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Chair: Mr. Charles (Trinidad and Tobago)

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The meeting was called to order at 10.10 a.m.

Tribute to the memory of the victims of terrorist attacks

1. *At the invitation of the Chair, the Committee observed a minute of silence in memory of the victims of all terrorist attacks, including the recent attacks in Beirut and Paris.*

Agenda item 167: Report of the Committee on Relations with the Host Country (A/70/26)

2. **Mr. Emiliou** (Cyprus), speaking as the Chair of the Committee on Relations with the Host Country, introduced the report of the Committee (A/70/26). During the reporting period, concerns had been raised about the issuance and timeliness of issuance of entry visas to representatives of Member States. The Committee anticipated that those concerns would be duly addressed in accordance with applicable international law, in a spirit of cooperation. The Committee welcomed and further encouraged the efforts of the host country to facilitate the opening of bank accounts for permanent missions.

3. The Committee had held informal consultations to consider additional appropriate measures to enhance its work and effectiveness, in accordance with General Assembly resolution 69/128. The Committee was fully aware of the need to maintain flexibility in holding its meetings, which should, however, be balanced with the need to ensure the timely issuance of its documents and reports. As Chair, he would continue to seek to preserve that balance, and to consider any appropriate measures to enhance the work and effectiveness of the Committee.

4. **Ms. Dieguez La O** (Cuba) said that the policy of placing restrictions on the movements of Cuban diplomats and Cuban international civil servants accredited to the United Nations or working in the Organization was unjust, selective, discriminatory and politically motivated, as well as being in blatant violation of the host country's obligations under the Headquarters Agreement and customary norms of diplomatic law. The host country had still not taken practical steps to eliminate that arbitrary and unjustifiable measure, which prevented Cuban staff from travelling outside a 25-mile radius measured from Columbus Circle, New York, in contravention of the general rule on the free movement of diplomats, and should be lifted immediately.

5. With respect to the acceleration of immigration and customs procedures, the observance of diplomatic courtesy and guarantees for the proper treatment of the diplomatic personnel of Member States at airports were of vital importance. Her delegation appreciated the efforts of the host country in that regard and urged it to further improve the training of police, security, customs and border control officials, with a view to maintaining respect for diplomatic privileges and immunities. In particular, her delegation was grateful for the efforts and cooperation of the representatives of the host country office, with whom it had worked in a respectful and professional atmosphere in the preparations for the high-level segment of the current session of the General Assembly. The United States Parking Programme for Diplomatic Vehicles should be implemented in an appropriate, fair, non-discriminatory and efficient manner, in accordance with international law.

6. **Mr. Marhic** (Observer for the European Union), speaking also on behalf of the candidate countries Albania, Montenegro, Serbia and the former Yugoslav Republic of Macedonia; the stabilization and association process country Bosnia and Herzegovina; and, in addition, Georgia, Iceland, the Republic of Moldova and Ukraine, expressed appreciation for the Committee's work in addressing issues faced by the diplomatic community as well as the efforts of the host country to promote mutual understanding between that community and the people of New York. The often practical issues dealt with by the Committee went to the heart of preserving the legal regime governing the status of the United Nations and the rights and obligations of diplomatic agents. Observance of the privileges and immunities of diplomatic personnel rested on solid legal principles. It was accordingly essential to safeguard the integrity of the relevant body of international law, particularly the Headquarters Agreement, the Vienna Convention on Diplomatic Relations and the Convention on the Privileges and Immunities of the United Nations.

7. He thanked the host country for its continued efforts to ensure the timely issuance of entry visas to representatives of Member States and observers, while encouraging it to pursue further improvements. He also welcomed the host country's significant efforts to enable permanent missions to obtain suitable banking services, which were indispensable for their effective functioning. He endorsed the conclusions and

recommendations set out in the report of the Committee, an important forum that allowed Member States to communicate matters of concern and engage in constructive dialogue with the host country.

8. **Mr. Aldahhak** (Syrian Arab Republic) said that his Government condemned the recent terrorist attacks in Paris and extended its condolences to the families and friends of the victims. The Syrian people shared their suffering and their courage in facing the scourge of terrorism. His delegation urged the United Nations and its Member States to step up their counter-terrorism efforts, in line with international law and the Charter of the United Nations.

9. He welcomed the efforts of the host country to resolve the issues brought to its attention by the Committee on Relations with the Host Country, particularly those that impaired the ability of permanent missions to perform their work effectively, such as the obstacles to their enjoyment of suitable banking services. While some progress had been noted, problems had continued to arise during the reporting period. He thanked the Committee for all it had done to find solutions and urged it to continue its efforts to that end.

10. **Mr. Nasimfar** (Islamic Republic of Iran), recalling that the sovereign equality of all Members of the Organization, enshrined in Article 2, paragraph 1, of the Charter, in fact depended to some extent on each Member State having equal representation in the United Nations, said that the Committee on Relations with the Host Country had a unique responsibility for addressing issues arising in relations between the United Nations and the host country in relation to the implementation of the Headquarters Agreement and the Convention on the Privileges and Immunities of the United Nations, with a view to facilitating the representation of Member States in accordance with international law. Such issues could seriously affect the smooth functioning of accredited permanent missions and should therefore be effectively addressed by the Committee, making constructive use of its unique powers in a spirit of mutual cooperation.

11. His delegation noted that the earlier issuance of the report of the Committee on Relations with the Host Country in the current session had allowed more time for Member States to review it before its consideration in the Sixth Committee, as had been requested at the previous session. The Sixth Committee's consideration of the item, and consultations on the related draft

resolution, were also now more consistent with its practice in regard to other items. The no-objection procedure on that and other draft resolutions submitted to the Sixth Committee should not begin immediately following the introduction of the draft resolution, but within a reasonable time, to allow delegations to consult with their capitals.

12. Recalling that General Assembly resolution 2819 (XXVI) requested the Secretary-General to report to the Committee on Relations with the Host Country on the implementation of the Headquarters Agreement, he reiterated that the Secretary-General was a party to that Agreement and should ensure that its provisions were implemented consistently. The working methods of the Committee on Relations with the Host Country, like those of other United Nations bodies, needed to be improved. While some efforts had been made to enhance its work and effectiveness, it should continue to consider appropriate measures to that end. It was in the interests of all Member States to improve the performance of the Organization and its accredited permanent missions, and to address any related difficulties.

13. **Mr. Medina Mejías** (Bolivarian Republic of Venezuela) said that his delegation endorsed the views expressed by the delegation of Cuba regarding the host country's conduct of diplomatic relations. While some positive changes had been seen, there was still a need for the host country to put an end once and for all to its policy of placing restrictions on the free movement of Cuban diplomats and Cuban international civil servants accredited to or working for the United Nations. That policy was selective, unfair and in flagrant violation of the Headquarters Agreement and customary norms of diplomatic law. His delegation would appreciate all efforts undertaken in that regard by representatives of the host country in order to ensure justice and equality for all sovereign States, in keeping with the spirit of the Charter of the United Nations.

14. **Mr. Simonoff** (United States of America) said that his country was proud to serve as host to the United Nations and took that role and its obligations under the Headquarters Agreement very seriously. The Committee on Relations with the Host Country was a valuable forum in which to discuss issues relating to the presence of the dynamic diplomatic community in New York and to address its concerns. The host country greatly valued the Committee's cooperation and constructive spirit and appreciated the participation of numerous observer delegations in its meetings. The Committee's

discussions in 2015 had focused on mitigating delays in visa issuance, ensuring the safety and security of United Nations missions and addressing issues involving banking and financial services. The host country remained available to assist all missions in that respect and encouraged delegations to bring any issues to it bilaterally if they preferred. The Host Country Section in the United States Mission to the United Nations always strove to assist delegations in finding a solution to any issues they faced.

Agenda item 120: Revitalization of the work of the General Assembly

15. **The Chair** said that the Bureau had prepared a draft provisional programme of work of the Sixth Committee for the seventy-first session and had circulated it prior to the current meeting so as to allow more time for reflection and consultation before its adoption. It was the first time that the Sixth Committee had been presented with such information in advance of the meeting at which it was required to take a decision on its provisional programme of work. He hoped that the new initiative would help to improve the process of planning the Committee's annual sessions and lead to the establishment of a new, more transparent practice. The draft provisional programme of work included six additional agenda items, currently considered on a biennial or triennial basis. It also provided information regarding the possible meeting dates of working groups, without prejudice to the Committee's decision to establish those working groups, and reflected the Bureau's efforts to address delegations' concerns about the overlapping of the Committee's meetings with certain meetings of the plenary Assembly, in particular those at which the reports of the International Criminal Court and the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 would be considered. The Committee should be able to adopt a draft decision on an agreed provisional programme of work for 2016 at its last meeting of the main part of the current session.

16. **Mr. Fornell** (Ecuador), speaking on behalf of the Community of Latin American and Caribbean States (CELAC), said that the credibility of the United Nations rested largely with the General Assembly, the competence and authority of which must be fully respected. The equal, inclusive and democratic

representation of all Member States in that plenary organ of the Organization reflected the universal nature of the United Nations and the sovereign equality of all its Members.

17. CELAC was pleased to note that some of the proposals that it had put forward at the sixty-ninth session had been taken into account. In particular, it welcomed the efforts of the Bureau and the Secretariat to avoid any overlapping of topics between the Sixth Committee and the plenary Assembly. CELAC also welcomed the Secretariat's positive response to its views on specific measures for the adoption of agendas aimed at achieving more ambitious goals, and remained convinced of the usefulness of organizing thematic debates in order to discuss specific issues of critical importance for the international community.

18. While CELAC recognized the improvements made in the scheduling of meetings, it called for further coordination by the General Committee and the Secretariat so as to avoid scheduling conflicts between plenary meetings of the General Assembly and meetings of subsidiary bodies covering the same issues. The timing of important debates had a particular impact on permanent missions staffed by only a few officials, affecting not only their attendance but also the quality of the substantive discussions. Further efforts were needed in planning work so as to ensure that proceedings were transparent, inclusive and efficient. The necessary close cooperation and coordination among all the principal organs should also be extended to their agendas and programmes of work in the interests of efficient relations, broad coherence, complementarity and mutual respect.

19. CELAC reiterated its call for the full and effective implementation of all relevant General Assembly resolutions on multilingualism, underscoring the need to ensure that all six official languages of the Organization were treated equally, without excuses related to budgetary constraints. CELAC welcomed General Assembly resolution 69/321, in particular its emphasis on the importance of following a more democratic process for the selection of the next Secretary-General. CELAC also welcomed the commitment made by the current President of the General Assembly to adhere in his conduct to the principles of integrity, impartiality, transparency, accountability, professionalism and effectiveness, as well as his interaction with the Chair of the Sixth Committee.

20. **Ms. Mejía Vélez** (Colombia), speaking on behalf of the Group of Friends in favour of a woman candidate for Secretary-General of the United Nations, a cross-regional initiative bringing together 48 Member States, said that the Group reiterated the importance of implementing General Assembly resolution 69/321, particularly the section on the selection and appointment of the Secretary-General and other executive heads. Noting that the process of soliciting candidates for the position of Secretary-General would begin in the current session of the General Assembly and that there was increasing support for the possibility of selecting a woman to that position, the Group encouraged Governments to endorse female candidates and was pleased to note that some had already done so. It hoped that others would follow suit, since an open and inclusive selection process would require a significant number of women candidates. As there were multiple steps in the selection and appointment process, the process should begin soon and should reflect the highest standards of transparency and accountability. The Group of Friends stood ready to engage in constructive dialogue with all Member States on the revitalization of the work of the General Assembly, with a view to the adoption of decisions in the best interests of the entire Organization.

21. **Mr. Emvula** (Namibia) said that the revitalization of the work of the General Assembly and its committees, in a more responsive environment, would contribute significantly to strengthening the United Nations system as a whole. The adoption of General Assembly resolution 69/321, which renewed the mandate of the Ad Hoc Working Group on the Revitalization of the Work of the General Assembly, was a significant step in that direction. It was to be hoped that the seventieth anniversary of the Charter of the United Nations would also lend itself to the same goal, in particular by promoting cooperation between the General Assembly and other organs, bearing in mind that the improvement of the Assembly's procedures and working methods would restore and enhance its role and authority. The General Assembly had authority for issues of international justice, peace and security. Given the intergovernmental nature of the United Nations, Member States should be consulted on initiatives and activities undertaken within the General Assembly, the Security Council and other organs of the Organization.

22. His delegation objected to the Security Council's encroachment on the prerogatives of the General

Assembly, as set out in the Charter of the United Nations, in such areas as norm-setting, legislation and administrative and budgetary matters. It should also be noted that the General Assembly was tasked with the development and codification of international law, in accordance with Article 13 of the Charter. A stronger and healthier relationship and cooperation between the General Assembly and the Security Council in matters of mutual interest would, however, be desirable. The work of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization would also contribute greatly to the whole process of revitalization.

23. **Ms. Dieguez La O** (Cuba) said that the revitalization of the work of the General Assembly was a crucial element in United Nations reform, which would not be complete until the Assembly fully exercised its functions pursuant to the Charter of the United Nations. The General Assembly owed its authority, functions and powers mainly to the participation of all Member States, which ensured its truly democratic and representative character, and was the highest expression of the principle of the sovereign equality of States.

24. The Sixth Committee should continue the good practices that had characterized its work in the past. In particular, the Chair was to be commended for his valuable and exhaustive explanation of the draft programme of work, which would have a direct impact on the organization of the Committee's work. At the seventy-first session of the General Assembly, the Committee should allot sufficient time for each topic on the agenda. Negotiations on the various agenda items should not begin on the last day for the submission of texts to the Secretariat and delegations should receive reports sufficiently in advance of discussions. Some progress had been made in both those respects at the current session; in particular, the timely issuance of the report of the Committee on Relations with the Host Country (A/70/26) constituted a notable improvement. In the case of requests for observer status, a consensus existed in the Committee regarding the need for the necessary documentation to be made available in advance, so that such requests could be examined seriously and constructively. More efforts were still required in that regard. It was also important to have advance notification of the names of the persons appointed as facilitators for each topic; appointments should not be automatic or permanent, and should be made on the basis of equitable

geographical representation. It was a matter of concern that draft resolutions had been adopted at various different times during the session, despite the Bureau's efforts in that regard. The Committee should revert to its previous practice of adopting all draft resolutions at the end of the session, so that delegates would have sufficient time to consult with their capitals.

25. Her delegation recognized the usefulness of the electronic tools and work platforms available to Member States, as well as the effectiveness of the UniShare system for the work of the Committee at the current session. However, it was still important for hard copy documentation to be made available during the negotiation, consultation and adoption of the Committee's draft resolutions, especially since many developing countries lacked the necessary technology to use all the various electronic systems.

26. **Ms. Argüello González** (Nicaragua) said that the democratization of the United Nations remained a priority. In order to achieve that goal, measures must continue to be taken to re-establish the authority of the General Assembly so that it could discharge its duties as the chief democratic, deliberative and policymaking organ of the Organization. It was therefore important to ensure the full implementation of General Assembly resolution 69/321, which requested the Presidents of the General Assembly and the Security Council to solicit candidates for the position of Secretary-General and circulate the names of such candidates to all Member States, and invited Member States to consider presenting women as candidates.

27. It was the ideal time to revitalize the General Assembly, which should serve as a true bridge for communication with global governance actors. Transparency and inclusiveness were thus of vital importance to ensure that every country, no matter how small, could make its voice heard. The Charter of the United Nations and the resolutions of the General Assembly were designed with that in mind. The clear division of work between the various organs should be respected and issues that were within the purview of the General Assembly should not be referred to the Security Council. The seventieth anniversary of the United Nations offered a crucial opportunity to raise awareness of the Assembly's role and activities.

28. Any attempts to minimize the Assembly's achievements and importance, reduce its role and functions or raise doubts about its relevance and

credibility were unacceptable. The voice and vote of all States Members of the Organization should continue to be strengthened, for the sake of all peoples of the world. In that spirit, Nicaragua was committed to all initiatives aimed at recreating, reinventing and re-founding the United Nations in the interests of all, in order to bring together all Member States on a truly equal footing.

29. **Mr. Madureira** (Portugal) said that the agenda item under consideration offered delegations a valuable opportunity for interactive discussion on improving the work of the Committee. It had been very useful to receive a draft provisional programme of work at the current meeting. Based on the provisional programme of work adopted, delegations would be able to prepare the ground for future discussions in the Committee, including through informal meetings held — without prejudice to those discussions — during the intersessional period. One topic that had continued to attract great interest was that of the responsibility of States for internationally wrongful acts, which would be considered by the Committee again at the seventy-first session. He welcomed the inclusion of possible meeting dates for a working group on that topic in the draft provisional programme of work, but expressed concern that only two meetings had been provisionally assigned to it.

30. **Mr. Medina Mejías** (Bolivarian Republic of Venezuela) said that the egalitarian, inclusive and democratic participation of all Member States in the General Assembly reflected the universality of the United Nations and the sovereign equality of all its Members. As the Organization's pre-eminent forum for debate, the General Assembly should maintain its independence vis-à-vis other organs. The tendency of the Security Council to concern itself with issues outside its competence by introducing security considerations that were not within the purview of the General Assembly led ultimately to a weakening of the Assembly's central role. That tendency must therefore be reversed.

31. The revitalization of the General Assembly involved making it better able to serve as a privileged forum for dialogue and cooperation in the search for solutions to issues affecting peace and economic and social development; a strengthening of its role and authority would lend itself to the improvement of its working methods and to strengthening the institutional memory of the Office of its President. Such revitalization should go beyond considering merely a reduction of agenda items, on the basis of cost-benefit

criteria, as though it were a transnational corporation. The General Assembly should serve as a political forum for exchanging ideas and forging agreements. All Member States had the right to refer to the Assembly any issue of concern relating to the Organization's aims and purposes. Efforts to revitalize it should therefore be guided by the principles of democracy, transparency and accountability and achieved through open-ended and inclusive consultations aimed at continuing to strengthen the role and position of the General Assembly as the chief deliberative, policymaking and representative organ of the United Nations. That would be possible only if all Member States complied with the purposes and principles set out in the Charter and with the relevant General Assembly resolutions.

32. The process was a critical component of the comprehensive reform of the United Nations, bearing in mind that improvements in the General Assembly's procedural and working methods were only a first step towards more substantive improvements. It would help to strengthen the authority of the Assembly, including on questions relating to the maintenance of international peace and security, in accordance with Articles 10 to 14 and 35 of the Charter. It was also necessary to promote and preserve the Assembly's role and mandate in setting the priorities of the United Nations and its absolute authority to allocate and reallocate financial and human resources in accordance with the Charter and General Assembly resolutions, through ensuring, *inter alia*, full adherence by the Member States to such resolutions.

33. Reiterating the need to ensure fair and equal treatment of all six official languages of the Organization, he called for the full and effective implementation of the relevant General Assembly resolutions on multilingualism. Furthermore, opportunities for formal interaction between the General Assembly and civil society organizations should be organized with due regard for the essential intergovernmental character of the United Nations and precedence should be given to States' official delegations to the General Assembly. Notwithstanding recent improvements in the scheduling of meetings, further efforts were needed to avoid any overlap between meetings of the plenary Assembly and meetings of subsidiary organs, so that the greatest possible number of delegations could attend. Lastly, he urged all Member States to play an active role in the implementation of General Assembly resolution

69/321, particularly with regard to the need to ensure a more transparent and inclusive process of selection of the next Secretary-General, based on gender and geographical balance. Implementation of General Assembly resolutions was essential for the Assembly's effectiveness and efficiency, with the concrete aim of making it more inclusive, pluralistic and adapted to an increasingly multipolar world. Its revitalization was essential in order to maximize the Organization's capacity to address issues relating to its three pillars: peace and security, development and human rights.

34. **Mr. Fernandez Valoni** (Argentina), noting that the current agenda item offered a welcome opportunity to reflect on the Committee's working methods, said that the new practice of taking action on draft resolutions when they were ready rather than at the end of the session needed to be better organized, taking into account the good practices of other committees. One particular day each week might perhaps be designated for that purpose, with delegations being informed in advance of the items on which action was to be taken. The announcements made in the Journal of the United Nations to that effect did not give delegations sufficient time to react.

35. **Ms. Rolon Candia** (Paraguay) said that the previous practice of adopting all draft resolutions at the end of the session was preferable, as it enabled everyone to know in advance when action was to be taken.

Agenda item 84: Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization
(continued) (A/C.6/70/L.11)

Draft resolution A/C.6/70/L.11: Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

36. *Draft resolution A/C.6/70/L.11 was adopted.*

Agenda item 86: The scope and application of the principle of universal jurisdiction (continued)
(A/C.6/70/L.12)

Draft resolution A/C.6/70/L.12: The scope and application of the principle of universal jurisdiction

37. *Draft resolution A/C.6/70/L.12 was adopted.*

The meeting rose at 12.05 p.m.