



General Assembly

Seventy-first session

65th plenary meeting
Monday, 19 December 2016, 10 a.m.
New York

Official Records

President: Mr. Thomson (Fiji)

The meeting was called to order at 10.30 a.m.

paragraph 34 of document A/71/477, the adoption of four draft resolutions, and, in paragraph 35, the adoption of one draft decision.

Reports of the Third Committee

The President: The General Assembly will consider the reports of the Third Committee on agenda items 26, 27, 60, 63 to 68, 106, 107, 121 and 135.

I request the Rapporteur of the Third Committee, Ms. Cécile Mballa Eyenga of Cameroon, to introduce in one intervention the reports of the Committee.

Under agenda item 60, entitled “Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions”, the Third Committee recommends, in paragraph 14 of document A/71/478, the adoption of three draft resolutions.

Ms. Mballa Eyenga (Cameroon), Rapporteur of the Third Committee (*spoke in French*): It is a great privilege for me to introduce to the General Assembly the reports of the Third Committee, submitted under agenda items allocated to it by the General Assembly, namely, items 26, 27, 60, 63, 64, 65, 66, 67, 68, 106, 107, 121 and 135.

Under agenda item 63, entitled “Report of the Human Rights Council”, the Third Committee recommends, in paragraph 17 of document A/71/479, the adoption of one draft resolution.

The reports, contained in documents A/71/476 to A/71/488, include the texts of draft resolutions and decisions recommended to the General Assembly for adoption. For the convenience of delegations, the Secretariat has issued document A/C.3/71/INF/1, which contains a checklist of actions taken on the draft proposals contained in the reports before the Assembly.

Under agenda item 64, entitled “Promotion and protection of the rights of children”, the Third Committee recommends, in paragraph 29 of document A/71/480, the adoption of three draft resolutions, and, in paragraph 30, the adoption of one draft decision.

Under agenda item 26, including sub-items (a) and (b), entitled “Social development”, the Third Committee recommends, in paragraph 27 of document A/71/476, the adoption of five draft resolutions, and, in paragraph 28, the adoption of one draft decision.

Under agenda item 65, entitled “Rights of indigenous peoples”, the Third Committee recommends, in paragraph 12 of document A/71/481, the adoption of one draft resolution, and, in paragraph 13, the adoption of one draft decision.

Under agenda item 27, entitled “Advancement of women”, the Third Committee recommends, in

Under agenda item 66, entitled “Elimination of racism, racial discrimination, xenophobia and related intolerance”, the Third Committee recommends, in paragraph 24 of document A/71/482, the adoption of three draft resolutions, and, in paragraph 25, the adoption of one draft decision.

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Under agenda item 67, entitled “Right of peoples to self-determination”, the Third Committee recommends, in paragraph 22 of document A/71/483, the adoption of three draft resolutions.

Under agenda item 68, entitled “Promotion and protection of human rights”, the Third Committee recommends, in paragraph 5 of document A/71/484, the adoption of one draft decision.

Under agenda item 68 (a), entitled “Promotion and protection of human rights: Implementation of human rights instruments”, the Third Committee recommends, in paragraph 14 of document A/71/484/Add.1, the adoption of one draft resolution.

Under agenda item 68 (b), entitled “Promotion and protection of human rights: Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms”, the Third Committee recommends, in paragraph 137 of document A/71/484/Add.2, the adoption of 16 draft resolutions.

Under agenda item 68 (c), entitled “Promotion and protection of human rights: Human rights situations and reports of special rapporteurs and representatives”, the Third Committee recommends, in paragraph 34 of document A/71/484/Add.3, the adoption of four draft resolutions.

Under agenda item 68 (d), entitled “Promotion and protection of human rights: Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action”, the Third Committee wishes to advise the Assembly that no action was required under the item.

Under agenda item 106, entitled “Crime prevention and criminal justice”, the Third Committee recommends, in paragraph 24 of document A/71/485, the adoption of four draft resolutions, and, in paragraph 25, the adoption of one draft decision.

Under agenda item 107, entitled “International drug control”, the Third Committee recommends, in paragraph 11 of document A/71/486, the adoption of two draft resolutions.

Under agenda item 121, entitled “Revitalization of the work of the General Assembly”, the Third Committee recommends, in paragraph 5 of document A/71/487, the adoption of one draft decision.

Finally, under agenda item 135, entitled “Programme planning”, the Third Committee wishes to advise the Assembly, in document A/71/488, that no action was required under the item.

I would like to thank my fellow Bureau members: the Chair of the Committee and Permanent Representative of Colombia Her Excellency Ms. María Mejía Vélez, and Vice-Chairs Mr. Masni Eriza of Indonesia, Ms. Karina Wegrzynowska of Poland and Mr. Andreas Glossner of Germany, as well as the Secretary of the Committee, Mr. Moncef Khane, and his very able team, whose unwavering support and sound advice allowed for the efficient management of the proceedings of the Third Committee.

Finally, I am grateful to all Third Committee experts for their support to the Bureau and for their friendship. I must also thank the Ambassadors and Permanent Representatives, who, in spite of their many duties, found the time to assist us in clearly articulating delegations’ positions. Their presence helped our deliberations to take shape.

In conclusion, I would like to respectfully commend the reports of the Third Committee before the plenary of the General Assembly for its consideration.

The President: I thank the Rapporteur of the Third Committee.

If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the reports of the Third Committee which are before the Assembly today.

It was so decided.

The President: Statements will therefore be limited to explanations of vote. The positions of delegations regarding the recommendations of the Third Committee have been made clear in the Committee and are reflected in the relevant official records.

May I remind members that under paragraph 7 of decision 34/401, the General Assembly agreed that:

“When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, that is, either in the Committee or in plenary meeting, unless that delegation’s vote in plenary meeting is different from its vote in the Committee”.

May I further remind delegations that, also in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Committee, I should like to advise representatives that we are going to proceed to take decisions in the same manner as was done in the Committee, unless the Secretariat is notified to the contrary in advance. This means that where recorded votes were taken, we will do the same. I should also hope that we will proceed to adopt without a vote those recommendations that were adopted without a vote in the Committee.

Before proceeding further, I would like to draw the attention of members to a note by the Secretariat, entitled "List of proposals contained in the reports of the Third Committee", which has been circulated, in English only, as document A/C.3/71/INF/1. This note has been distributed desk-to-desk as a reference guide for action on draft resolutions and decisions recommended by the Committee in its reports.

In this connection, members will find in column four of the note the symbols of the draft resolutions or decisions of the Committee, with the corresponding symbols of the reports for action in the plenary in column two of the same note. For reports containing multiple recommendations, the draft resolution or decision number is contained in column three of the note.

Furthermore, members are reminded that additional sponsors are no longer accepted now that draft resolutions and decisions have been adopted by the Committee. Any clarification about sponsorship should be addressed to the Secretary of the Committee. I would also like to remind members that any corrections to the voting intention of delegations after the voting has concluded on a proposal should be made directly to the Secretariat at the end of the meeting. I would seek members' cooperation in avoiding any interruptions to our proceedings in this regard.

Agenda item 26

Social development

Report of the Third Committee (A/71/476)

The President: The Assembly now has before it five draft resolutions recommended by the Third

Committee in paragraph 27 of its report and a draft decision recommended by the Committee in paragraph 28 of the same report.

We shall now take decisions on draft resolutions I to V and on the draft decision, one by one.

Draft resolution I is entitled "Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly." The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution I was adopted (resolution 71/162).

The President: Draft resolution II is entitled "Follow-up to the twentieth anniversary of the International Year of the Family and beyond". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 71/163).

The President: Draft resolution III is entitled "Follow-up to the Second World Assembly on Ageing". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution III was adopted (resolution 71/164).

The President: Draft resolution IV is entitled "Inclusive development for persons with disabilities". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution IV was adopted (resolution 71/165).

The President: Draft resolution V is entitled "Literacy for life: shaping future agendas". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution V was adopted (resolution 71/166).

The President: We shall now turn to paragraph 28 of the report to take action on the draft decision entitled "Document considered by the General Assembly in connection with the question of social development".

May I take it that it is the wish of the Assembly to adopt the draft decision recommended by the Third Committee?

The draft decision was adopted (decision 71/530).

The President: May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 26?

It was so decided.

Agenda item 27

Advancement of women

Report of the Third Committee (A/71/477)

The President: The Assembly has before it four draft resolutions recommended by the Third Committee in paragraph 34 of its report and a draft decision recommended by the Committee in paragraph 35 of the same report.

I shall now call on those delegations wishing to speak in explanation of vote before the voting on the draft resolutions and draft decision under this agenda item.

Mr. Mohamed (Sudan): My delegation takes the floor, as it did in the Third Committee, on draft resolution I, entitled “Trafficking in women and girls”, contained in the report of the Third Committee under agenda item 27. My delegation’s amendment is contained in draft resolution A/71/L.30. It is a request to delete the fifteenth preambular paragraph. We introduced the draft amendment before the Third Committee, and we would like to continue the process, in line with our firm position and belief as concerns the following points.

First of all, singling out the International Criminal Court (ICC) in the fifteenth preambular paragraph portrays the International Criminal Court as the only instrument that handles gender-related crimes, thus ignoring the fact that there are other instruments to dispense justice at the national, regional and international levels. We firmly believe that portrayal to be a far-fetched and untrue characterization. In fact, the ICC has failed the cause of achieving international criminal justice due to delays, inefficiency, corruption, politicization and selectivity. It exercises its authority exclusively over nationals of poor, underdeveloped and developing nations, at the exclusion of others, and it will continue to do so. That is a serious flaw inherent in the Statute of the Court and, consequently, in its applications thus far. That is why all those who have been indicted by the Prosecutor of the ICC and all those who have been tried by the Court so far are Africans, without exception. That will continue to be the case as long as this mockery of justice persists.

Secondly, we feel that there are attempts to globalize the International Criminal Court as an idea under the Rome Statute and to consider the Court as a legal reference to be imposed on everyone, even those that are not party to the Rome Statute.

Thirdly, it is also worth mentioning that in the 14 years since its entry into force in July 2002, the International Criminal Court has adjudicated only four cases, each costing an astronomical sum of billions of euros. How can such a body be singled out and claimed to be the only means to achieving justice internationally? Worse, as the ICC is politically manipulated, it has no option but to exercise its jurisdiction over certain categories of people — those belonging to developing nations, as evidenced by the four cases it has adjudicated thus far. All of them without exception involve cases from Africa.

Fourthly, my delegation has a firm and clear position towards the International Criminal Court that will not change, and we will do all we can to not allow attempts to politicize the nature of the Third Committee draft resolution, or to complicate or undermine its objectives and basic principles. We believe that attempts to impose the Court as a legal reference are aimed only at promoting and propagating the jurisdiction of the International Criminal Court, a controversial issue even among its membership — which is, at the very least, misplaced.

Finally, despite the importance and centrality of the subject at hand, such a selective approach has left us with no option other than to request the deletion of that preambular paragraph from the draft resolution. We call on Member States to vote in favour of the amendment of deletion that we submitted.

Mr. Ružička (Slovakia): I take the floor on behalf of the European Union. As we made clear in the Third Committee, we deeply regret that the Sudan has submitted an amendment to remove the fifteenth preambular paragraph, which has been included in the text of this resolution since the fifty-ninth session. The fifteenth preambular paragraph is a simple, factual statement that merely acknowledges the inclusion of gender-related crimes in the Rome Statute of the International Criminal Court (ICC).

Nothing in the language of the fifteenth preambular paragraph asks, suggests that or compels States to interact or cooperate with the ICC. Numerous other international legal instruments that do not enjoy

universal membership are referenced in the text. It is therefore completely wrong to suggest that the ICC is given special attention in the draft resolution. The simple reference to the fact that gender-related crimes are included in the Rome Statute is as relevant now as it was during its initial adoption at the fifty-ninth session. Indeed, earlier this year the ICC issued the first judgment on sexual violence as a war crime and a crime against humanity.

The European Union and its member States believe that the fight against impunity for the most serious crimes is critical to ensuring a fair and just society by holding the perpetrators accountable and rendering justice to the victims of such crimes. We also consider peace and justice to be complementary rather than mutually exclusive. We are strong supporters of the International Criminal Court, which is a key institution for assisting victims in achieving justice in the face of the most serious crimes when it is not possible to do so at the national level. All perpetrators of such crimes must be held accountable for their actions.

A key element of the Rome Statute is its equal application. In that respect, the creation of the ICC has given millions of victims of atrocities new hope that justice will be done. States from all over the world have joined efforts to make that possible. It is for those reasons that the 28 States members of the European Union will vote against the amendment, and we call on all other States — particularly States party to the Rome Statute of the International Criminal Court — to do the same.

Ms. Nescher-Stuetzel (Liechtenstein): I have the honour to speak on behalf of Australia, Canada, Iceland, New Zealand, Norway, Switzerland and Liechtenstein. The paragraph for which an amendment has been submitted has been an element of the consensual resolutions that the Committee has adopted on the topic of human trafficking for a number of years now.

It simply acknowledges the fact that the Rome Statute of the International Criminal Court (ICC), negotiated by the entire membership at the diplomatic conference in Rome in 1998, includes references to gender-related crimes — an aspect of the Rome Statute that was generally hailed as one of the most important advances in the field of international criminal justice. Given that the paragraph does not deal with the practical work of the ICC or make any claims about its performance, it is obvious that the vote is an attempt to

undermine the established consensus in the Committee on a topic of obvious high importance. We will therefore vote against the amendment and hope that others will join us in rejecting this destructive proposal.

Ms. Cantada (Philippines): My delegation will vote against the amendment to draft resolution I, entitled “Trafficking in women and girls”. The inclusion of gender-related crimes in the Rome Statute emphasizes the seriousness of such crimes, which disproportionately target women and girls. Those crimes include rape, sexual slavery and forced prostitution, forced pregnancy and forced sterilization, or any other form of sexual violence of comparable gravity.

Several of such gender-related crimes are viewed as trafficking in persons by the Palermo Protocol, which defines trafficking in persons, including the element of exploitation, which states that exploitation shall include, at the minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

In June, the International Criminal Court (ICC) convicted and sentenced to 18 years in prison a military commander, together with soldiers under his command, who had committed mass murder, rape and pillaging. It sends a strong message to the world that sexual and gender-based crimes must not go unpunished. That judgment reinforces our collective desire to eradicate gender-related crimes committed against women and girls.

The fifteenth preambular paragraph of the resolution has remained unchanged since the fifty-seventh session, in 2002. Its inclusion in the draft resolution is now more important than ever. We are aware that membership of the ICC is fluid, with some States parties to Rome Statute withdrawing from it and other States acceding to it. However, this paragraph does not require action on the part of member States, whether State parties to the Rome Statute or not. What we have before us is a factual statement that simply acknowledges the inclusion of gender-related crimes in the Rome Statute of the International Criminal Court. In that regard, my delegation will vote against the amendment.

The President: We shall now proceed to take decisions on draft resolutions I to IV and on the draft decision, one by one.

We first turn to draft resolution I entitled “Trafficking in women and girls”. In connection with draft resolution I, the General Assembly has before it a draft amendment circulated in document A/71/L.30. In accordance with rule 90 of the rules of procedure, the Assembly shall first take a decision on the proposed draft amendment. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Belarus, Burundi, Cameroon, China, Democratic People’s Republic of Korea, Egypt, Equatorial Guinea, Eritrea, Iraq, Kuwait, Lao People’s Democratic Republic, Morocco, Nicaragua, Oman, Pakistan, Russian Federation, Saudi Arabia, South Sudan, Sudan, Syrian Arab Republic, Yemen, Zimbabwe

Against:

Afghanistan, Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belgium, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cabo Verde, Cambodia, Canada, Central African Republic, Chad, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kiribati, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mexico, Monaco, Mongolia, Montenegro, Namibia, Netherlands, New Zealand, Niger, Nigeria, Norway, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of)

Abstaining:

Angola, Bahrain, Belize, Bhutan, Brunei Darussalam, Ethiopia, Guyana, India, Iran (Islamic Republic of), Jordan, Kenya, Mauritius, Mozambique, Myanmar, Nepal, Papua New Guinea, Qatar, Sao Tome and Principe, Singapore, Solomon Islands, Somalia, Swaziland, Togo, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zambia

The amendment contained in document A/71/L.30 was rejected by 23 votes to 115, with 29 abstentions.

The President: May I take it that it is the wish of the General assembly to adopt draft resolution I?

Draft resolution I was adopted (resolution 71/167).

The President: Draft resolution II is entitled “Intensifying global efforts for the elimination of female genital mutilation”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 71/168).

The President: Draft resolution III is entitled “Intensification of efforts to end obstetric fistula”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution III was adopted (resolution 71/169).

The President: Draft resolution IV is entitled “Intensification of efforts to prevent and eliminate all forms of violence against women and girls: domestic violence”. The Third Committee adopted it without a vote. May I take it that it is the wish of the Assembly to do likewise?

Draft resolution IV was adopted (resolution 71/170).

The President: We shall now turn to paragraph 35 of the report to take action on the draft decision entitled “Documents considered by the General Assembly in connection with the advancement of women”. May I take it that it is the wish of the Assembly to adopt the draft decision recommended by the Third Committee?

The draft decision was adopted (decision 71/531).

The President: May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 27?

It was so decided.

Agenda item 60

Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Report of the Third Committee (A/71/478)

The President: The Assembly has before it three draft resolutions recommended by the Third Committee in paragraph 14 of its report. We shall now take a decision on draft resolutions I to III, one by one.

Draft resolution I is entitled “Enlargement of the Executive Committee of the Programmes of the United Nations High Commissioner for Refugees”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution I was adopted (resolution 71/171).

The President: Draft resolution II is entitled “Office of the United Nations High Commissioner for Refugees”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 71/172).

The President: Draft resolution III is entitled “Assistance to refugees, returnees and displaced persons in Africa”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution III was adopted (resolution 71/173).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 60?

It was so decided.

Agenda item 63 (continued)

Report of the Human Rights Council.

Report of the Third Committee (A/71/479)

The President: The Assembly has before it a draft resolution recommended by the Third Committee in paragraph 17 of its report.

I now give the floor to the representative of Burkina Faso.

Mr. Tiare (Burkina Faso) (*spoke in French*): I have the honour to take the floor on behalf of the Group of African States to introduce a draft amendment contained in document A/71/L.45.

The amendment submitted by the African Group aims to defer consideration of resolution 32/2 of the Human Rights Council of 30 June, entitled “Protection against violence and discrimination based on sexual orientation and gender identity”, until the seventy-second session in order to allow time for additional consultations to take place to determine the basis on which the mandate for special procedures will be defined.

As the Assembly knows, this is not the first time that the Group has proposed to defer consideration of a resolution. Unfortunately, the African Group’s request for more time for consultation and mutual understanding of the concept was deliberately misinterpreted and distorted in order to be presented as an infringement of the mandate and authority of the Human Rights Council. Far from it, the African Group had no such idea in mind in proposing this amendment; rather, it fully affirms that it is the duty of the Human Rights Council to establish special procedures.

While the African Group affirms the authority accorded to the Human Rights Council pursuant to its founding resolution 60/251, it is equally important to underscore the rights of the General Assembly enshrined in the same resolution, which established the Council. The resolution clearly established the Human Rights Council as a subsidiary organ of the General Assembly; hence the need for the Council to be held accountable on an annual basis to the universal membership of the General Assembly. This designation of the status of the Council as a subsidiary body of General Assembly was subsequently reaffirmed in paragraph 3 of resolution 65/281.

Furthermore, Article 10 of the Charter of the United Nations states that

“the General Assembly may discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter”.

Thus, it cannot be argued that the decision of the General Assembly to consider the decision of a subsidiary body is an attempt to question its mandate and authority. The African Group therefore reiterates its decision to submit this amendment on the basis of the principles of international law, the purposes and principles enshrined in the Charter of the United Nations, and universally recognized principles of respect for the independence and sovereignty of Member States.

We have been told that the General Assembly has never challenged a Human Rights Council resolution of this nature and that the decision to do so now would set a dangerous precedent. In response, we would say that this perception clouds the real issue at stake, since the facts do not support this affirmation. Indeed, in 2006, the General Assembly, in resolution 61/178, decided to defer consideration of the United Nations Declaration on the Rights of Indigenous Peoples adopted by the Human Rights Council in its resolution of 29 June 2006 in order to allow for further consultations. In 2013, the General Assembly adopted resolution 68/144, postponing consideration of Human Rights Council resolution 24/24, and took steps to establish a focal point on reprisals. These decisions reflect the fact that the General Assembly has exercised its authority to guide the overall work of the Organization, as enshrined in the Charter of the United Nations.

The African Group is troubled by the fact that the Independent Expert on Sexual Orientation and Gender Identity, Mr. Vitit Muntarbhorn, has already begun his work even before the General Assembly could consider the establishment of his mandate by defining a completely different mandate. At the recent International Lesbian, Gay, Bisexual, Trans and Intersex Association, held in Bangkok on 30 November, he laid out his mandate with key objectives, such as decriminalization, depathologization, cultural inclusion and empathization. This clearly shows that the mandate has already been violated without legal basis by the Independent Expert to promote new rights that are not internationally recognized, through actions

that cultivate hostility among the Member States and create acrimony within the United Nations system.

The African Group’s amendment is limited to proposing that Member States undertake further consultations on this issue with a view to reaching a common understanding on the concept of sexual orientation and gender identity, given that international law says nothing about this issue. Such an understanding would eliminate all ambiguities concerning this mandate. The African Group recalls that if the international community wishes to achieve the necessary solidarity and respect for all human rights, it must prevent double standards. Let us respect the sovereign right of each State Member of the Organization to take the decisions that it considers relevant to its society.

The United Nations is today respected throughout the world because it has always believed in and supported the principle of unity in diversity. Let us not make decisions at this stage which will only divide the Organization, since in truth these concepts are not enshrined in an international human rights instrument.

In conclusion, I wish to reaffirm that the members of the African Group do not support any form of violence or discrimination against any group of persons. We support the universality of all human rights enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights. In that respect, the Group will vote in favour of this amendment and urges all other delegations to do so to maintain respect for the principles of international law, the Charter of the United Nations and universally recognized principles of respect for the independence and sovereignty of all Member States. What is at stake here is at the heart of the foundation, the principles and the credibility of the United Nations.

The President: I shall now give the floor to those delegations wishing to speak in explanation of vote before the voting on the draft resolution before us.

Mr. Ružička (Slovakia): I would like to make an explanation of vote before the voting. It is my honour to speak on behalf of the European Union and its member States.

The European Union and its member States are deeply concerned by the fresh attempt of some States Members of the United Nations to reopen the decision of the Human Rights Council. Resolution 32/2, which mandated an Independent Expert on Sexual Orientation

and Gender Identity, was adopted by a majority vote in Geneva. All 47 members of the Human Rights Council had the opportunity to put their views on record that the creation of a special procedure lies firmly within the competence of the Human Rights Council. Many other mandate-holders have already been appointed on the basis of voted resolutions.

We recognize that sexual orientation and gender identity are a sensitive issue for a number of United Nations Member States, but the European Union once again would like to highlight that the Independent Expert's mandate is solely about equal protection from violence and discrimination, which is a core principle of the United Nations. We all accept the universality of human rights. It is clearly set out in article 2 of the United Nations Declaration of Human Rights, which states that everyone is entitled to all the rights and freedoms set out in the Declaration without any kind of distinction. So why do we find ourselves once again in a position in which some Member States are calling into question the ability of the Human Rights Council to take steps to uphold this fundamental principle?

Only last month, the Third Committee voted in favour of an amendment submitted by a number of Latin American countries to protect the mandate of the Independent Expert. All Member States then had the chance to set out their views and to exercise their right to vote. In supporting this amendment, the Third Committee voted to uphold the integrity of the United Nations and the authority of the Human Rights Council to appoint mandate-holders. The European Union and its member States believe that if the General Assembly votes to take a selective approach to considering which Human Rights Council resolutions to support, to block or to defer indefinitely, it would fundamentally undermine the authority granted to the Council by the General Assembly and have far-reaching implications well beyond the mandate of the United Nations Independent Expert on Sexual Orientation and Gender Identity. This can only have negative implications for the work of the Council and the United Nations as a whole.

We therefore once again urge Member States to respect the authority of the Human Rights Council and to vote against the current amendment (A/71/L.45). It is vital that the integrity of the Human Rights Council remain intact and not be undermined by the General Assembly in this way.

Ms. Power (United States of America): The United States will vote against the draft amendment contained in document A/71/L.45, introduced by the African Group, to delay part of the report of the Human Rights Council, and we strongly encourage other countries to join us in rejecting the amendment. Representatives have heard, and may hear more, so-called procedural arguments made by other countries for adopting this amendment. These arguments are unsubstantiated, unjustified and unprecedented.

The Human Rights Council currently has 57 mandate-holders under special procedures — 43 on thematic issues and 14 on countries or territories — yet neverbeforehas the General Assembly sought to challenge a special procedures mandate-holder after it has been appointed and is fully functioning. The supporters of the amendment say that they have concerns about what they call the legal basis for the mandate for the Independent Expert on Sexual Orientation and Gender Identity. On the surface, raising concerns about one out of the more than 100 resolutions adopted this year by the Human Rights Council may not seem like such a big deal, but for the General Assembly to seek to open the Human Rights Council's report over the contents of a single resolution — a resolution creating a mandate that is squarely within the Council's authority — would set a hugely problematic precedent.

In previous years, the purpose of this resolution has been simply to take note of the Human Rights Council's annual report. Were the amendment to be adopted, it would, going forward, be fair game for the General Assembly to open up and relitigate resolutions that have a long history of going into effect immediately. That would undermine the authority, the independence and the efficiency of the Human Rights Council.

In addition to setting this dangerous procedural precedent, this amendment is deeply flawed on its merits. The proponents of the amendment argue in their explanatory note that their reason for seeking a delay was that "there is no international agreement on the definition of the concept of sexual orientation and gender identity." That is patently false. The issue of violence or discrimination based on sexual orientation and gender identity is well established and well understood. It has been referred to in resolutions and statements adopted by the Human Rights Council, the Security Council and the General Assembly. It has been the focus of nearly 1,300 recommendations under the Universal Periodic Review, leading to recommendations that have been

accepted by more than 100 Member States, including several of the countries that proposed this amendment, and it has been addressed repeatedly by various regional bodies, including the Organization of American States, the European Court of Human Rights and the African Commission on Human Rights and Peoples' Rights.

In reality, this amendment has little to do with questions around the definition of sexual orientation and gender identity. Instead, this amendment is rooted in a real disagreement over whether people of a certain sexual orientation and gender identity are, in fact, entitled to equal rights, and it is being driven by a group of Member States that believe it is acceptable to treat people differently because of who they are or whom they love.

For our part, the United States believes that discriminating against people on the basis of their sexual orientation and gender identity is no different from discriminating against people for the colour of their skin, their sex or their nationality. It is wrong. Such discrimination goes against the very essence of the Charter of the United Nations and the Universal Declaration of Human Rights. This is not an issue of the North trying to impose its values on the South; it is an issue of respecting the dignity and human rights of all people, everywhere. That is what we mean when we say that lesbian, gay, bisexual, transgender and intersex persons (LGBTI) rights are universal human rights.

The United States also believes that the resolution creating the Independent Expert to address violence and discrimination based on sexual orientation and gender identity is well merited by the facts on the ground. Who here today would argue that LGBTI people are treated equally around the world or that they are not subject to violence and discrimination? Nobody can argue that on the basis of the facts. This is a world we live in in which, according to a report issued in 2015 by the United Nations High Commissioner for Human Rights,

“the overall picture remains one of continuing, pervasive, violent abuse, harassment and discrimination affecting LGBT and intersex persons in all regions... often perpetrated with impunity” (*A/HRC/29/23, para. 76*).

It is a world in which it is still considered acceptable in certain places to throw people off of the rooftops of buildings, or to prevent them from forming a local organization, or to deny them a seat in a classroom simply because of who they are or whom they love. In

that world — in our world, the world of today — we have every reason to want an independent expert to monitor and seek to prevent violence and discrimination based on sexual orientation and gender identity.

That includes addressing the issue right here in the United States. For while LGBTI people no longer have to hide whom they love in order to serve in our nation's military or our Foreign Service, people in the United States can still be fired from a job because of their sexual orientation, and an estimated four in every 10 transgender people in America attempt suicide — approximately 30 times the national average. We, too, have seen our share of horrific violence against LGBT people. As many here will remember, on 12 June a gunman attacked innocent civilians at a nightclub in Orlando, Florida, killing 49 innocent people. These individuals were targeted simply because they were LGBT people.

Let me close. One of the victims in that attack was 32-year-old Christopher Leinonen, who, as a teenager, was brave enough to have been the only student to come out of the closet in his high school of 2,500 people. Christopher endured taunts, harassment and even threats for telling people who he was and for founding his school's first gay-straight alliance. Tell me, why would any Member State stand in the way of trying to prevent violence like the attack at that Orlando nightclub?

I would ask those who believe that people should not be discriminated against or harassed or attacked or killed for who they are and for who they love to please join the United States in voting against this amendment.

Mr. Vieira (Brazil): My delegation is delivering this statement on behalf of Argentina, Chile, Colombia, Costa Rica, El Salvador, Mexico, Uruguay and my own country, Brazil.

On 21 November, the Third Committee adopted an amendment introduced by our group of countries to delete paragraph 2 of the draft resolution on the Human Rights Council report, now contained in document A/71/479. The amendment was formally submitted immediately after the issuance of the draft resolution and enjoyed broad cross-regional support through the sponsorship of 59 countries and received 84 votes in favour.

Through this vote, the Committee agreed that deferring the consideration of inaction on Human Rights

Council resolution 32/2 would severely jeopardize the Human Rights Council's ability to function and undermine the authority granted to the Council by the General Assembly. The establishment of the mandate of the Independent Expert on Protection Against Violence and Discrimination based on sexual orientation and gender identity was fully within the mandate and authority of the Human Rights Council and in accordance with the rules of procedure of the Council, as determined by General Assembly resolution 60/251 and Human Rights Council resolution 5/1.

The mandate seeks not to create new rights or standards, but simply to address violence and discrimination within the existing framework provided by the Universal Declaration of Human Rights and the relevant rules of international human rights law. As we have stated in the Third Committee, the General Assembly should not reopen the Council's annual report on a selective basis with the purpose of deciding which mandates should be confirmed or deferred. In effect, this would open all Council resolutions to renegotiation and has far-reaching implications well beyond the specific resolution currently under consideration.

We believe that it is in the common interest of all States to protect the integrity and effectiveness of the human rights system, and for this reason our group of countries has called for a vote on draft amendment A/71/L.45, which was just introduced, and asks delegations to vote against it.

Mr. Heumann (Israel): I would like to address the action expected to be taken on the whole report (A/71/53) of the Human Rights Council.

Last June marked two anniversaries, namely, the tenth anniversary of the Human Rights Council and, unfortunately, the tenth anniversary of the Council's bias against Israel. Although the Human Rights Council is mandated to be guided by the principles of impartiality, objectivity and non-selectivity, and to work in a constructive, unbiased and non-politicized manner, unfortunately, when it comes to Israel, all of those important principles suddenly disappear. There is a special agenda item dedicated solely to Israel, almost a third of all special sessions are devoted to the topic of Israel and more than a third of all geographical resolutions are about us. A Special Rapporteur, with a biased indefinite mandate, as well as endless reports all targeting Israel reflect the Council's real attitude

towards my country. It would seem that there were no other challenges in the world.

That one-sided, biased approach reached new heights during the Council's thirty-first session, as the Council adopted resolution 36/31, which de facto calls for the boycott of Israel and the creation of a database of companies and enterprises by the High Commissioner — acts that remind us of dark times in history. The request to create such a database, as appears in resolution 36/31, falls outside of the purview of the Human Rights Council and blatantly exceeds the mandate of the High Commissioner for Human Rights. It is nothing other than an attempt by the Human Rights Council to continue its one-sided policy against Israel — this time by making efforts to implement a boycott.

Israel condemns those efforts, and many Member States share our concerns with regard to the creation of such a database by the High Commissioner, and they expressed their objection during the Council's thirty-first session. Even the Secretary-General admitted, last Friday, that there is a bias against Israel at the United Nations:

“Decades of political manoeuvrings have created a disproportionate volume of resolutions, reports and conferences criticizing Israel.” (*S/PV.7839, p. 4*)

The Human Rights Council is one example of a United Nations body displaying prejudice towards one Member State, which severely damages the credibility of the Council.

In conclusion, Israel will vote against the amendment and against the adoption of the Human Rights Council report.

Ms. Sage (New Zealand): I make this explanation of vote before the voting on draft amendment A/71/L.45, on behalf of Australia, Canada, Iceland, Liechtenstein, Norway, Switzerland and my own country, New Zealand. Those seven Member States are strong supporters of the Human Rights Council and actively contribute to its work.

The draft amendment introduced today undermines the mandate that we gave the Human Rights Council in resolution 60/251 and reaffirmed in resolution 65/281. According to those decisions, it is within the Council's competence to appoint and renew special procedures. By interfering with that competence, by trying to undo not only the creation of such a mandate but also the

appointment of a mandate-holder, we not only question the authority of the Council, we also jeopardize the institutional balance of the entire human rights system of the United Nations.

There is no basis for questioning the legal validity of the mandate referred to in the draft amendment. The validly adopted Human Rights Council resolution 32/2 was in full conformity with the mandate and procedure of the Human Rights Council. The content of the mandate is clear and unambiguous. An explicit, treaty-based definition is not a requirement for a valid mandate and, indeed, an independent expert or a Special Rapporteur can help generate an understanding and international agreement where there may be ambiguities. There are over a dozen current mandates of the Human Rights Council that may be considered to fall under such a category, some of which were adopted by vote. The adoption of those mandates was not reopened, and they were not challenged on the basis that more time was needed to fully elaborate the international legal basis.

We regret that the draft amendment has been brought forward. It is inconsistent with and undermines the Council's mandates and the understanding reached in the review reflected in resolution 65/281. We strongly urge all delegations to vote against the draft amendment before us so as to preserve the independence of the Human Rights Council and the credibility of the human rights system of the United Nations.

Mr. Van Oosterom (Netherlands): I align myself with the statement made earlier on behalf of the European Union. We will vote against draft amendment A/71/L.45 because we have two grave concerns.

The first concern is of an institutional nature. In the history of the United Nations, there is no precedent: never before has there been an attempt to question the appointment of a special mandate-holder who had already assumed office, after a fully legitimate and procedurally sound appointment by the Human Rights Council. If the General Assembly allows for a selective picking and choosing of decisions by the Human Rights Council, we will effectively undercut the functioning, the authority and the effectiveness of the Council, and it will undermine the credibility of the United Nations as a whole. That is in the interest of none of us.

Our second concern has to do with the topic of the mandate. We understand the discomfort about the terms "sexual orientation" and "gender identity" for some of us, and we understand that it is a sensitive

topic. Indeed, the topic used to be controversial in my own country and, to some extent, it still is for some. We therefore welcome all attempts at dialogue on the issue in order to, at the very least, better understand each other. However, no matter the comfort level, the reality is that people around the world are being bullied, jailed, beaten or killed for no other reason than which gender they identify with the most or for whom they happen to love. And that is what the mandate of the independent expert is all about. That type of violence and discrimination is an infringement of the rights and freedoms that all people are entitled to pursuant to article 2 of the Universal Declaration of Human Rights, which prescribes them to everyone "without distinction of any kind". Those are the human rights standards that we are all bound to uphold, as set forth in the Declaration.

Let me also refer to the impressive statement of our South African colleague during the voting in the Third Committee on that issue. We strongly feel that there are no valid legal objections to the appointment of an independent expert, and that view was shared by the Human Rights Council when it agreed on a mandate of the independent expert. It was further confirmed by the Third Committee last month.

In conclusion, in order to protect people from discrimination and violence, the Kingdom of the Netherlands supports the appointment of an independent expert on protection against violence and discrimination based on sexual orientation and gender identity. Human rights apply to each and every individual. In order for the United Nations to effectively protect all human rights globally, the Kingdom of the Netherlands strongly objects to challenging any legitimate decision taken by the Human Rights Council in Geneva.

Mr. Thoms (Germany), Vice-President, took the Chair.

It is for those reasons that the Kingdom of the Netherlands will vote against the draft amendment before us, and we strongly encourage other States to do the same.

Mrs. Chatsuwan (Thailand): I take the floor in explanation of vote before the voting in order to reaffirm Thailand's principled position as stated in the Third Committee on the draft resolution on the report of the Human Rights Council (HRC) in support of the mandate of the independent expert on sexual orientation and gender identity and a procedure for establishment,

which was conducted in accordance with the rules and practices of the Human Rights Council.

Once again, while Thailand fully respects the rights of Member States to exercise their prerogative at the General Assembly on human rights issues, we do not agree with deferring consideration of that mandate to a later date, noting that the independent expert has already been formally endorsed and has commenced his work. We will therefore vote against the proposed amendment and express our wish that the membership will continue to engage in a constructive dialogue on the issue, regardless of the outcome of the voting. Thailand is confident that Mr. Vitit Muntarbhorn will carry out his mandate in an objective and non-confrontational manner, in line with the relevant HRC resolution.

Mr. Sauer (Finland): Finland takes the floor in order to explain why it will vote against draft amendment A/71/L.45.

We align ourselves with the statement made on behalf of the European Union.

Finland is deeply concerned about the renewed attempt to reopen the decision of the Human Rights Council to appoint an independent expert on protection against violence and discrimination based on sexual orientation and gender identity. Council resolution 32/2, which mandated the independent expert, was adopted by a majority vote in Geneva. All 47 members of the Human Rights Council had an opportunity to express their views then, and the establishment of a special procedure lies firmly within the competence of the Council. Other mandate-holders have been appointed on the basis of voted resolutions.

The reason that the mandate has been the subject of such opposition is solely due to the subject matter — protection against violence and discrimination on the grounds of sexual orientation or gender identity. We would like to highlight that the independent expert's mandate is about equal protection from violence and discrimination. The universality of human rights is clearly set out in article 2 of the United Nations Declaration of Human Rights, which states:

“Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind”.

Still, some States Members of the United Nations are questioning the ability of the Human Rights Council to take steps to uphold that fundamental

principle. All Member States had a chance to express their views and to exercise their right to vote during the Third Committee voting last month, when the Third Committee voted to uphold the integrity of the United Nations and the authority of the Human Rights Council to appoint mandate-holders.

The President returned to the Chair.

Finland believes that, if the General Assembly votes selectively on which Human Rights Council resolutions to support, to block or to defer indefinitely, it would fundamentally undermine the authority granted to the Council by the General Assembly and have far-reaching implications, well beyond the mandate of the independent expert on protection against violence and discrimination based on sexual orientation and gender identity. That can have only negative implications for the work of the Council and the United Nations as a whole. We therefore urge Member States to respect the authority of the Human Rights Council and to vote against the draft amendment. The integrity of the Human Rights Council cannot be undermined by the General Assembly in that way.

Ms. Charrier (France) (*spoke in French*): France associates itself with the statement made on behalf of the European Union and would like, in its own capacity, to emphasize once again the importance of maintaining the institutional balance between the General Assembly and the Human Rights Council. That balance could be jeopardized if the resolutions adopted by the Human Rights Council could then in practice be contested at the General Assembly. Council resolution 32/2 precisely defines the mandate of the independent expert on protection against violence and discrimination based on sexual orientation and gender identity.

The mandate of the independent expert, which draft amendment A/71/L.45 seeks to reconsider, is legally sound, as it is established in major human rights documents. It is also procedurally sound. The Human Rights Council must implement special procedures in order to protect human rights. It is therefore essential to preserve the authority and the very effectiveness of the Human Rights Council — established to promote and safeguard the human rights of all individuals, without discrimination of any kind. Adopting the draft amendment would upset the balance and weaken the system set up to safeguard human rights for all.

For those reasons, France will vote against draft amendment A/71/L.45 and urges other Member States to do the same.

The President: We will now take a decision on the draft resolution. In connection with the draft resolution, the General Assembly has before it a draft amendment circulated in document A/71/L.45.

I now call on the representative of the Secretariat.

Mr. Nakano (Department for General Assembly and Conference Management): The present statement, made in accordance with rule 153 of the rules of procedure of the General Assembly, has been distributed desk-to-desk and made available on the PaperSmart portal.

Under the terms of the paragraph of draft amendment A/71/L.45, the General Assembly would decide to defer consideration of, and action on, Human Rights Council resolution 32/2, of 30 June 2016, on protection against violence and discrimination based on sexual orientation and gender identity, in order to allow time for further consultations to determine the legal basis upon which the mandate of the special procedure established therein will be defined.

All financial implications emanating from the resolutions and decisions contained in the annual report of the Council are brought to the attention of the General Assembly in the context of the annual report of the Secretary-General on the revised estimates resulting from resolutions and decisions adopted by the Human Rights Council, in accordance with General Assembly resolution 65/281.

The revised estimates report is currently under consideration by the Fifth Committee of the General Assembly, which includes the resource requirements arising from Human Rights Council resolution 32/2.

Should the draft resolution recommended by the Committee be amended and then adopted, the resource requirements arising from Human Rights Council resolution 32/2 would be removed from the overall resource requirements of the revised estimates report.

The President: In connection with the draft resolution, the General Assembly has before it a draft amendment circulated in document A/71/L.45. In accordance with rule 90 of the rules of procedure, the Assembly shall first take a decision on the proposed draft amendment. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belize, Benin, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Chad, China, Comoros, Congo, Côte d'Ivoire, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Ghana, Guinea, Guinea-Bissau, Guyana, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lesotho, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Morocco, Namibia, Nauru, Nicaragua, Niger, Nigeria, Oman, Pakistan, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Sudan, Sudan, Swaziland, Syrian Arab Republic, Tajikistan, Togo, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Cabo Verde, Cambodia, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Monaco, Mongolia, Montenegro, Nepal, Netherlands, New Zealand, Norway, Palau, Panama, Peru, Poland, Portugal, Republic of Korea, Romania, Saint Kitts and Nevis, Samoa, San Marino, Serbia, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam

Abstaining:

Armenia, Barbados, Bhutan, Dominica, Grenada, Guatemala, Haiti, India, Kazakhstan, Liberia, Myanmar, Papua New Guinea, Paraguay, Philippines, Rwanda, Trinidad and Tobago

Draft amendment A/71/L.45 was rejected by 77 votes to 84, with 16 abstentions.

[Subsequently, the delegation of Belize informed the Secretariat that it had intended to vote against; the delegation of Honduras informed the Secretariat that it had intended to abstain.]

The President: We will now take a decision on the draft resolution. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Guinea, Guinea-Bissau, Haiti, Honduras, India, Indonesia, Iraq, Jordan, Kenya, Kiribati, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Morocco, Namibia, Nauru, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Belarus, Israel

Abstaining:

Albania, Andorra, Armenia, Australia, Austria, Barbados, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominica, Estonia, Finland, France, Georgia, Germany, Greece, Grenada, Guatemala, Guyana, Hungary, Iceland, Iran (Islamic Republic

of), Ireland, Italy, Jamaica, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Mongolia, Montenegro, Myanmar, Netherlands, New Zealand, Niger, Norway, Palau, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Vincent and the Grenadines, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uzbekistan, Vanuatu

The draft resolution was adopted by 106 votes to 2, with 74 abstentions (resolution 71/174).

[Subsequently, the delegation of Belize informed the Secretariat that it had intended to vote against; the delegation of Honduras informed the Secretariat that it had intended to abstain.]

The President: I shall now give the floor to those delegations that wish to speak in explanation of vote after the voting.

Mr. Giorgio (Eritrea): I should like to make the following general statement following the voting.

As a sponsor, my delegation voted in favour of resolution 71/174 as a whole, entitled "Report of the Human Rights Council", and its support is unquestionable. However, my delegation would like to draw the attention of delegations to the fact that Eritrea has serious concerns about parts of the report, particularly regarding country-specific resolutions on Eritrea. The targeting of countries for extraneous objectives under the guise of human rights protection is unacceptable and, in that regard, my delegation dissociates itself with the part of the report that targets Eritrea.

The Human Rights Council should exercise the utmost caution and vigilance so as to not allow its noble mandate to be abused at will. The practice of double standards must be rejected, and we should all abide by the principles of non-selectivity and the non-politicization of human rights. Eritrea shall remain committed to cooperation and constructive dialogue in the promotion and protection of human rights.

Mr. Radomski (Poland): Poland has been a staunch supporter of the Human Rights Council (HRC) since its establishment. After a decade of activity, the Council has clearly proved its crucial role as the United Nations body exclusively devoted to the promotion and protection of human rights. Apart from many important areas of the Council's mandated responsibilities, one of its major tasks is to bring a wide array of pressing issues in the field of human rights to the attention of the international community.

Poland was seriously concerned about the deferral of Human Rights Council resolution 24/24, decided by General Assembly resolution 68/144, on the 2013 report (A/68/53) of the Human Rights Council. We express even stronger regret that new steps in that respect were initiated once again this year. In our opinion, that practice is harmful to the human rights protection system, as well as to the position of the Human Rights Council.

At the same time, with regard to the independent expert on protection against violence and discrimination based on sexual orientation and gender identity, Poland would like to stress the fact that it did not support the establishment of that mandate, as our delegation in Geneva did not join the list of sponsors of HRC resolution 32/2. It is clear that Poland rejects any attempt to discriminate against any person on any grounds, including sexual orientation.

It is also clear that Poland staunchly opposes any attempt to use violence against lesbian, gay, bisexual or transgender persons. Moreover, we believe that the creation of the mandate of the independent expert, a decision that was not taken by consensus, will not serve the cause of fighting discrimination, but rather lead to the further polarization of positions within the Human Rights Council. We believe that a mandate on a topic that many delegations view as highly sensitive should have been approached in a manner conducive to the elaboration of a consensual outcome — which, unfortunately, was not the case.

Mr. Drobnyak (Croatia): In accordance with the common position of the European Union, Croatia stresses the importance of preserving the autonomy of the Human Rights Council. Our vote should therefore be viewed, first and foremost, as a matter of principle on the institutional relationship between the General Assembly and the Human Rights Council — and not of

substance, with regard to the arguments raised by the African Group.

As a country that will start serving its term as a member of the Human Rights Council in no less than two weeks, Croatia will pay due attention to all of the issues within the Council's mandate, including the work of the independent expert. In that sense, Croatia firmly believes that sexual orientation should not be a subject for criminal prosecution.

At the same time, Croatia firmly defends the right of every State Member of the United Nations to define marriage as a union between a man and a woman. As a member of the Human Rights Council, Croatia will insist that the scope of activities carried out by the independent expert be based on international law and internationally recognized human rights.

Ms. Bogyay (Hungary): Hungary strongly supports the autonomy of the Human Rights Council and deems it crucial to preserve the institutional balance between it and the General Assembly. In line with all European Union member States, Hungary voted against draft amendment A/71/L.45, presented by the African Group, on the basis of that principled approach. As a future member of the Human Rights Council, starting 1 January 2017, Hungary will follow closely and deal with all issues within the Council's mandate and competence, including the work of human rights special procedures and mandate-holders.

Hungary strongly rejects all forms of discrimination and violence based on any grounds or status, including sexual orientation and gender identity. At the same time, Hungary reserves its sovereign right to define the personal scope and content of family relations and marriage in accordance with its national legislation. In that context, Hungary will be mindful in the Human Rights Council that the mandate and activities carried out by the independent expert observe international law and internationally recognized human rights standards.

Mrs. Duncan Villalobos (Costa Rica) (*spoke in Spanish*): Costa Rica would like to express its full support for the work of the Human Rights Council, its resolutions and its recommendations. As a country committed to human rights and to the Organization's mechanisms to promote and safeguard them, we believe it is crucial to safeguard the work and decisions of the Council pursuant to the decisions of its membership, as elected by the Assembly.

My country's traditional position is that the report of the Council, a central body of the Organization on the issue of human rights, should be considered in the plenary of the General Assembly, rather than in the Third Committee. That position is in keeping with paragraph 5 (j) of resolution 60/251, which established the Human Rights Council and expressly established that the Council shall submit an annual report to the General Assembly.

That decision was reaffirmed by the agreements reached at the sixty-fifth session during the Council's review process, per paragraph 6 of resolution 65/281, which stipulates that the report, as such, shall be considered in the General Assembly plenary, and that only the recommendations shall be considered by the Third Committee.

Therefore, there is no legal basis for the Third Committee to recommend the adoption of a draft resolution on the matter to the General Assembly plenary. Additionally, given the discussions we had on the contents of the resolution, it is both institutionally and politically inappropriate for the Third Committee — or even the plenary — to question the validity of the Human Rights Council's work.

For those reasons, we believe that a draft resolution such as the one submitted to the plenary is unnecessary and may be problematic. Nevertheless, given that there was a vote in the plenary, and in hope of sending a strong message of support and conveying the importance my delegation attaches to all the work of the Human Rights Council, we decided to vote in favour of resolution 71/174 in the plenary.

Ms. Marteles Gutiérrez del Alamo (Spain) (*spoke in Spanish*): Spain aligns itself with the statement made on behalf of the European Union and would also like to reiterate its vote against draft amendment A/71/L.45, submitted by the Group of African States.

Spain rejects all attempts to question mandate-holders of special procedures or independent experts designated by the Human Rights Council, particularly when such individuals have already been appointed and are carrying out their functions. Although the mandate is purportedly being challenged on procedural grounds, it is the substance of the mandate that is being called into question. Moreover, the argument claiming that there is no definition for sexual orientation or gender identity is, in our view, an excuse, given that it is an issue with which the international

community is abundantly familiar, especially in the area of human rights. We are not proposing the creation of new rights, nor are we considering sexual behaviour. It is simply a matter of not condoning discrimination or violence against any human being, for any reason — and of acting without delay.

Mrs. Sandoval Espínola (Paraguay) (*spoke in Spanish*): The delegation of Paraguay would like to explain its vote on draft amendment A/71/L.45.

Paraguay abstained in the voting because it interpreted the draft amendment as seeking more time to define the necessary legal framework to ensure the implementation of the work of the independent expert, a position created by Human Rights Council resolution 32/2, without ignoring the mandate or undermining the competence of the Human Rights Council. Paraguay expresses its full support for the work of the Human Rights Council and, consequently, its resolutions and recommendations.

Mr. Tiare (Burkina Faso) (*spoke in French*): I take the floor after the voting to thank the delegations that voted in favour of draft amendment A/71/L.45 to the draft resolution contained in the report (A/71/479) of the Third Committee. In doing so, they have affirmed the principles that guide the work of the Organization and have respected international law.

While respecting the result of the vote — 77 in favour and 84 against — we regret the approval of the decision of the Human Rights Council to designate an independent expert on protection against violence and discrimination based on sexual orientation and gender identity. In any case, it is a resolution that, in our view, does not yet have a legal basis in international law, even if others would have us believe otherwise.

Such a decision may further polarize Member States, as it does not enjoy the consensus of all States. The Group of African States believes that it is premature to appoint a mandate-holder on a concept that does not enjoy consensus among Member States. That is why, during the discussion, the African Group called for a report in order to give the Member States enough time to discuss the concept in order to reach an agreement on the basis of the mandate.

Without such understanding among States, how will the independent expert's mandate be carried out? How can a fair evaluation be conducted in all States if there are no clearly established frameworks among

States on that concept? Those are some concerns that have yet to be answered.

For all those reasons, the Member States of the African Group dissociate themselves from the mandate of the independent expert on protection against violence and discrimination based on sexual orientation and gender identity, as established by resolution 32/2 of the Human Rights Council.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 63?

It was so decided.

Agenda item 64

Promotion and protection of the rights of children

(a) Promotion and protection of the rights of children

(b) Follow-up to the outcome of the special session on children

Report of the Third Committee (A/71/480)

The President: The Assembly has before it three draft resolutions recommended by the Third Committee in paragraph 29 of its report (A/71/480) and a draft decision recommended by the Committee in paragraph 30 of the same report.

I now call on the representative of the Sudan to introduce draft amendment A/71/L.29.

Mr. Mohamed (Sudan): My delegation takes the floor today for the second time to introduce draft amendment A/71/L.29 to draft resolution III, entitled “Rights of the child”, as recommended in the report (A/71/480) of the Third Committee, under sub-item (a) of agenda item 64.

Our proposal is to replace the last part of operative paragraph 36, resulting in a paragraph that would read, in its entirety, as follows:

“Calls upon States to protect children affected by armed conflict, in particular from violations of international humanitarian law and human rights law, and to ensure that they receive timely, effective humanitarian assistance, noting the efforts taken to end impunity by ensuring accountability and punishing perpetrators, and calls upon the international community to hold those responsible

for violations accountable, and to ensure that the perpetrators of such acts are promptly brought to justice, as provided for by national laws and obligations under international law”.

That would replace the reference to the International Criminal Court (ICC).

My delegation previously introduced the draft amendment in the Third Committee and we are doing the same now, given the fact that my delegation worked constructively during the informal consultations process with the objective of reaching consensus on that specific paragraph.

The draft amendment seeks to maintain balance in operative paragraph 36, which addresses the issue of impunity of perpetrators who commit crimes and violations against children in areas of conflict, especially as we felt that there were attempts to impose the idea of the International Criminal Court and the Rome Statute, and to consider them to be the only legal reference to adjudicate crimes against humanity, hence ignoring other instruments that dispense justice in national, regional and international forums.

Compared to the previous reference concerning “trafficking in women and children”, the present draft resolution is worse, bearing in mind that a pretext for the previous one was that it was a mere statement of fact. Nobody can say the same regarding the present draft resolution, which calls for submission to the authority and jurisdiction of the International Criminal Court.

From our point of view, the only purpose to including a reference to the ICC in the draft resolution is to impose it by any means on Member States — even those that are not party to the Rome Statute. It has a promotional purpose that we and others strongly oppose. Despite the centrality of the draft resolution, to which we subscribe, we believe that following such a selective approach has a negative impact on its balance and objectivity. That is why we reiterate our rejection of the politicization of Third Committee draft resolutions or any attempt to complicate or undermine the goals, objectives, basic guidelines and principles that inform its work.

I assure you, Mr. President, that the fight against perpetrators of crimes against humanity remains one of my Government’s highest priorities within the framework of international law — which guarantees

justice and the sovereign equality of States. Nevertheless, we remain concerned about attempts to promote and propagate the International Criminal Court, which, in our view, is a political tool used against a specific group of countries in order to achieve certain goals and objectives.

Based on that, we have reintroduced the draft amendment on operative paragraph 36. We appeal to Member States to vote in favour of the draft amendment, submitted for the sake of true justice and fairness in international relations based on the principles of the Charter of the United Nations.

The President: I shall now give the floor to those delegations that wish to speak in explanation of vote or position.

Mr. Rusicka (Slovakia): I speak on behalf of the European Union (EU) and its member States.

The main sponsors worked hard to build consensus on draft resolution III, entitled “Rights of the child”. We note with great disappointment draft amendment A/71/L.29, introduced by the Sudan, with respect to operative paragraph 36 of the draft resolution. A similar effort was made in the Third Committee and was rejected by a wide margin. The paragraph referenced is a long-standing paragraph in the text and has formerly received strong general regional support.

The existing language on the International Criminal Court (ICC) is well balanced and carefully phrased. The EU remains a staunch supporter of the ICC and is committed to cooperating fully to prevent serious crimes that fall under the jurisdiction of the Court — a key institution to assist citizens achieve justice when confronted with the most serious crimes, when that is not possible at the national level. We therefore cannot accept the draft amendment and urge others to vote against it.

Ms. Simenstad (Norway): I have the honour of delivering an explanation of vote before the voting on behalf of Australia, Canada, Iceland, New Zealand, Switzerland, Liechtenstein and my own country, Norway. All of our delegations are sponsors of the draft resolutions on the rights of the child.

The draft amendment introduced in the General Assembly today is very unfortunate, as it attempts to change a paragraph that has used agreed language for more than 10 years. Operative paragraph 36 deals with the protection of children affected by armed conflict.

In that respect, it recognizes the efforts taken to end impunity by ensuring accountability and punishing perpetrators.

The relevance of the reference to the International Criminal Court (ICC) has been a key part of our common approach to that issue. A number of Security Council resolutions on children and armed conflict note the relevant provisions of the ICC and confirm the importance of the subject matter at hand. As recognized by the Security Council in its most recent resolution on children and armed conflict (Security Council resolution 2250 (2015)), the fight against impunity for the most serious crimes of international concern has been strengthened through the ICC’s work on, and prosecution of, crimes committed against children.

Since the Rome Statute entered into force, crimes committed against children during armed conflict have figured prominently in the statements issued by the ICC regarding several cases. Those cases have sent out the necessary warning signals and served as useful deterrents. Therefore, we find it deeply disturbing that the established consensus is now being attacked for reasons that have nothing to do with the topic dealt with in those resolutions and are to the detriment of our common cause. We will therefore vote against the draft amendment and hope that others will join us in rejecting it.

Ms. Silvera Flores (Uruguay) (*spoke in Spanish*): As a sponsor of draft resolution III, on behalf of the Group of Latin American and Caribbean States, Uruguay associates itself with the statement delivered on behalf of the European Union.

We would like to draw the attention of Member States to the fact that the paragraph in question that makes reference to the International Criminal Court has been included in resolutions on children’s rights for many years and, as such, does not give rise to any obligations or changes to the commitments of States parties to the Rome Statute. Consequently, we call for a vote on the draft amendment and urge all delegations to vote against it.

The President: We will now take a decision on draft resolutions I to III and on the draft decision, one by one.

We turn first to draft resolution I, entitled “Child, early and forced marriage”. The Third Committee

adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 71/175).

The President: We turn now to draft resolution II, entitled “Protecting children from bullying”. The Third Commission adopted it without a vote. May I consider that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 71/176).

The President: Draft resolution III is entitled “Rights of the child”. In connection with draft resolution III, the General Assembly has before it a draft amendment circulated in document A/71/L.29.

In accordance with rule 90 of the rules of procedure, the Assembly shall first take a decision on the proposed draft amendment. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Belarus, Burundi, Cameroon, China, Democratic People’s Republic of Korea, Egypt, Equatorial Guinea, Eritrea, Guyana, Iraq, Lao People’s Democratic Republic, Morocco, Oman, Pakistan, Russian Federation, South Sudan, Sudan, Syrian Arab Republic, United Republic of Tanzania, Yemen, Zimbabwe

Against:

Afghanistan, Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bangladesh, Barbados, Belgium, Belize, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cabo Verde, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kiribati, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mexico, Monaco, Mongolia, Montenegro, Namibia, Netherlands, New Zealand, Niger, Nigeria, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova,

Romania, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of)

Abstaining:

Angola, Bahrain, Benin, Bhutan, Brunei Darussalam, Cambodia, Ethiopia, India, Indonesia, Iran (Islamic Republic of), Jordan, Kenya, Kuwait, Lesotho, Mauritius, Mozambique, Myanmar, Nepal, Qatar, Saudi Arabia, Singapore, Somalia, Swaziland, Togo, Turkey, Uganda, United Arab Emirates, Viet Nam, Zambia

Draft amendment A/71/L.29 was rejected by 111 votes to 22, with 29 abstentions.

[Subsequently, the delegation of the United Republic of Tanzania informed the Secretariat that it had intended to abstain.]

The President: May I take it that it is the wish of the General Assembly to adopt draft resolution III?

Draft resolution III was adopted (resolution 71/177).

The President: We shall now turn to paragraph 30 of the report to take action on the draft decision entitled “Documents considered by the General Assembly in connection with the promotion and protection of the rights of children”.

May I take it that it is the wish of the Assembly to adopt the draft decision recommended by the Third Committee?

The draft decision was adopted (decision 71/532).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 64 and its sub-items (a) and (b)?

It was so decided.

Agenda item 65**Rights of indigenous peoples****(a) Rights of indigenous peoples****(b) Follow-up to the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples****Report of the Third Committee (A/71/481)**

The President: The Assembly has before it a draft resolution recommended by the Third Committee in paragraph 12 of its report and a draft decision recommended by the Committee in paragraph 13 of the same report.

We will now take a decision on the draft resolution and on the draft decision, one by one.

The Third Committee adopted the draft resolution without a vote. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 71/178).

The President: We now turn to paragraph 13 of the report to take action on the draft decision, entitled “Document considered by the General Assembly in connection with the rights of indigenous peoples”.

May I take it that it is the wish of the Assembly to adopt the draft decision as recommended by the Third Committee?

The draft decision was adopted (decision 71/532).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (b) of agenda item 65?

It was so decided.

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 65 and its sub-item (a).

Agenda item 66**Elimination of racism, racial discrimination, xenophobia and related intolerance****(a) Elimination of racism, racial discrimination, xenophobia and related intolerance****(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action****Report of the Third Committee (A/71/482)**

The President: The Assembly has before it three draft resolutions recommended by the Committee in paragraph 24 of its report and a draft decision recommended by the Committee in paragraph 25 of the same report.

We will now take a decision on draft resolutions I to III and on the draft decision, one by one.

We turn first to draft resolution I, entitled “Combating glorification of Nazism, neo-Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance”.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Cuba, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iraq, Israel, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia,

Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Ukraine, United States of America

Abstaining:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Turkey, United Kingdom of Great Britain and Northern Ireland

Draft resolution I was adopted by 136 votes to 2, with 49 abstentions (resolution 71/179).

The President: We now turn to draft resolution II, entitled “International Convention on the Elimination of All Forms of Racial Discrimination”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 71/180).

The President: We now turn to draft resolution III, entitled “A global call for concrete action for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action”.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Cuba, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Australia, Canada, Czech Republic, Germany, Israel, Marshall Islands, Palau, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Albania, Andorra, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Denmark, Estonia, Finland, France, Georgia, Greece, Hungary, Iceland, Ireland,

Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Ukraine

Draft resolution III was adopted by 133 votes to 9, with 45 abstentions (resolution 71/181).

The President: We shall now turn to paragraph 25 of the report to take action on the draft decision entitled “Documents considered by the General Assembly in connection with the elimination of racism, racial discrimination, xenophobia and related intolerance”. May I take it that it is the wish of the General Assembly to adopt the draft decision, as recommended by the Third Committee?

The draft decision was adopted (decision 71/534).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-items (a) and (b) of agenda item 66?

It was so decided.

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 66.

Agenda item 67

Right of peoples to self-determination

Report of the Third Committee (A/71/483)

The President: The Assembly has before it three draft resolutions recommended by the Third Committee in paragraph 22 of its report. We will now take decisions on draft resolutions I to III, one by one.

We first turn to draft resolution I, entitled “Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination”. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational

State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Comoros, Congo, Costa Rica, Côte d’Ivoire, Cuba, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Colombia, Mexico, Switzerland, Tonga

Draft resolution I was adopted by 132 votes to 53, with 4 abstentions (resolution 71/182).

The President: Draft resolution II is entitled “Universal realization of the right of peoples to self-determination”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 71/183).

The President: We now turn to draft resolution III, entitled “The right of the Palestinian people to self-determination”. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal,

Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Canada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining:

Cameroon, Côte d’Ivoire, South Sudan, Tonga

Draft resolution III was adopted by 177 votes to 7, with 4 abstentions (resolution 71/184).

[Subsequently, the delegation of Honduras informed the Secretariat that it had intended to abstain.]

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 67?

It was so decided.

Agenda item 68

Promotion and protection of human rights

Report of the Third Committee (A/71/484)

The President: We shall now take action on the draft decision entitled “Documents considered by the General Assembly in connection with the question of the promotion and protection of human rights”, recommended by the Third Committee in paragraph 5 of its report. May I take it that the Assembly wishes to adopt the draft decision, as recommended by the Third Committee?

The draft decision was adopted (decision 71/535).

(a) Implementation of human rights instruments**Report of the Third Committee (A/71/484/Add.1)**

The President: The Assembly has before it a draft resolution recommended by the Committee in paragraph 14 of its report. We shall now take a decision on the draft resolution, entitled “Human rights treaty body system”. I have been informed that the delegation that requested a vote on the draft resolution in the Committee is not requesting a vote in the plenary.

We shall now consider the draft resolution. May I take it that the Assembly wishes to adopt the draft resolution without a vote?

The draft resolution was adopted (resolution 71/185).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (a) of agenda item 68?

It was so decided.

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms**Report of the Third Committee (A/71/484/Add.2)**

The President: The Assembly has before it 16 draft resolutions recommended by the Third Committee in paragraph 137 of its report.

We shall now take decisions on draft resolutions I to XVI, one by one. After all the decisions have been taken, representatives will again have the opportunity to explain their vote.

We first turn to draft resolution I, entitled “Human rights and extreme poverty”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 71/182).

The President: Draft resolution II is entitled “Moratorium on the use of the death penalty”. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cabo Verde, Cambodia, Canada, Central African Republic, Chad, Chile, Colombia, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Kazakhstan, Kiribati, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Sao Tome and Principe, Serbia, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of)

Against:

Afghanistan, Antigua and Barbuda, Bahamas, Bangladesh, Barbados, Belize, Botswana, Brunei Darussalam, Burundi, China, Democratic People’s Republic of Korea, Dominica, Egypt, Ethiopia, Grenada, Guyana, India, Iran (Islamic Republic of), Iraq, Jamaica, Japan, Kuwait, Libya, Malaysia, Maldives, Oman, Pakistan, Papua New Guinea, Qatar, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Singapore, South Sudan, Sudan, Syrian Arab Republic, Trinidad and Tobago, United States of America, Yemen

Abstaining:

Bahrain, Belarus, Cameroon, Comoros, Cuba, Djibouti, Equatorial Guinea, Ghana, Indonesia, Jordan, Kenya, Lao People’s Democratic Republic, Lebanon, Lesotho, Liberia, Mauritania, Morocco, Myanmar, Niger, Nigeria, Philippines, Republic

of Korea, Seychelles, Thailand, Tonga, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zambia, Zimbabwe

Draft resolution I was adopted by 117 votes to 40, with 31 abstentions (resolution 71/187).

The President: Draft resolution III is entitled “Human rights in the administration of justice”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution III was adopted (resolution 71/188).

The President: Draft resolution IV is entitled “Declaration on the Right to Peace”. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Cuba, Democratic People’s Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia,

Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Israel, Japan, Latvia, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Republic of Korea, Romania, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Albania, Andorra, Armenia, Cyprus, Georgia, Greece, Iceland, Italy, Liechtenstein, Norway, Palau, Poland, Portugal, Republic of Moldova, San Marino, Serbia, Switzerland, Turkey, Ukraine

Draft resolution IV was adopted by 131 votes to 34, with 19 abstentions (resolution 71/189).

The President: Draft resolution V is entitled “Promotion of a democratic and equitable international order”. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, China, Colombia, Comoros, Congo, Côte d’Ivoire, Cuba, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Lao People’s Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco,

Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Armenia, Chile, Costa Rica, Greece, Mexico, Peru

Draft resolution V was adopted by 130 votes to 53, with 6 abstentions (resolution 71/190).

The President: Draft resolution VI is entitled “The right to food”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution VI was adopted (resolution 71/191).

The President: Draft resolution VII is entitled “The right to development”. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Cuba, Cyprus, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Israel, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Japan, Latvia, Lithuania, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland,

Republic of Korea, Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine

Draft resolution VII was adopted by 146 votes to 3, with 39 abstentions (resolution 71/192).

The President: Draft resolution VIII is entitled “Human rights and unilateral coercive measures”. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Lao People’s Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Draft resolution VIII was adopted by 133 votes to 54 (resolution 71/193).

The President: Draft resolution IX is entitled “Enhancement of international cooperation in the field of human rights”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution IX was adopted (resolution 71/194).

The President: Draft resolution X is entitled “Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution X was adopted (resolution 71/195).

The President: Draft resolution XI is entitled “Freedom of religion or belief”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution XI was adopted (resolution 71/196).

The President: Draft resolution XII is entitled “Globalization and its impact on the full enjoyment of all human rights”. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United

Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Greece

Draft resolution XII was adopted by 135 votes to 53, with 1 abstention (resolution 71/197).

The President: Draft resolution XIII is entitled "Extrajudicial, summary or arbitrary executions". A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cabo Verde, Cambodia, Canada, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, India, Ireland, Italy, Jamaica, Japan, Kazakhstan, Kiribati, Lao People's Democratic Republic, Latvia, Lebanon, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Myanmar, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Pakistan, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, South Sudan, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of)

Against:

Angola, Chad

Abstaining:

Algeria, Azerbaijan, Bahrain, Bangladesh, Botswana, Brunei Darussalam, Burundi, Cameroon, Central African Republic, China, Comoros, Congo, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Guyana, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Jordan, Kenya, Kuwait, Kyrgyzstan, Lesotho, Libya, Malaysia, Maldives, Mali, Mauritania, Morocco, Mozambique, Namibia, Nigeria, Oman, Papua New Guinea, Qatar, Russian Federation, Saudi Arabia, Senegal, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Tonga, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe

Draft resolution XIII was adopted by 125 votes to 2, with 56 abstentions (resolution 71/198).

[Subsequently, the delegation of Chad informed the Secretariat it had intended to vote in favour; the delegations of the Lao People's Democratic Republic and Pakistan informed the Secretariat that they had intended to abstain; and the delegation of Angola informed the Secretariat that it had intended to not participate.]

The President: Draft resolution XIV is entitled "The right to privacy in the digital age". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution XIV was adopted (resolution 70/199).

The President: Draft resolution XV is entitled "The role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights". The Third Committee adopted it without a vote. May I take it that it is the wish of the General Assembly to do the same?

Draft resolution XV was adopted (resolution 71/200).

The President: Draft resolution XVI is entitled "Missing persons". The Third Committee adopted it without a vote. May I take it that it is the wish of the Assembly to do likewise?

Draft resolution XVI was adopted (resolution 71/201).

The President: I shall now give the floor to the representatives who wish to speak in explanation of vote or position on the resolutions just adopted.

Mr. Rai (Papua New Guinea): My delegation takes the floor to make an explanation of vote after the voting on amended resolution 71/187 just adopted, on the moratorium on the use of the death penalty.

We note once again in this Hall that the resolution on the moratorium on the use of the death penalty continues to be a highly sensitive and deeply divisive issue for the United Nations, as there is no international consensus on it. The persistent calls of the proponents of an international moratorium on the use of the death penalty, with a view to ultimately abolishing it, is highly insensitive and ignores existing realities.

This year's debate has been no different from past ones, except for the welcome exception of the amended resolution carrying in the Third Committee and also in the Assembly, which my delegation strongly welcomes. Papua New Guinea encourages the ongoing constructive dialogue on this important issue; however, this is not a licence to impose the will of the opponents of the death penalty on others.

My delegation recognizes that the core issue addressed in the resolution is the right to life. However, other highly important elements, including issues of sovereignty and national criminal justice systems, are also associated and require careful and proper consideration. Papua New Guinea's Constitution enshrines the right to life, including other human rights and liberties, as fundamental principles. The right to life is also recognized under our international law obligations. Papua New Guinea's Constitution also validates the death penalty under its penal code, and it remains in force today. The death penalty forms an integral part of the range of penalties in Papua New Guinea's criminal code available to the independent judicial system, which can decide to impose them or otherwise. It is applicable only to the most heinous of crimes as a recourse that is available to the courts with competent jurisdiction.

The death penalty is also not applied arbitrarily in my country, as appears to be suggested by the tenor of certain provisions of the resolution; rather, due process is followed in its application. Papua New Guinea has

not carried out any execution of convicted offenders of heinous crimes in nearly four decades. The most recent death penalty sentence imposed by our justice system on a convicted prisoner was commuted to life imprisonment. The last convicted criminal executed for a heinous crime under the death penalty in my country was in 1954, under colonial occupation.

The resolution also continues to suffer from several serious flaws, not least the deliberate omission of the fundamental fact that, under international law, the death penalty is not illegal. While the right to life is protected under the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights (ICCPR) and its Second Optional Protocol, capital punishment is not outlawed. In fact, article 6.2 of the ICCPR states that the death penalty can be imposed only in countries that have not abolished it, against adults and only for the most heinous crimes. The ICCPR, its Second Optional Protocol and other relevant conventions leave this question to be decided through the domestic democratic processes of each individual Member State. Although my country fully respects its international obligations arising from being party to the Universal Declaration of Human Rights and the ICCPR, it is, however, not a party to the ICCPR Second Optional Protocol.

Let me also remind the Assembly that the death penalty is an issue of the criminal justice system of sovereign independent States. A fundamental principle of a functioning sovereign State is the independence and impartiality of the judiciary. For the rule of law to be upheld, the judiciary is duty bound to apply the prevailing laws, including the death penalty, without fear or favour.

The resolution also sadly continues to blatantly and completely disrespect the right to life and liberty of the death row convict's victims and their families, who have suffered from the inhumane acts of those facing the death penalty. It solely promotes the protection of the human rights of the convicted criminals facing the death penalty. There needs to be proper balance and fairness. It must therefore be viewed from a much broader perspective and weighed against the rights of the victims and the right of the community to live in peace and security. Many opponents of the death penalty have a tendency to undermine the human right to life of the victims of heinous crimes, which must also be equally considered before the law.

Another fundamental element touched on by the resolution is the sovereignty of States. This fundamental principle has never been contested by the membership of the Assembly. Let me recall that the bedrock upon which the United Nations was founded is the unequivocal recognition that the international legal framework, within which Member States operate, is premised on the hallowed tenets of sovereignty and non-interference in the internal affairs of any State, under any pretext and/or any circumstances, and also in accordance with their international law obligations. Those principles have been enshrined in several international instruments, foremost among them, the Charter of the United Nations, specifically in Article 2, paragraph 7, as well as reaffirmed in numerous United Nations resolutions.

The question of whether to retain or abolish the death penalty and the types of crimes for which the death penalty is applied should be determined by each State, taking into account the sentiments of its own people, the nature of the crime and criminal policy and legislation. The amendment to the resolution, which was proposed by its sponsors, including my delegation, was specifically intended to not only balance and fill that glaring void, but also to ensure that this fundamental issue is not trivialized. Additionally, the amendment also urges Member States to implement their obligations under international human rights instruments and international law.

It is for these reasons that my delegation co-sponsored and supported the amendment to the resolution on the moratorium on the use of the death penalty. We are pleased that this amendment has been well recognized by Member States and thank the respective delegations for supporting its fundamental importance.

For Papua New Guinea, unless and until the death penalty is repealed by our national Parliament, it continues to remain a valid law on our statutes. It is for this fact and the other justifications just highlighted that Papua New Guinea voted against resolution 71/187 and further disassociates itself from it, but voted in support of the amendment.

Finally, we thank the delegations of Argentina and Mongolia for their commendable efforts in coordinating this resolution in the Third Committee. We also pay tribute to Her Excellency Ambassador María Emma Mejía Vélez of Colombia for her strong leadership of the Third Committee as its Chair, and also appreciate

the efforts of Bureau members that enabled the meeting to conclude on schedule. Last but not least, we also thank the Secretariat for its excellent support.

Mr. Lauber (Switzerland): I have the honour to speak in explanation of vote on resolution 71/187, entitled “Moratorium on the use of the death penalty”, on behalf of Australia, Iceland, Liechtenstein, New Zealand and my own country, Switzerland.

Our countries voted in favour of the Third Committee resolution, which calls for a universal moratorium on executions with a view to abolishing the death penalty. As traditional and active supporters of this resolution, we are once again encouraged by the increasing number of States that have supported this call. To date, 80 per cent of States have either abolished the death penalty or are observing a moratorium on its use — a development we welcome.

There is one element in the new resolution our countries do not favour. We regret that in the Third Committee paragraph 1 was included by vote against the will of most sponsors, and we have disassociated from this paragraph. We recognize that States develop their own legal systems, including determining appropriate legal penalties. However, in our view, paragraph 1 as it stands does not correspond to the spirit and purpose of the resolution, mainly for two reasons.

First, the paragraph shifts the focus of the resolution away from human rights to criminal justice. True to the mandate of the Third Committee, this resolution has always considered the death penalty through a human rights lens. There are other resolutions and forums dealing with criminal justice, but that is not the main purpose here. We therefore regret that the paragraph dilutes the human rights focus of the resolution.

Secondly, paragraph 1 does not in our view reflect the fact that international law evolves as humankind progresses. Paragraph 1 suggests a static view of international law and does not seem to allow for progress. This is unfortunate, as the United Nations itself is rooted in the promise of progress — progress towards the realization of peace, development and human rights.

Based on these considerations, our countries encourage States to interpret paragraph 1 of the newly adopted resolution as follows.

Given the context of the resolution and its origin in the Third Committee, international law obligations as

referred to in paragraph 1 relate to international human rights law in particular. In this context, we recall the inherent abolitionist spirit of the International Covenant on Civil and Political Rights. International obligations also arise from customary international law. In this context, our countries welcome the increasing number of States that view the death penalty as violating the prohibition of torture and other cruel, inhuman or degrading treatment or punishment. We look forward to further consideration of this issue.

Mr. Gafoor (Singapore): Singapore would like to speak in explanation of vote on resolution 71/187, entitled “Moratorium on the use of the death penalty”.

At the outset, I wish to express my appreciation to the Chair of the Third Committee, the Permanent Representative of Colombia, Ambassador María Emma Mejía Vélez, for her hard work and excellent leadership of the Committee.

My delegation notes that the moratorium resolution was amended in the Third Committee to include a reference to the sovereign right of countries to determine their own legal systems in accordance with their international law obligations. In Singapore’s view, the amended resolution that we have just adopted today is an improvement on resolution 69/186, which was adopted two years ago. I take this opportunity to thank those delegations that supported the Singapore amendment in the Third Committee.

In this regard, I would also like to welcome the decision of the sponsors to accept the resolution as adopted in the Third Committee. In particular, I appreciate the decision of the sponsors to not reopen the amendment contained in paragraph 1 of the resolution. I know that this was not an easy decision for the sponsors, and I thank them for adopting an open-minded approach. In particular, I thank the Permanent Representatives and delegations of Argentina, Mongolia, Italy and the Slovak Republic for engaging in a constructive dialogue with my delegation. I find their constructive approach to be promising for the future, as it shows that we can engage in dialogue even when we have diametrically opposing views.

The issue of a moratorium on the death penalty is a long-standing one that has been debated in the General Assembly since 1994. The reality is that there is no international consensus against capital punishment. There is no international treaty explicitly prohibiting the use of capital punishment. Ultimately, this is a

sovereign matter to be decided by States in the context of their legal and judicial systems and in accordance with their international law obligations. In our view, the death penalty is an issue of criminal justice, not a question of human rights. We would disagree with those who take the view otherwise.

I accept the fact that a large number of countries are parties to the Second Optional Protocol to the International Covenant on Civil and Political Rights. I accept that, but at the same time we have to accept the fact that a majority of United Nations Members have chosen to not become parties to the Second Optional Protocol. A large number of Member States have not formally abolished capital punishment. Many of them continue to use capital punishment as part of their legal system of penalties. The reality is that this issue is historically rooted, politically sensitive and legally complicated for many countries in the world. There are deep-seated differences, and this will make it difficult, if not impossible, to find an international consensus.

In such an environment, what we need is mutual respect, mutual tolerance and mutual understanding. Given our deep differences on the issue of capital punishment, we have to find a new equilibrium point where we can all agree to disagree in a respectful way. We can of course continue to have discussions and dialogue. However, the aim of dialogue must be to increase mutual understanding. The aim of any dialogue cannot be to impose the views of one group of countries on another group of countries. If we start from the premise that the view of one group of countries is superior to all other views, then a dialogue will be difficult, if not impossible. In that regard, let me add that my delegation is ready to engage in dialogue based on mutual respect and mutual understanding and taking into account the principles of the Charter of the United Nations.

Although I welcome the adoption of paragraph 1 on sovereign rights, my delegation continues to have many other serious concerns regarding the resolution.

First, as a general comment, I would say that the resolution needs to be completely reviewed and significantly simplified. It seems to us that over the years the focus of the resolution has shifted from a moratorium to a push for abolition and to advocacy for many other extraneous issues. Accordingly, we find that the resolution is far from being balanced.

Secondly, the resolution does not acknowledge that many countries retain the death penalty for the most serious crimes, as set out in article 6.2 of the International Covenant on Civil and Political Rights. The resolution does not recognize that many countries apply capital punishment in accordance with due process of law, domestically and in accordance with their own legislation and constitution.

Thirdly, the resolution addresses the issue of capital punishment from the narrow perspective of the rights of the person receiving the sentence. However, the rights of the offenders must always be weighed against the rights of their victims and their families and the broader rights of the community and society to live in peace and security. Ultimately, every Government has the obligation to protect the safety and security of its citizens and to take into account the views of its own population regarding crime and security. Again, these points are not covered in the resolution. For this and other reasons, my delegation voted against the resolution.

Mrs. Karabaeva (Kyrgyzstan) (*spoke in Russian*): My delegation would like to speak in explanation of vote on resolution 71/192, entitled “The right to development”, and in explanation of position on resolution 71/191, entitled “The right to food”.

My delegation voted in favour of the resolution on the right to development. Our country believes that in this day and age, focus must be placed on the right of States to their own development. It is very clear that the more stable a State is, the better it functions. Therefore, the more developed its economy, the greater the opportunity that State has to create prosperous conditions for its own population, particularly in the sphere of social protection. We believe that all States in the world should define their own priorities, needs and development opportunities without external pressure or restrictions. That should also apply to developing countries and their right to use their natural resources for their sustainable socioeconomic development. In a civilized world, one group of States should not be allowed to impose on other States. Any cooperation must be based on mutually beneficial interests and respect for one another.

Mr. Mnatsakanyan (Armenia), Vice-President, took the Chair.

Kyrgyzstan also supported the consensus on the resolution on the right to food. With regard to

paragraph 42, we think it necessary to note that, in terms of providing for the equal interests of all States, it is extremely important that the provision of sustainable access to water resources for human consumption and agriculture also be restricted to territories. In other words, access to water resources should not be considered an obligation of one State to another. I ask that this intervention be reflected in the official record of this meeting.

The Acting President: The General Assembly has thus concluded this stage of consideration of sub-item (b) of agenda item 68.

(c) Human rights situations and reports of special rapporteurs and representatives

Report of the Third Committee (A/71/484/Add.3)

The Acting President: The Assembly has before it four draft resolutions recommended by the Third Committee in paragraph 34 of its report.

I now give the floor to those delegations that wish to speak in explanation of vote or position before the voting.

Mr. Kyslytsya (Ukraine): I would like to express my sincere gratitude to all those delegations that lent their support to draft resolution IV, entitled “Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)” a month ago in the Third Committee. The draft resolution put to the vote today in the General Assembly truly shows that, as Thomas Paine wrote in the work that appeared 240 years ago today, these are the times that try men’s souls. The evil of gross human rights violations, war crimes, military aggressions and intrusions have undermined the very fundamentals of the global system of peace and security of which the United Nations and the Security Council are meant to be the centrepiece.

Since the occupation of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, the human rights situation on the peninsula has deteriorated sharply. Numerous reports have been made of serious violations and abuses committed against residents of Crimea. The latest report of the Office of the United Nations High Commissioner for Human Rights, released on 8 December, describes the situation in Crimea as a climate of repression against dissenting voices. This gruesome picture of the state of affairs was reflected in all statements, except the Russian one, delivered during

the interactive dialogue at the Human Rights Council in Geneva on 12 December.

The Human Rights Council is and will remain the point of reference to address human rights violations. However, the voice of the General Assembly sends a powerful message to perpetrators and the instruction to act to all bodies and the agencies of the United Nations system, wherever they are. We are immensely grateful to everyone who will amplify the powerful voice of the Assembly today.

Silence, however, as history proves, could be even more powerful and damaging. It goes hand in hand with complacency and makes those who are silent complicit. That sort of silence has led to crimes such as genocide. It happened in Ukraine in 1932 and 1933, when the great famine designed by Moscow, the Holodomor, killed millions. It has happened in Africa and in other parts of the world. Silence should not be what we hear in the General Assembly. Here, the power of the voice of every nation is strong, whatever its size or geography. Here I cannot fail to take the opportunity to cite one of the greatest ever African-American champions of human rights, Dr. Martin Luther King, Jr.: “In the end, we will remember not the words of our enemies but the silence of our friends”.

Those suffering at the hands of the occupying regime in Crimea are frightened and helpless. They are living with no chance of defending their rights, protesting or being heard. Ukraine will spare no effort to urge the Russian Federation to ensure its full compliance with its obligations as an occupying Power in accordance with international law, and to ensure that international human rights mechanisms have safe and unfettered access to the temporarily occupied peninsula so that they can monitor and report on the situation in accordance with their mandate.

I would also like to call on the delegations in this Hall to take every available opportunity to bring up human rights issues in Crimea with the Russian Federation and insist on full respect for those rights and for Russia’s obligation to protect them under international law. A former Deputy Chairman of the Mejlis of the Crimean Tartars, Mr. Akhtem Chygoz, who has been illegally imprisoned by the occupying Power for almost two years, has said that the world is on the threshold of a choice between democratic values and economic benefits. They have made their choice, he said, and what have they chosen?

However, rather than cursing the forces of darkness, let us light the candle of hope. Every vote cast today in favour of this draft resolution is such a candle, and I would like to thank everyone here on behalf of all the people of Ukraine, who are striving to lead a life of peace and freedom alongside every nation of the world.

Mr. Grant (Canada): Canada has the honour of introducing today draft resolution III, on the situation of human rights in the Islamic Republic of Iran, on behalf of its 42 sponsors.

It is troubling that the General Assembly must consider this issue once again. Although there have been some improvements over the past year — and in that regard we welcome the statement made earlier today by the President of Iran — the facts speak for themselves. The situation of human rights in Iran remains very serious. The reports of the Secretary-General (A/71/374) and the Special Rapporteur (A/71/418) reveal the scope and gravity of Iran's persistent human rights violations, which include an appallingly high number of executions, including of minors; a lack of fair trial standards; systemic discrimination against women and ethnic and religious minorities; and restrictions on freedom of expression and peaceful assembly and association.

Canada is not alone in expressing concern about this situation. This year's draft resolution is a product of weeks of open and inclusive consultations. We invited all Member States to provide their views and recommendations, and engaged in open discussions with all delegations that expressed an interest. The result is a draft that reflects the concerns of Member States from every region of the world.

We look forward to the day when the human rights situation in Iran no longer warrants the General Assembly's scrutiny, but that day will come only when that situation improves. It will come only when Iran fully respects its human rights obligations and commitments in law and in practice. We encourage all Member States to join us in voting in favour of the draft resolution before us today.

Mr. Ri Song Chol (Democratic People's Republic of Korea): The delegation of the Democratic People's Republic of Korea categorically rejects draft resolution I, on the situation of human rights in the Democratic People's Republic of Korea, submitted to the General Assembly at its seventy-first session by the European Union (EU) and Japan. The draft resolution is an

extreme manifestation of politicization, selectivity and double standards on human rights. It is nothing less than a document designed to interfere in the internal affairs of a sovereign State, as it contains unprecedentedly fraudulent allegations.

The draft resolution — which is based solely on the report of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea (A/HRC/25/63), full of lies, fabrications, plots and frauds — speaks of crimes against humanity in a way that reminds us of a time, 13 years ago, when the United States was telling lies in the United Nations about the existence of weapons of mass destruction in Iraq as a pretext for invading that country. It even touches on the non-existent issue of the so-called forced labour and exploitation of our workers sent abroad, and on nuclear weapons and ballistic missiles, which have no relevance to human rights. It is therefore quite clear to everyone that the draft resolution is pursuing the political purpose of isolating and stifling the Democratic People's Republic of Korea, in conjunction with the sanctions racket of the United States against our country.

The slanderous content of the draft resolution is nothing but sheer lies, fabricated by the authorities in South Korea, who are obsessed with their female First Chair and President, who has said that the Democratic People's Republic of Korea will collapse within two years. Its heinous political purpose is to bring down the system of the Democratic People's Republic of Korea by following the hostile United States policies directed against it. In order to eliminate our State and social systems, the United States has harassed the Democratic People's Republic of Korea over the nuclear and human rights issues simultaneously. It has continued to introduce large quantities of its strategic nuclear assets into the Korean peninsula and to stage various kinds of aggressive joint military exercises with South Korea, even openly conducting drills aimed at overthrowing the leadership of the Democratic People's Republic of Korea and occupying Pyongyang.

After realizing that it could not succeed by using the nuclear issue, the United States is now focused on eliminating the Democratic People's Republic of Korea under the cover of the human rights issue. Joining with the United States manoeuvres, this year the EU and Japan have once again introduced a draft resolution against the Democratic People's Republic of Korea in the General Assembly. They are not qualified to deliberate on the human rights issues of

others. The world has clearly witnessed crimes against humanity — committed by the United States and other Western countries — such as the military invasions and brutal massacres of innocent civilians in several countries in the Middle East, particularly Iraq and Afghanistan, which have turned those countries into wildernesses for human rights.

But the EU and Japan ignore the crimes against humanity committed by the United States. The EU should rather turn its attention to cleaning its own house — first, by considering and bringing to justice those responsible for crimes against humanity, which include the xenophobia, Islamophobia, defamation of religion and neo-Nazism that are rampant in its own countries, as well as the worst-ever refugee crisis, which has been caused by the United States and other Western countries themselves. Moreover, Japan has refused to apologize or compensate for the extraordinary crimes against humanity it committed in the past against the Korean people and many other nations of the world, such as the abduction and forcible drafting of 8.4 million people, the massacre of 1 million more and the imposition of sexual slavery on 200,000 women and girls. Japan should mind its own business.

It is the consistent policy of the Government of the Democratic People's Republic of Korea to take full responsibility for protecting and promoting the human rights of the popular masses. Despite the persistent sanctions and pressure imposed by the United States and other hostile forces, the Government of the Democratic People's Republic of Korea is concentrating all its efforts on improving its people's livelihood and securing a better future for them. The Democratic People's Republic of Korea continues to hope for sincere dialogue and cooperation in the international human rights arena, but it will fight to the end against confrontations and pressure aimed at stifling its system, and will take all appropriate measures to counter the acts against it that are becoming increasingly aggressive under the pretext of concerns about human rights.

My delegation condemns and rejects today's draft resolution as an illegal and flawed document unworthy of consideration. In that regard, we do not even feel the need to call for a vote. Even if it is railroaded through, it will be clear to the world that the vote can never be considered a consensus, since there are States Members of the United Nations that will dissociate themselves from consensus on the subject. My delegation once again calls on Member States to oppose the adoption

of this draft resolution by continuing to dissociate themselves from the consensus.

Mr. Hassani Nejad Pirkouhi (Islamic Republic of Iran): I speak in explanation of vote before action is taken on draft resolution III, entitled "Situation of human rights in the Islamic Republic of Iran".

The draft resolution that the General Assembly is about to act on today only reveals once again the insincerity of those self-proclaimed champions of human rights who submitted it. Iran is certainly not a country that deserves such a biased resolution. Canada, with a dismal record on the human rights of its own indigenous peoples and black citizens, knows that fact very well. Nonetheless, it has been foolhardy enough to include in its sponsors some that have not only grossly violated human rights but have committed atrocities against civilians and continue to commit them with impunity. It is disgusting that the greatest violator of human rights in the world is one of the sponsors of this absurd draft resolution. That says a great deal.

It would be extremely difficult to argue with the fact that Iran has been singled out only because it refuses to succumb to the political pressures of the main sponsors of the draft resolution. The notion of human rights is once again being abused in order to serve as a tool for putting unfair pressure on a nation that has chosen independence over yielding to interference. The notion of human rights is once again being abused in the pursuit of unjust interests by those who traditionally and historically have supported colonialism, slavery, racism and apartheid. Indeed, apart from political considerations, there are no credible grounds for this draft resolution. Few would accept this absurd politicization of human rights as a genuine attempt to protect and promote those rights.

Iran believes earnestly in the imperative of respecting and protecting human rights. A clear indicator of that is the fact that over the past four decades, numerous democratic elections have been held to decide our country's direction in both internal and foreign affairs. That level of reliance on the people's voice and vote is an extraordinary development in our region. My country's sustained reliance on the ballot box has encouraged peaceful and democratic processes in our society and contributed to transparency, accountability and stability at every level of the State.

However, for certain Powers, the people's choices can be respected as long as they are in line with their

interests. But those who dare to choose otherwise deserve to be punished, whether by military coup, aggression, sanctions, occupation or recriminations through the United Nations human rights machinery. For those Powers' allies and clients, however, democracy and respect for human rights are optional. They conveniently protect their allies, no matter how bad their records are, by fiercely censoring unfriendly States no matter how democratically they behave. Where the content and intentions of this draft resolution are concerned, we can clearly see that the exact same cynical pattern directed against Iran and Iranians is in play.

Only a few hours ago in Tehran, President Rouhani signed and unveiled a landmark charter of citizens' rights. Its implementation will represent a leap forward in the progress of human rights in the Islamic Republic of Iran. During the ceremony, President Rouhani reaffirmed and reiterated his promises to Iranian young people, women and ethnic and religious minorities on advancing their rights even further. He will also appoint a special official to supervise implementation of the charter's provisions. That is nothing less than a reflection of Iran's genuine willingness and intention to promote and protect the human rights of all its citizens, and an inherent characteristic of our political system.

What some unscrupulous Members of the United Nations are doing in return by pushing for this politicized draft resolution only shows how irrelevant our decisions can sometimes be to the realities on the ground. The level of complacency shown by the main sponsor and some of the draft resolution's other sponsors with dark human rights records is striking, especially at a time when they continue to be largely heedless of the alarming growth of marginalization, social exclusion, disenfranchisement, cultural chauvinism, unabated xenophobic tendencies, racial hatred and racism as breeding grounds for atrocities and terrorism in their own societies. It is to be expected, and it is legitimate, that world public opinion should continue to question their integrity and veracity.

The claim made just a few minutes ago by the representative of Canada that this year's draft resolution is the result of open consultation with Member States could not be further from the truth. Rejecting and voting against this absurd resolution, which has time and again proved to be a futile exercise, will be seen as a step towards enhancing the credibility of our human rights discourse, and will serve as proof that we are

serious, and mean it, when we ask that politicization, selectivity and double standards on human rights issues be avoided.

Ms. AlAteibi (United Arab Emirates) (*spoke in Arabic*): The United Arab Emirates has continued to sponsor the draft resolution on the situation of human rights in Syria based on its belief in the paramount importance of putting an end to the suffering of the Syrian people, who have been enduring the most atrocious violations of human rights through their displacement, through the intentional targeting of civilians, hospitals and vital infrastructure, through sexual violence and the use of internationally banned weapons against civilians.

Despite international resolutions that have urged that an end be put to such violations and that their perpetrators be held accountable, the parties to the conflict continue committing violations of human rights that blatantly flout international humanitarian law —

The Acting President: I give the floor to the representative of the Syrian Arab Republic, who wishes to speak on a point of order.

Mr. Qassem Agha (Syrian Arab Republic) (*spoke in Arabic*): As you know, Sir, according to the Assembly's rules of procedure, any country that is a sponsor of a draft resolution may not explain its position or vote on it.

The Acting President: I draw the attention of the representative of the Syrian Arab Republic to the fact that in this particular case, the General Assembly is considering the recommendations of the Third Committee and that therefore this explanation of vote is permitted.

Ms. AlAteibi (United Arab Emirates) (*spoke in Arabic*): I regret being interrupted in this manner and shall continue with my statement.

The fact that draft resolution II has some 60 sponsors reflects the deterioration in the humanitarian situation in Syria, and we urge all Member States to vote in favour of the draft resolution and affirm the international community's rejection of these violations and its determination to protect the human rights of our Syrian brothers and sisters.

Mrs. Mozolina (Russian Federation) (*spoke in Russian*): We would like to reiterate once again our

principled objection to the practice of introducing draft resolutions on the situation of human rights in specific countries. As years of experience have shown, such initiatives not only do not encourage constructive dialogue on the countries involved but actively increase confrontations between States, undermining the foundations of international cooperation in the area of human rights.

In that regard, the delegation of the Russian Federation dissociates itself from the consensus on draft resolution I, "Situation of human rights in the Democratic People's Republic of Korea" and requests that our position be placed on the record for this meeting. We also intend to vote against all the other draft resolutions on specific countries.

We would like to touch separately on draft resolution IV, on the human rights situation in Crimea. We have already presented our arguments during the discussion of the draft in the Third Committee, and we did not intend to speak about them again in this Hall. However, the statement delivered by the Ukrainian representative, who would like to portray his country as a model of democracy and human rights, compels us to respond today.

At a time when the intra-Ukrainian conflict continues to take human lives, bringing death and destruction to formerly peaceful and flourishing cities and neighbourhoods, and when repeated, systematic, large-scale violations of fundamental freedoms are being committed throughout Ukraine and increasing numbers of cases of torture and violence are being carried out by Ukrainian Government authorities, here we have a draft resolution being adopted on human rights in Crimea. It is clear that for Kyiv, settling the situation in south-eastern Ukraine is politically inconvenient, and in order to distract the international community's attention from their unwillingness to fulfil the political requirements of the Minsk agreements, the Kyiv authorities continue time and again to exploit the image of a foreign enemy and aggressor. They need this draft resolution purely for that reason.

The draft resolution is also extremely useful to the group of its sponsors who are the puppeteers of this particular initiative. It fits perfectly into the general ploy information war against our country, and we hope that the delegations here today will vote against it, thereby giving a practical demonstration of their principles and, at last, helping to focus attention on the human rights

situation throughout Ukraine, including its south-eastern region, where the Ukrainian Government has in effect declared war on its own people.

Mr. Qassem Agha (Syrian Arab Republic) (*spoke in Arabic*): At the outset, my delegation would like to express its condolences to the friendly delegation of Russia and our Government's firm condemnation of the dastardly assassination of the Russian ambassador in Turkey this morning.

We would like to dissociate ourselves from the consensus on draft resolution I, entitled "Situation of human rights in the Democratic People's Republic of Korea", and we will vote against both draft resolution III, entitled "Situation of human rights in the Islamic Republic of Iran" and draft resolution IV, on the human rights situation in Crimea.

A number of Western States and high United Nations officials claim to be supporting human rights and have shed crocodile tears over the human rights situation in Syria. They have all directed fabricated accusations at our Government, forgetting that it is the Syrian Government that is fighting terrorism on behalf of the entire world and that has liberated most of the territory held by assassins and criminals. The authors and sponsors of the politicized and partial draft resolution II on the so-called human rights situation in Syria are a long way from the reality on the ground. They have not realized that the takfiri ignorance and ideology have vanished from Syria, especially Aleppo. They have once again shown that they have not read history well. We would like to remind them of some events.

In 540, King Khosrow I entered Aleppo and destroyed it. After that, it was burned down by the Romans and rebuilt by Sayf Al-Daula. In 1260, under the leadership of Hulagu, the Mongols wreaked havoc in the city, but it was eventually restored. In 2012, Wahhabi soldiers, supported by considerable amounts of money and materiel, invaded it. With the help of the Erdoğan regime, they plundered its monuments and smuggled their contents to museums in London, Paris and New York. On 12 December 2016, Aleppo was liberated, and those who tried to extinguish the dreams of the Syrian people fell. The Wahhabi takfiri ideology has been eradicated. Aleppo is our city — it does not belong to Canada or Saudi Arabia or Qatar, and it is not part of Texas. It is not an Ottoman protectorate, and it is not and never will be under the custodianship of the

European Union because it is the economic capital of Syria. Aleppans are our people, and the terrorists are not our people because they are outsiders and are not part of the Syrian people. Today, they are leaving the city submissively and defeated.

What is not strange is the fact that once again the work of the General Assembly is being politicized through country-specific draft resolutions on human rights. Adopted by the Third Committee, these draft resolutions are now at the forefront of the work of the General Assembly, at the request of some States that have infiltrated the borders of my country and seek to impose double standards and policies when issues relevant to our international organization. Unfortunately, there are no calls for an emergency meeting on Yemen, where one child dies every three minutes.

They have tried their best to destroy my country by backing terrorism and attempting to plant a new Zionist regime in the Middle East in full view of the world, with the assistance of the United Arab Emirates, Turkey and Saudi Arabia. Their hopes and dreams have been destroyed in Aleppo. The unity of the Syrian people and its army have achieved victory. The people of Syria will never forget those who conspired against it and who destroyed the future of its citizens and its resources. We never attacked any Member State. We have been defending the lofty goals of the Charter of the United Nations in a dignified manner.

The Acting President: We will now take a decision on draft resolutions I to IV, one by one.

We first turn to draft resolution I, entitled "Situation of human rights in the Democratic People's Republic of Korea". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 71/202).

The Acting President: Draft resolution II is entitled "Situation of human rights in the Syrian Arab Republic". A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Belize, Benin, Botswana, Brazil, Bulgaria, Cabo Verde, Cameroon, Canada,

Central African Republic, Chad, Chile, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Egypt, El Salvador, Equatorial Guinea, Estonia, Finland, France, Gabon, Georgia, Germany, Guatemala, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kiribati, Kuwait, Latvia, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Norway, Oman, Palau, Panama, Papua New Guinea, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Somalia, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Yemen

Against:

Algeria, Belarus, Bolivia (Plurinational State of), Burundi, China, Cuba, Democratic People's Republic of Korea, Iran (Islamic Republic of), Iraq, Nicaragua, Russian Federation, South Sudan, Syrian Arab Republic, Uzbekistan, Venezuela (Bolivarian Republic of), Zimbabwe

Abstaining:

Angola, Armenia, Bangladesh, Bhutan, Bosnia and Herzegovina, Brunei Darussalam, Burkina Faso, Congo, Democratic Republic of the Congo, Dominica, Ecuador, Ethiopia, Fiji, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, India, Kazakhstan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Mali, Mauritius, Mongolia, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Pakistan, Paraguay, Philippines, Saint Vincent and the Grenadines, Seychelles, Singapore, South Africa, Sudan, Suriname, Tajikistan, Tonga, Trinidad and Tobago, Turkmenistan, Uganda, United Republic of Tanzania, Viet Nam, Zambia

Draft resolution II was adopted by 116 votes to 16, with 52 abstentions (resolution 71/203).

[Subsequently, the delegation of Pakistan informed the Secretariat that it had intended to vote in favour.]

The Acting President: Draft resolution III is entitled “Situation of human rights in the Islamic Republic of Iran”. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Belize, Bosnia and Herzegovina, Botswana, Bulgaria, Cabo Verde, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, El Salvador, Estonia, Finland, France, Gabon, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Saudi Arabia, Slovakia, Slovenia, Solomon Islands, South Sudan, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu, Yemen

Against:

Afghanistan, Algeria, Armenia, Bangladesh, Belarus, Bolivia (Plurinational State of), Brunei Darussalam, Burundi, Cambodia, China, Cuba, Democratic People’s Republic of Korea, Ecuador, Egypt, Eritrea, India, Indonesia, Iran (Islamic Republic of), Iraq, Kazakhstan, Kyrgyzstan, Lebanon, Nicaragua, Oman, Pakistan, Russian Federation, South Africa, Sudan, Syrian Arab Republic, Turkmenistan, Uganda, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe

Abstaining:

Angola, Antigua and Barbuda, Benin, Bhutan, Brazil, Burkina Faso, Cameroon, Central African

Republic, Chad, Colombia, Comoros, Congo, Côte d’Ivoire, Democratic Republic of the Congo, Djibouti, Equatorial Guinea, Ethiopia, Fiji, Ghana, Guinea, Guinea-Bissau, Guyana, Jamaica, Jordan, Kenya, Kuwait, Lao People’s Democratic Republic, Lesotho, Libya, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Niger, Nigeria, Papua New Guinea, Philippines, Qatar, Saint Vincent and the Grenadines, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Suriname, Tajikistan, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, United Republic of Tanzania, Uruguay, Zambia

Draft resolution III was adopted by 85 votes to 35, with 63 abstentions (resolution 71/204).

The Acting President: Draft resolution IV is entitled “Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)”. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Andorra, Antigua and Barbuda, Australia, Austria, Barbados, Belgium, Belize, Bhutan, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Panama, Poland, Portugal, Qatar, Republic of Moldova, Romania, Saint Kitts and Nevis, Samoa, San Marino, Saudi Arabia, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu, Yemen

Against:

Angola, Armenia, Belarus, Bolivia (Plurinational State of), Burundi, Cambodia, China, Comoros, Cuba, Democratic People’s Republic of Korea, Eritrea, India, Iran (Islamic Republic of), Kazakhstan, Nicaragua, Philippines, Russian Federation, Serbia, South Africa, South Sudan,

Sudan, Syrian Arab Republic, Uganda, Uzbekistan, Venezuela (Bolivarian Republic of), Zimbabwe

Abstaining:

Algeria, Argentina, Bahamas, Bahrain, Bangladesh, Benin, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Cabo Verde, Cameroon, Chile, Colombia, Congo, Côte d'Ivoire, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Indonesia, Iraq, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Libya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Myanmar, Namibia, Nauru, Nepal, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Saint Lucia, Saint Vincent and the Grenadines, Seychelles, Singapore, Somalia, Sri Lanka, Suriname, Tajikistan, Thailand, Togo, Tonga, Trinidad and Tobago, United Arab Emirates, United Republic of Tanzania, Uruguay, Viet Nam, Zambia

Draft resolution IV was adopted by 70 votes to 26, with 77 abstentions (resolution 71/205).

The Acting President: I now give the floor to those delegations that wish to speak in explanation of vote or position after the voting.

Mr. Cepero Aguilar (Cuba) (*spoke in Spanish*): The Cuban delegation disassociates itself from the consensus on resolution 71/202, entitled "Situation of human rights in the Democratic People's Republic of Korea", in line with our opposition to the imposition of selective and politically motivated mandates.

We believe that genuine international cooperation based on the principles of objectivity, impartiality and non-selectivity is the only way to promote and protect all human rights effectively. We urge that here, as in other cases, an opportunity be given to the Universal Periodic Review mechanism to promote a debate that is unpoliticized and without confrontation, with a view to promoting respectful cooperation with the country concerned. This resolution continues to promote sanctions and the dangerous and counterproductive role of the Security Council in issues outside its purview. Therefore, Cuba cannot join the consensus on a text that seeks to support Security Council sanctions and punishment in situations that do not pose a threat

to international peace and security. We cannot be accomplices to attempts to deny the people of the Democratic People's Republic of Korea their right to peace, free determination and development. We wish to indicate that our opposition to this selective and politicized mandate gives no added value to other pending issues referred to in paragraph 3 of the resolution, which require a fair and honourable solution, as well as the agreement of all interested parties.

Mr. Hassani Nejad Pirkouhi (Islamic Republic of Iran): This is an explanation of position and of vote after the adoption, respectively, of resolutions 71/202 and 71/203.

With regard to resolution 71/202, in line with our principled position on country-specific resolutions that are submitted to the Third Committee and the General Assembly, and bearing in mind the harm that such an unconstructive practice inflicts on the human rights discourse at the United Nations, the Islamic Republic of Iran disassociates itself from resolution 71/202, on the situation of human rights in the Democratic People's Republic of Korea. We kindly request this position to be reflected in the records of the Assembly.

With regard to resolution 71/203, on the situation of human rights in the Syrian Arab Republic, apart from the unfair and politically motivated approach adopted by the sponsors of the resolution, which is objectionable in its own right, resolution 71/203 includes provisions that run counter to basic principles of international law and cause the Third Committee to stray from its statutory course. The content of paragraph 24 of the resolution sinisterly labels and condemns exactly those who are in Syria to fight against the Islamic State in Iraq and the Sham and the Al-Nusra Front and their affiliates. In doing so, the paragraph blurs the lines between terrorists and those who heroically fight them and creates confusion with regard to the United Nations-designated terrorist groups.

The two forces that are mentioned in paragraph 24 are part of the regular armed forces of the Islamic Republic of Iran deployed in Syria on an exclusively advisory basis at the formal invitation of the Government of that country and are resisting the terrorist onslaught in Syria. The accusations levelled in the paragraph, apart from being totally baseless, have nothing to do with the mandate of the Third Committee, nor are they compatible with the title of the resolution. Its incorporation in this resolution cannot amount to

anything other than a kind of revenge against those who have so far been the most effective force on the ground against terrorism and violent extremism — a force, which if it were not for its genuine and resolute fight against terrorism, more of the Middle East would have by now fallen under the black flag of Da'esh. Who could believe that many sponsors of the resolution are concerned about human rights in Syria when, during the past year and a half, they have been busy wreaking havoc in Yemen, taking it from deprivation to devastation through indiscriminate aerial bombing of civilian targets and residential areas, ironically claiming to be invited to do so?

The General Assembly should not be exploited to meet the political goals of the countries whose main concerns are either losing their strategic grip in the region or the loss of the billions of dollars they have spent in nurturing terrorists in Syria and its neighbouring countries, as well as the destiny of thousands of their own citizens who are fighting in the ranks of foreign terrorist fighters against the Syrian people and its Government.

Ultimately, the people of Syria will defeat terrorists and their allies — the same allies that are sending encouraging messages to their vicious forces in Syria by abusing the General Assembly and adopting this absurd resolution, which is nothing but a reward to violent extremism and terrorism and to those who have helped them through their extreme ideologies and corresponding financial and logistical resources in the past many years.

It is also peculiar that a number of countries in the West that claim the high ground in preaching to others about human rights have sided with those who at the very least have always been the source of the export of intolerance to other parts of the world — the very intolerance that is in turn the major source of violent extremism and terrorism, let alone what they do with their own citizens inside their borders. It is very unfortunate that, at the same time, the structural weakness of the United Nations human rights mechanisms is giving them the opportunity to abuse the system and have such resolutions be adopted.

Those who initiated this resolution should rest assured that these and similar acts will not dissuade the Islamic Republic of Iran from its fight against violent extremism and its determination to fight extremists

who try to sow terror in the neighbourhood and export it to the entire world.

Mrs. Savitri (Indonesia): I take the floor to give a brief explanation of the position of Indonesia on the text of resolution 71/203, entitled “The situation of human rights in the Syrian Arab Republic”.

Time and again, Indonesia has expressed its deep concern about the continued humanitarian crisis in Aleppo and other parts of Syria. Indonesia remains deeply concerned about the ongoing conflict and its impact on the Syrian people, including women and children. The deaths of thousands and the widespread destruction require us to urge all parties to immediately cease all acts of violence and hostilities, including through the ceasefire agreement. It is imperative that all parties to the conflict demonstrate the utmost respect for international human rights law and humanitarian law and prioritize unhindered and safe humanitarian access for those in need. We are of the view that, through the adoption of this resolution, the international community places importance on the imperative unhindered and safe humanitarian access and the protection of human rights for all Syrian people.

We sincerely hope that the international community and all the parties concerned will concentrate their efforts on the immediate ending of all forms of violence, irrespective of where it comes from. The violence has to stop and it has to stop now. We welcome the adoption of Security Council resolution 2328 (2016) by consensus this morning, and it is our expectation that implementation of that resolution will provide impetus to address the humanitarian crisis in Aleppo and serve as a foundation for the creation of conditions conducive to a political settlement and a peaceful resolution through an inclusive, non-sectarian Syrian-led political process. Indonesia has also consistently reiterated its principled position that, while promoting and protecting the fundamental human rights of the Syrian people, it is crucial for everyone to respect the sovereignty, unity and territorial integrity of the Syrian Arab Republic.

Finally, my delegation had hoped for a more concise and balanced text that would have addressed the humanitarian and human rights needs, and not focused on naming and shaming, pointing fingers and blaming others. It is now time for the international community and all parties in Syria to unite and together save innocent lives and end this humanitarian crisis.

For those reasons, Indonesia voted in favour of the resolution.

Mr. Chu Guang (China) (*spoke in Chinese*): It has always been China's position that differences in the area of human rights need to be addressed through constructive dialogue and cooperation on the basis of equality and mutual respect.

China is opposed to the politicization of human rights issues or putting pressure on other countries with the excuse of human rights issues. We are also opposed to country-specific human rights resolutions.

We hope that the actions of the international community are conducive to peace and stability on the Korean peninsula and do not have the opposite impact. Therefore, the Chinese delegation did not join the consensus on resolution 71/202, on the situation of human rights in the Democratic People's Republic of Korea.

Mr. Bultrikov (Kazakhstan): On behalf of my delegation, I would like briefly to explain our vote on resolution 71/205, entitled "The situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)".

The crisis in Ukraine is a matter of concern for all Member States, and especially for Kazakhstan, which is a close friend and partner of Ukraine. Today, members of the international community are trying to reach a political settlement in Russian-Ukrainian relations. The Normandy Format is involved, as well as the Minsk Contact Group. There is still hope that gradually, not at once, a political solution to the situation will be found through the negotiation process. We believe that this resolution is not aimed at solving the problem and does not reflect the essence of the issue, namely, the human rights situation in Ukraine.

The resolution is not conducive to dialogue and to resolving the crisis, but instead leads to a stalemate and a further aggravation of the contradictions between Russia and Ukraine, as well as between Russia and some other countries. Kazakhstan calls on all Member States to engage constructively on issues of human rights protection, instead of through confrontation and counterproductive and corrosive approaches. We insist on the need to promote and protect human rights through equal dialogue in a spirit of mutual respect and cooperation.

Kazakhstan does not oppose the resolution; we oppose politicizing the issue of human rights in general. Kazakhstan is against selectivity in assessing the human rights situation and against the use of human rights as an instrument to put pressure on Member States for political purposes. We also consider that the resolution is beyond the competence of the Third Committee, as it reflects on matters of territorial integrity, annexation and occupation. The position of Kazakhstan on those issues is reflected in its vote on resolution 68/262, on the territorial integrity of Ukraine. Our vote on resolution 71/205 does not reflect our position on the status of Crimea.

Taking into account everything I just mentioned, Kazakhstan voted against this resolution.

Mr. Samvelian (Armenia): Let me start by expressing our sincere condolences to our colleagues from the Russian Federation with regard to the tragic event that took place earlier today in Ankara, which claimed the life of the Russian Ambassador to Turkey.

My delegation asked for the floor to explain its position on resolution 71/205, entitled "The Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)". Armenia has always been a staunch supporter of the efforts aimed at promoting democracy, fundamental freedoms and human rights, including the equal rights and self-determination of peoples. In our view, situations related to human rights should be discussed and addressed by applying those norms and principles that are part of international human rights law.

While the current resolution is introduced in a human rights context, the references to the principle of territorial integrity, which are selectively played out at the expense of other principles of international law, including people's right to self-determination, go beyond the declared objective of the document. In accordance with its consistent stance, Armenia is not in a position to support an approach that introduces a hierarchy between the principles of international law. Furthermore, the resolution includes a reference to resolution 68/262, of 27 March 2014, which Armenia voted against owing to the same consideration I just mentioned. The delegation of Armenia circulated its explanation of vote on the day of the adoption of that resolution (see A/68/PV.80). Our approach has not changed since then. On that basis, Armenia voted against resolution 71/205.

Mr. Poveda Brito (Bolivarian Republic of Venezuela) (*spoke in Spanish*): With regard to resolutions on the human rights situation in specific countries, the Bolivarian Republic of Venezuela would like to reiterate its fundamental position on the adoption of resolutions and special procedures, or any other mechanism on human rights situations in specific countries, by stating that we reject selectivity in terms of treating this theme for politically motivated ends, since that constitutes a violation of the principles of the Charter of the United Nations. The continued practice of the selective adoption of resolutions on human rights situations in specific countries goes beyond the purview of the Committee and violates the principles of universality, impartiality and non-selectivity, which human rights themes should be dealt with. We call for further progress in the achievements of the Human Rights Council and for the favouring of the Universal Periodic Review mechanism as the cooperative formula for addressing the issue of human rights.

With regard to this principled position on resolution 71/202, on the human rights situation in the Democratic People's Republic of Korea, Venezuela would like to disassociate itself from the consensus on that resolution.

Mrs. Duncan Villalobos (Costa Rica) (*spoke in Spanish*): Our concerns about the human rights situation in the specific countries referred to in the resolutions submitted for consideration by the General Assembly today led us to support and vote in favour of the resolutions. We maintain our principled position that all issues of interest raised by Member States should be valued on their own substantive merits, which in this case includes action undertaken by different countries to improve their human rights situations.

Nevertheless, my country reiterates that the Human Rights Council is the principal player in this sphere and has the main tools for considering specific cases that are of concern to the international community and that, owing to their seriousness, demand to be addressed on a country-specific basis.

We recognize that the Universal Periodic Review mechanism is the appropriate tool for a universal review based on transparent, credible and objective information. For that reason, we believe that addressing country-specific issues ideally should be carried out in that forum, and that is why we did not co-sponsor these resolutions in the Third Committee.

However, that should not detract from fulfilling our responsibility to take action on particularly critical situations in terms of human rights wherever that may be and to address country-specific issues where necessary. My country believes that constructive dialogue and cooperation should continue to guide us along the path towards the effective promotion and protection of human rights. We call on all Member States to commit to such efforts.

Mr. Begeç (Turkey): At the outset, let me express our deepest regret and sorrow that the Ambassador of the Russian Federation to Turkey, His Excellency Mr. Andrey Gennadyevich Karlov, lost his life after being attacked by a gunman in Ankara. We condemn the attack in the strongest possible terms. We also express our heartfelt condolences and strong solidarity with the delegation of the Russian Federation. The Turkish authorities will do their utmost to ensure justice, including through a thorough investigation. The official statement by the relevant Turkish authorities about this heinous terrorist attack has already been released.

The United Nations community has today adopted two resolutions in order to address the humanitarian crisis in Syria — one in the Security Council (Security Council resolution 2328 (2016)) and another in the General Assembly (resolution 71/203). Turkey is a sponsor of the General Assembly resolution, which we adopted today. The Security Council resolution was adopted thanks to the determined initiative of Turkey, along with a group of other countries, to hold an emergency meeting special session. We will continue to closely monitor the implementation of those resolutions and assess their impact on the ground, with a view to deciding whether they must be followed by an additional General Assembly initiative or an emergency special session.

The regime representatives have spoken of a liberated Aleppo. What the regime calls liberation is, in the context of international norms, law and principles, a humanitarian crisis — amounting to war crimes, crimes against humanity and ethnic and sectarian cleansing against its own people. Therefore, their words carry no political or ethical weight. Accordingly, we reject their statement in its entirety.

Ms. Radwan (Saudi Arabia) (*spoke in Arabic*): At the outset, we wish to thank all States that voted in favour of resolution 71/203 today. We call on them to work together to implement it in order to safeguard

the protection of human rights in Syria. The Kingdom of Saudi Arabia continues its international efforts to protect our Syrian friends from the atrocious attacks carried out by terrorist gangs and the Syrian regime, in accordance with the Charter of the United Nations. We are good readers of history and reality. The reality is represented by the votes of 116 States that are in favour of that resolution.

Ms. Al-Temimi (Qatar) (*spoke in Arabic*): I would like to reiterate the statements made by the representatives of Turkey and Saudi Arabia. We thank the States that backed resolution 71/203, on the situation of human rights in the Syrian Arab Republic. We voted in favour of the resolution because we believe the reports of what is happening there and we oppose the violations of human rights. We realize the danger of foreign terrorist fighters and terrorism. We will continue to cooperate with the international community to eradicate terrorism and dry up its resources, as well as to combat the State terrorism carried out by the Syrian regime.

The Acting President: The General Assembly has thus concluded this stage of its consideration of sub-item (c) of agenda item 68.

(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action

Report of the Third Committee (A/71/484/Add.4)

The Acting President: May I take it that the Assembly wishes to take note of the report of the Third Committee?

It was so decided.

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (d) of agenda item 68?

It was so decided.

Agenda item 106

Crime prevention and criminal justice

Report of the Third Committee (A/71/485)

The Acting President: The Assembly has before it four draft resolutions recommended by the Third Committee in paragraph 24 of its report and a draft

decision recommended by the Committee in paragraph 25 of the same report.

We will now take a decision on draft resolutions I to IV and on the draft decision, one by one.

Draft resolution I is entitled "Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice". The Third Committee adopted it. May I take it that the Assembly wishes to do likewise?

Draft resolution I was adopted (resolution 71/206).

The Acting President: Draft resolution II is entitled "United Nations African Institute for the Prevention of Crime and the Treatment of Offenders". The Third Committee adopted it. May I take it that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 71/207).

The Acting President: Draft resolution III is entitled "Preventing and combating corrupt practices and the transfer of proceeds of corruption, facilitating asset recovery and returning such assets to legitimate owners, in particular to countries of origin, in accordance with the United Nations Convention against Corruption". The Third Committee adopted it. May I take it that the Assembly wishes to do likewise?

Draft resolution III was adopted (resolution 71/208).

The Acting President: Draft resolution IV is entitled "Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity". The Third Committee adopted it. May I take it that the Assembly wishes to do the same?

Draft resolution IV was adopted (resolution 71/209).

The Acting President: We shall now turn to paragraph 25 of the report to take action on the draft decision entitled "Reports considered by the General Assembly in connection with the question of crime prevention and criminal justice". May I take it that it is the wish of the Assembly to adopt the draft decision as recommended by the Third Committee?

The draft decision was adopted (decision 71/537).

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 106?

It was so decided.

Agenda item 107

International drug control

Report of the Third Committee (A/71/486)

The Acting President: The Assembly has before it two draft resolutions recommended by the Third Committee in paragraph 11 of its report.

We will now take a decision on draft resolutions I and II, one by one.

Draft resolution I is entitled “Promoting the implementation of the United Nations Guiding Principles on Alternative Development”. The Third Committee adopted it. May I take it that the Assembly wishes to do likewise?

Draft resolution I was adopted (resolution 71/210).

The Acting President: Draft resolution II is entitled “International cooperation to address and counter the world drug problem”. The Third Committee adopted it. May I take it that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 71/211).

The Acting President: The General Assembly has thus concluded this stage of its consideration of agenda item 107.

Agenda item 121 (continued)

Revitalization of the work of the General Assembly

Report of the Third Committee (A/71/487)

The Acting President: The Assembly has before it a draft decision recommended by the Third Committee in paragraph 5 of its report.

We will now take action on the draft decision entitled “Programme of work of the Third Committee for the seventy-second session of the General Assembly”. May I take it that the Assembly wishes to adopt the draft decision as recommended by the Third Committee?

The draft decision was adopted (decision 71/538).

The Acting President: The General Assembly has thus concluded this stage of its consideration of agenda item 121.

Agenda item 135

Programme planning

Report of the Third Committee (A/71/488)

The Acting President: May I take it that the General Assembly wishes to take note of the report of the Third Committee?

It was so decided.

The Acting President: The Assembly has thus concluded this stage of its consideration of agenda item 135.

On behalf of the General Assembly, I would like to thank Her Excellency Ms. María Emma Mejía Vélez, Permanent Representative of Colombia to the United Nations and Chair of the Third Committee, as well as the members of the Bureau and representatives for a job well done.

The General Assembly has thus concluded its consideration of all the reports of the Third Committee before it today.

Statement by the President

The Acting President: Before adjourning the meeting, I would like to extend my condolences and deepest sympathy to the delegation of the Russian Federation, and I hope that the Assembly will echo my sentiments. I express my deepest condolences and sympathy to all our friends in the Russian Federation on the tragic death, this morning, of the Ambassador of the Russian Federation in Turkey. It was a stark reminder for all of us of the vulnerabilities we face from extremism and terrorism. I hope that our words of sympathy will be passed on to the family of the late distinguished Ambassador of the Russian Federation, to all our colleagues in the Russian Federation’s diplomatic service and to the people of the Russian Federation.

I now call on the representative of the Russian Federation.

Mr. Zagaynov (Russian Federation) (*spoke in Russian*): I thank you, Mr. President, and the delegations that have expressed their condolences to our country in connection with the barbaric murder of the Russian

Ambassador in Ankara, Mr. Andrey Gennadyevich Karlov. The perpetrators of that terrorist attack must be held to account and brought to justice. We are grateful

for the condolences and we will convey them to the family of the late Ambassador.

The meeting rose at 2.35 p.m.