2. *Draft resolution A/C.6/57/L.25, as orally revised, was adopted.*

Agenda item 156: Report of the International Law Commission on the work of its fifty-fourth session (*continued*) (A/C.6/57/L.27)

3. **Mr. Cabrera** (Peru), introducing draft resolution A/C.6/57/L.27, said that it basically followed the format of the previous year's resolution on the item (General Assembly resolution 56/82) with the appropriate changes of dates and other ephemeral details. Paragraph 1 was a conflated version of paragraphs 1 and 2 of resolution 56/82. It had been thought useful to reiterate in paragraph 4 the invitation to Governments to provide information on State practice on unilateral acts of States, in view of the complexity of the topic. Paragraph 15 was intended to ensure that the existing exemption from limitation on the documentation of the Commission was maintained, and footnote references to the relevant resolutions had been added.

4. **The Chairman** said he took it that the Committee wished to waive the 24-hour requirement contained in rule 120 of the rules of procedure of the General Assembly in order to proceed with action on draft resolution A/C.6/57/L.27.

5. *It was so decided.*

6. *Draft resolution A/C.6/57/L.27 was adopted.*

7. **Mr. Rosand** (United States of America) said that his delegation had joined the consensus on the understanding that the provisions of General Assembly decision 55/488, setting forth the meanings of the terms "takes note of" and "notes", applied to the interpretation of the resolution just adopted.

Agenda item 162: International convention against the reproductive cloning of human beings (*continued*)
(A/C.6/57/L.24)

8. **The Chairman** said that, if he heard no objection, he would assume that the Committee, in taking action on draft decision A/C.6/57/L.24, would complete its consideration of the item and would not take up any other proposal on the matter.

9. *It was so decided.*

10. **Mr. Manis** (Sudan) pointed out that in the Arabic version the words corresponding to the "reproductive cloning of human beings" at the end of subparagraph (c) had been omitted.

11. **The Chairman** assured him that the oversight would be corrected.

12. *Draft decision A/C.6/57/L.24 was adopted.*

13. **Mr. Hahn** Myung-jae (Republic of Korea) said that his Government had offered to host an intersessional expert-level meeting in the late spring of 2003 as a follow-up to the meeting of the Ad Hoc Committee on an International Convention against the Reproductive Cloning of Human Beings originally envisaged for early 2003. Since it seemed that the Ad Hoc Committee would not be meeting until 2004, his Government's invitation remained open but was accordingly postponed.

14. **Mr. Ascencio** (Mexico), speaking in explanation of position, said that his delegation had joined the consensus in order to contribute to progress on the item but would have preferred the decision to call for a moratorium until an international convention could come into force and hoped that at the next session the Committee would adopt a substantive resolution that would facilitate the adoption of a convention.

15. **Mr. Much** (Germany), speaking also on behalf of France, said that the two delegations had supported the decision because it succeeded at least in keeping the topic of an effective ban on human reproductive cloning on the agenda of the General Assembly. There was no moral, scientific or legal justification for reproductive cloning of human beings, and the debate had made it clear that there was consensus on that point. The decision achieved the aim of maintaining momentum on the item by providing for the convening of a working group in the autumn of 2003, and it established that the General Assembly had agreed to

continue negotiating. France and Germany were ready to proceed with broad-based, substantive negotiations, and hoped that others were too, with a clear sense of urgency and a non-dogmatic view of what was feasible in the short term. However, the two delegations regretted that it had not been possible to reach a compromise allowing for a mandate to begin immediate negotiations towards an instrument banning reproductive cloning of human beings with subsequent consideration of other forms of human cloning, because the lack of agreement left the field open to those working towards the birth of a cloned human being. Insisting on far-reaching principles could sometimes make it impossible to act effectively. A worldwide ban on reproductive cloning of human beings was urgently needed. France and Germany thanked the delegations that had supported their efforts and appealed to all countries not to tolerate or support the practice directly or indirectly.

16. **Mr. Díaz Paniagua** (Costa Rica) said that his delegation felt compelled to respond to the previous speaker's remarks. It construed the decision as purely procedural, in the sense that it in no way defined, limited or predetermined the mandate for negotiations the following year. His delegation interpreted subparagraph (b) to mean that the working group to be convened in September 2003 could consider the proposal that his delegation had joined in sponsoring, on a complete ban of all human cloning, on an equal footing with any others.

17. **Mr. Romeu González Barros** (Spain) said that his delegation wished to thank the Bureau for its efforts to avoid the need for a vote, in keeping with the traditional practice of the Sixth Committee. In the Working Group of the Sixth Committee during the session, his delegation had been obliged to call attention to the lack of consensus on the ideas that had ultimately served as a basis for draft resolution A/C.6/57/L.8. He would like to thank the delegations that had supported draft resolution A/C.6/57/L.3/Rev.1, and also those that did not share the same views but had constructively sought a consensus. The draft decision faithfully reflected the areas of agreement reached thus far.

18. **Mr. Balestra** (San Marino) said that his delegation was grateful to the Bureau for proposing the procedural solution of including the question of reproductive cloning of human beings in the provisional agenda of the fifty-eighth session of the

General Assembly. Though well aware of the urgency of the issue, his delegation had feared that a vote on such a controversial matter might split the international community and create an obstacle to the building of the consensus required for the negotiation and implementation of a convention on the cloning of human beings. It was to be hoped that advocates of the two positions would continue to negotiate with understanding, flexibility and a constructive attitude in order to reach consensus.

19. **Mr. Abebe** (Ethiopia) said that his delegation also wished to thank the Bureau for enabling the Committee to reach a general procedural understanding that would make it possible for work to continue on the total ban of human cloning. His delegation had supported the decision as providing the opportunity to renegotiate the topic from a broader perspective.

Agenda item 160: Measures to eliminate international terrorism (*continued*) (A/C.6/57/L.22)

20. **The Chairman** reminded the Committee of the new paragraph 10 bis that had been proposed at the 26th meeting and the addition in paragraph 18 of the dates of 31 March to 2 April 2003 for the Ad Hoc Committee meeting.

21. **Mr. Mikulka** (Secretary of the Committee), explaining the programme budget implications of draft resolution A/C.6/57/L.22, said that according to paragraph 18 the Ad Hoc Committee, meeting from 31 March to 2 April 2003, would hold a total of six meetings with interpretation in all six languages and require one page of pre-session, 30 pages of in-session and 30 pages of post-session documentation, to be issued in all six languages. The conference servicing requirements for the three-day meeting, at full cost, were estimated at \$126,410. The extent to which the Organization's capacity would need to be supplemented by temporary assistance resources could be determined only in the light of the calendar of conferences and meetings for the biennium 2002-2003. However, provision was made under the relevant section for conference services of the proposed programme budget for that biennium for meetings authorized subsequent to budget preparation, provided that their number and distribution of meetings were consistent with the pattern of meetings in past years. Consequently, no additional appropriation would be required. Any additional requirements relating to the biennium 2004-2005 would be considered at the fifty-

eighth session of the General Assembly in the context of the proposed programme budget for that biennium.

22. **Mr. Shah** (Pakistan), speaking in explanation of position and referring to paragraph 12, said his delegation was not in favour of expanding the mandate of the Terrorism Prevention Branch of the Centre for International Crime Prevention in Vienna.

23. *Draft resolution A/C.6/57/L.22, as orally revised, was adopted.*

Agenda item 5: Election of the officers of the Main Committees

24. **The Chairman** reminded the Committee that in accordance with General Assembly resolution 56/509 the Main Committees should elect a Chairman at least three months before the opening of the session and the other officers at the latest by the end of the first week of the session and urged the regional groups to hold consultations in good time.

Other matters

25. **The Chairman** said that, further to the Committee's discussions at its 25th meeting, on the transfer of the technical-servicing secretariat of the Sixth Committee, the Bureau had prepared a draft letter from the Chairman of the Sixth Committee addressed to the Chairman of the Fifth Committee. The relevant portion, explaining the outcome of the debate, read as follows:

“Delegations expressed their appreciation for the presence of the representatives of the Department of General Assembly and Conference Management. While supportive of the Secretary-General's overall reform efforts, members of the Committee and the Chairman of the International Law Commission raised a number of detailed questions about the implications of the transfer of the technical-servicing secretariat of the Sixth Committee to that Department from the Office of Legal Affairs, including the implication for various technical and specialized bodies of the Sixth Committee as well as for those bodies whose reports are considered by the Sixth Committee and requested an explanation of the benefits of such a transfer. The questions raised and comments made by members of the Committee and the Chairman of the International Law Commission reflected concerns as to

whether such a transfer was at all necessary. Concerns were expressed that such a transfer could lead to a diminishing quality of services to the Sixth Committee and its related bodies in their discharge of the Charter mandate concerning the progressive development of international law and its codification in accordance with Article 13, paragraph 1 (a) of the Charter. A number of delegations raised questions as to whether the intended transfer would lead to any cost-saving measures for the Organization and/or whether it could rather involve additional costs.”

26. If he heard no objection, he would take it that the Committee wished him to send the letter to the Chairman of the Fifth Committee.

27. *It was so decided.*

Completion of the Committee's work

28. After an exchange of courtesies, in which **Ms. Rivero** (Uruguay), **Mr. Adamhar** (Indonesia), **Mr. Abebe** (Ethiopia) and **Mr. Balestra** (San Marino) spoke on behalf of the regional groups of States, **the Chairman** declared that the Sixth Committee had completed its work for the fifty-seventh session.

The meeting rose at 11.20 a.m.