



# General Assembly

Seventy-first session

**66**<sup>th</sup> plenary meeting  
 Wednesday, 21 December 2016, 3 p.m.  
 New York

Official Records

*President:* Mr. Thomson . . . . . (Fiji)

*The meeting was called to order at 3.20 p.m.*

and one draft decision, which will be referred to subsequently.

## Reports of the Second Committee

**The President:** The General Assembly will consider the reports of the Second Committee on agenda items 16 to 25, 59, 121 and 135.

I request the Rapporteur of the Second Committee, Mr. Glauco Seoane of Peru, to introduce in one intervention the reports of the Second Committee.

**Mr. Seoane** (Peru), Rapporteur of the Second Committee (*spoke in Spanish*): It is an honour for me to introduce to the General Assembly the reports of the Second Committee on the agenda items allocated to it by the General Assembly at its seventy-first session. The reports, contained in documents A/71/460 to A/71/472, include the texts of the draft resolutions and a draft decision recommended by the Second Committee to the General Assembly for adoption.

For the convenience of delegations, a checklist of action taken in the Committee has been prepared by the Secretariat and is contained in document A/C.2/71/INF/1, in English only. During the main part of the seventy-first session of the General Assembly, the Second Committee held 29 plenary meetings and four special events, including a joint formal meeting with the Economic and Social Council. The Committee also held its annual dialogue with the Executive Secretaries of the Regional Commissions.

The Second Committee adopted a total of 36 draft resolutions, five of which were adopted with a vote,

Under agenda item 16, entitled “Information and communication technologies for development”, the Second Committee recommends, in paragraph 11 of document A/71/460, the adoption of one draft resolution.

Under agenda item 17, entitled “Macroeconomic policy questions”, the report of the Committee has been issued in four parts. The report under the chapeau is contained in document A/71/461, and the recommendations are contained in both that document and the addenda. In connection with item 17, the Second Committee recommends, in paragraph 12 of document A/71/461, the adoption of one draft resolution.

Under sub-item (a), entitled “International trade and development”, the Second Committee recommends, in paragraph 9 of document A/71/461/Add.1, the adoption of one draft resolution. In connection with this draft resolution, I would like to point out to the Assembly that, subsequent to its adoption in the Second Committee, its facilitator informed the Bureau that during the negotiations Member States agreed to amend paragraph 27. In view of this, on behalf of the Committee, I would like to orally revise the draft resolution recommended for adoption by the Assembly as follows: in the second and third lines of paragraph 27, in the original text in English, instead of “adoption of measures that would facilitate”, it should read “adoption of such measures as would facilitate”. Also, in the sixth line, where it says “implementation of the work programme” it should

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org>).

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read “implementation of the World Trade Organization work programme”.

Under sub-item (b), entitled “International financial system and development”, the Second Committee recommends, in paragraph 9 of document A/71/461/Add.2, the adoption of one draft resolution.

Under sub-item (c), entitled “External debt sustainability and development”, the Committee recommends, in paragraph 8 of document A/71/461/Add.3, the adoption of one draft resolution.

Under agenda item 18, entitled “Follow-up to and implementation of the outcomes of the International Conferences on Financing for Development”, the Committee recommends, in paragraph 14 of document A/71/462, the adoption of one draft resolution.

Under agenda item 19, entitled “Sustainable development”, the report of the Committee has been issued in 11 parts. The report under the chapeau is contained in document A/71/463, and the recommendations are contained in both that document and the addenda. In connection with agenda item 19, the Second Committee recommends, in paragraph 32 of document A/71/463, the adoption of four draft resolutions. In connection with draft resolution IV contained in the report, I bring to the attention of the Assembly the fact that the Chair of the Committee informed the Committee that the cross-cutting language agreed by Member States on the Paris Agreement would be uniformly reflected in all draft resolutions recommended for adoption by the General Assembly, including the paragraph in question. In that regard, the sixth preambular paragraph of draft resolution IV should read as follows:

“Welcoming the Paris Agreement and its early entry into force, and encouraging all parties thereto to fully implement the Agreement, and the parties to the United Nations Framework Convention on Climate Change that have not yet done so to deposit their instruments of ratification, acceptance, approval or accession, as appropriate, as soon as possible”.

Under sub-item (a), entitled “Implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development and of the United Nations Conference on Sustainable Development”, the Second Committee recommends,

in paragraph 13 of document A/71/463/Add. 1, the adoption of two draft resolutions.

Under sub-item (b), entitled “Follow-up to and implementation of the SIDS Accelerated Modalities of Action (SAMOA) Pathway and the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States”, the Second Committee recommends, in paragraph 18 of document A/71/463/Add.2, the adoption of two draft resolutions.

Under sub-item (c), entitled “Disaster risk reduction”, the Second Committee recommends, in paragraph 14 of document A/71/463/Add.3, the adoption of two draft resolutions.

Under sub-item (d), entitled “Protection of global climate for present and future generations of humankind”, the Second Committee recommends, in paragraph 8 of document A/71/463/Add.4, the adoption of one draft resolution.

Under sub-item (e), entitled “Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,” the Second Committee recommends, in paragraph 7 of document A/71/463/Add.5, the adoption of one draft resolution. In connection with this draft resolution, the fourth preambular paragraph, which refers to the Paris Agreement, should also be replaced by the cross-cutting language that I read out earlier.

Under sub-item (f), entitled “Convention on Biological Diversity”, the Second Committee recommends, in paragraph 7 of document A/71/463/Add.6, the adoption of one draft resolution.

Under sub-item (g), entitled “Report of the United Nations Environment Assembly of the United Nations Environment Programme”, the Second Committee recommends, in paragraph 9 of document A/71/463/Add.7, the adoption of one draft resolution.

Under sub-item (h), entitled “Harmony with Nature”, the Second Committee recommends, in paragraph 7 of document A/71/463/Add.8, the adoption of one draft resolution.

Under sub-item (i), entitled “Promotion of new and renewable sources of energy”, the Second Committee recommends, in paragraph 9 of document A/71/463/ Add.9, the adoption of one draft resolution.

Under sub-item (j), entitled “Sustainable mountain development”, the Second Committee recommends, in paragraph 7 of document A/71/463/Add.10, the adoption of one draft resolution. With regard to this draft resolution, the sixth paragraph of the preamble, which also refers to the Paris Agreement, should be replaced by the cross-cutting language that I read out earlier.

Under agenda item 20, entitled “Implementation of the outcomes of the United Nations Conferences on Human Settlements and on Housing and Sustainable Urban Development and strengthening of the United Nations Human Settlements Programme (UN-Habitat)”, the Second Committee recommends, in paragraph 12 of document A/71/464, the adoption of one draft resolution.

Under agenda item 21, entitled “Globalization and interdependence”, the report of the Committee has been issued in three parts. The report under the chapeau is contained in document A/71/465, and the recommendations are contained in both that document and the addenda. With regard to item 21, the Second Committee recommends, in paragraph 11 of document A/71/465, the adoption of one draft resolution.

Under sub-item (a), entitled “Globalization and interdependence”, as indicated in paragraph 2 of document A/71/465/Add.1, no action was taken.

Under sub-item (b), entitled “International migration and development”, the Second Committee recommends, in paragraph 8 of document A/71/465/Add.2, the adoption of one draft resolution.

Under agenda item 22, entitled “Groups of countries in special situations”, the report of the Committee has been issued in three parts. The report under the chapeau is contained in document A/71/466, and the recommendations are contained in both that document and the addenda.

Under sub-item (a), entitled “Follow-up to the Fourth United Nations Conference on the Least Developed Countries”, the Second Committee recommends, in paragraph 8 of document A/71/466/Add.1, the adoption of one draft resolution.

Under sub-item (b), entitled “Follow-up to the second United Nations Conference on Landlocked Developing Countries”, the Second Committee recommends, in paragraph 8 of document A/71/466/Add.2, the adoption of one draft resolution. With regard to this draft

resolution, the eighth preambular paragraph, which refers to the Paris Agreement, should also be replaced by the cross-cutting language that I read out earlier.

Under agenda item 23, entitled “Eradication of poverty and other development issues”, the report of the Committee has been issued in three parts. The report under the chapeau is contained in document A/71/467, and the recommendations are contained in both that document and the addenda. With regard to item 23, the Second Committee recommends, in paragraph 11 of document A/71/467, the adoption of one draft resolution.

Under sub-item (a), entitled “Implementation of the Second United Nations Decade for the Eradication of Poverty (2008-2017)”, the Second Committee recommends, in paragraph 9 of document A/71/467/Add. 1, the adoption of one draft resolution.

Under sub-item (b), entitled “Industrial development cooperation”, the Second Committee recommends, in paragraph 8 of document A/71/467/Add.2, the adoption of one draft resolution.

Under agenda item 24, entitled “Operational activities for development”, the report of the Committee has been issued in three parts. The report under the chapeau is contained in document A/71/468, and the recommendations are contained in that document and the addenda.

Under sub-item (a), entitled “Operational activities for development of the United Nations system”, the Second Committee recommends, in paragraph 13 of document A/71/468/Add. 1, the adoption of one draft resolution.

Under sub-item (b), entitled “South-South cooperation for development”, the Second Committee recommends, in paragraph 9 of document A/71/468/Add.2, the adoption of one draft resolution.

Under agenda item 25, entitled “Agriculture development, food security and nutrition”, the Second Committee recommends, in paragraph 17 of document A/71/469, the adoption of two draft resolutions.

Under agenda item 59, entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”, the Committee recommends,

in paragraph 14 of document A/71/470, the adoption of one draft resolution.

Under agenda item 121, entitled “Revitalization of the work of the General Assembly”, the Second Committee recommends, in paragraph 5 of document A/71/471, the adoption of one draft decision.

Under agenda item 135, entitled “Programme planning”, as indicated in paragraph 2 of document A/71/472, no action was taken on the item.

To conclude, I would like to highlight the cooperation prevailing in the Second Committee. Though the work of the Committee had to be extended for three weeks to reach a conclusion on all items before it, the Committee was able to fulfil the mandate entrusted to it by the Assembly and to complete its work effectively and constructively.

On behalf of the Bureau of the Second Committee, I convey our appreciation to all delegations, and in particular the negotiators and facilitators responsible for the draft resolutions we are adopting today. We thank all delegations for their constructive participation and commitment. Also, I take this opportunity to acknowledge the leadership of our Chair, Mr. Dian Triansyah Djani of Indonesia, as well as the continued commitment of the other members of the Bureau, Vice-Chairs Mr. Arthur Andambi of Kenya, Mr. Ignacio Díaz de la Guardia of Spain and Mrs. Galina Nipomici of the Republic of Moldova. I thank them all.

I also thank the secretariat of the Second Committee for its continued assistance and support to the Bureau and to all delegations.

Finally, I take this opportunity to wish very happy holidays to all and their families.

**The President:** I thank the Rapporteur of the Second 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 Second 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 Second 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. When a report contains more than one proposal, delegations will have an opportunity to explain their positions before and after the General Assembly takes action on all of the proposals.

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 Second Committee, unless the Secretariat is notified otherwise in advance. I should therefore hope that we may 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 Second Committee”, which has been circulated, in English only, as document A/C.2/71/INF/1. This note has been distributed desk-to-desk in the General Hall as a reference guide for action on draft resolutions and decisions recommended by the Second Committee in its reports. In that 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 listed in column three of the note.

The Assembly is reminded that we will now be taking action on draft resolutions and decisions recommended for adoption by the Second Committee and, as such, those draft resolutions and decisions can no longer be additionally co-sponsored in the plenary by

Member States. Any clarification about co-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. I would seek members' cooperation in avoiding any interruptions to our proceedings in this regard.

## Agenda item 16

### Information and communications technologies for development

#### Report of the Second Committee (A/71/460)

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in paragraph 11 of its report.

We will now take a decision on the draft resolution. The Second Committee adopted the draft resolution. May I take it that the Assembly wishes to do likewise?

*The draft resolution was adopted (resolution 71/212).*

**The President:** May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 16?

*It was so decided.*

## Agenda item 17

### Macroeconomic policy questions

#### Report of the Second Committee (A/71/461)

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in paragraph 12 of its report.

The Assembly will now take a decision on the draft resolution, entitled "Promotion of international cooperation to combat illicit financial flows in order to foster sustainable development".

The Second Committee adopted the draft resolution. May I take it that the Assembly wishes to do likewise?

*The draft resolution was adopted (resolution 71/213).*

**The President:** I now give the floor to the representative of Nigeria, who wishes to speak in explanation of position.

**Mr. Bolaji (Nigeria):** It is important to remind ourselves that the achievement of sustainable development by most developing countries, especially African States, will remain elusive unless the United Nations fulfils its role as a veritable platform for facilitating cooperation among Member States, as well as with the United Nations system.

It is heartwarming for my delegation that, in our common bid to combat illicit financial flows, the General Assembly today adopted resolution 71/213, entitled "Promotion of international cooperation to combat illicit financial flows in order to foster sustainable development". The resolution aptly linked the realization of sustainable development to the fight against illicit financial flows, and calls on Member States to scale up cooperation in that regard. It is essential for Member States to cooperate among themselves, and with other stakeholders, so as to provide the support necessary for national efforts in combating illicit financial flows, and for the achievement of the 2030 Agenda for Sustainable Development.

In that regard, Nigeria wishes to reiterate earlier calls upon Member States to pursue policy coherence and to create an enabling environment for combating illicit financial flows and for achieving sustainable development. More important, we call upon the international financial and monetary institutions to utilize their expertise and mandates to combat illicit financial flows and to assist in the recovery of stolen assets. The activities of those institutions, including the United Nations Office on Drugs and Crime, should go beyond data collection on occurrences of illicit financial flows. Rather, these institutions should provide intelligence that could assist in forestalling and recovering illicit financial flows. It is therefore the understanding of my delegation that this resolution will provide the necessary political tools for financial and monetary institutions to facilitate cooperation among Member States in a bid to combat illicit financial flows. It is imperative to accelerate international cooperation against illicit financial flows, which undisputedly constitute a major disabler to sustainable development, and have a direct negative impact on the ability of Member States to raise, retain and mobilize national resources to finance sustainable development.

More important, Nigeria wishes to echo the targets set by the Addis Ababa Action Agenda and to urge Member States that have not done so to ratify and accede to the United Nations Convention against

Corruption; to support the Stolen Assets Recovery Initiative; to combat money laundering and terrorism financing; and to ensure the effective implementation of the United Nations Convention against Transnational Organized Crime.

Finally, it is the hope of my delegation that, as strides are made to accomplish the purpose of the resolution, the Secretary-General would submit a progress report to the General Assembly. The report would serve as a veritable tool for the assessment of cooperation among Member States in combating illicit financial flows and fostering sustainable development. This very important line of reporting is unjustifiably missing in the current formulation of the resolution and, in the view of my delegation and many others, it should be included in the immediate future to properly guide this resolution to attain its full potential.

We ask that this observation be reported in the record of this meeting.

**The President:** The General Assembly has thus concluded this stage of its consideration of agenda item 17.

#### **(a) International trade and development**

##### **Report of the Second Committee (A/71/461/Add.1)**

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in paragraph 9 of its report.

The Assembly will now take a decision on the draft resolution, as orally revised.

The Second Committee adopted the draft resolution. May I take it that the Assembly wishes to adopt the draft resolution as orally revised?

*The draft resolution, as orally revised, was adopted (draft resolution 71/214).*

**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 17?

*It was so decided.*

#### **(b) International financial system and development**

##### **Report of the Second Committee (A/71/461/Add.2)**

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in paragraph 9 of its report.

The Assembly will now take a decision on the draft resolution.

The Second Committee adopted the draft resolution. May I take it that the Assembly wishes to do likewise?

*The draft resolution was adopted (draft resolution 71/215).*

**The President:** May I take it that it is the wish of the Assembly to conclude its consideration of sub-item (b) of agenda item 17?

*It was so decided.*

#### **(c) External debt sustainability and development**

##### **Report of the Second Committee (A/71/461/Add.3)**

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in paragraph 8 of its report. We will now take a decision on the draft resolution. The Committee adopted it. May I take it that the Assembly wishes to do the same?

*The draft resolution was adopted (resolution 71/216).*

**The President:** May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (c) of agenda item 17 and of agenda item 17 as a whole?

*It was so decided.*

#### **Agenda item 18**

##### **Follow-up to and implementation of the outcomes of the International Conferences on Financing for Development**

##### **Report of the Second Committee (A/71/462)**

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in paragraph 14 of its report. We will now take a decision on the draft resolution. The Committee adopted it. May I take it that the Assembly wishes to do the same?

*The draft resolution was adopted (resolution 71/217).*

**The President:** May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 18?

*It was so decided.*

## Agenda item 19

### Sustainable development

#### Report of the Second Committee (A/71/463)

**The President:** The Assembly has before it four draft resolutions recommended by the Second Committee in paragraph 32 of its report. We will now take a decision on draft resolutions I to IV, one by one.

Draft resolution I is entitled “Oil slick on Lebanese shores”. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Cabo Verde, Cambodia, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, 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, Malawi, 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, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, 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, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

*Against:*

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

*Abstaining:*

Cameroon, Democratic Republic of the Congo, Honduras, Papua New Guinea, South Sudan, Tonga, Vanuatu

*Draft resolution I was adopted by 166 votes to 8, with 7 abstentions (resolution 71/218).*

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

**The President:** Draft resolution II, entitled “Combating sand and dust storms”, was adopted by the Second Committee. May I take it that the Assembly wishes to do the same?

*Draft resolution II was adopted (resolution 71/219).*

**The President:** Draft resolution III, entitled “Cooperative measures to assess and increase awareness of environmental effects related to waste originating from chemical munitions dumped at sea”, was adopted by the Second Committee. May I take it that the Assembly wishes to do the same?

*Draft resolution III was adopted (resolution 71/220).*

**The President:** We now turn to draft resolution IV, entitled “Entrepreneurship for sustainable development”, as orally revised. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia,

Cameroon, Canada, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Dominica, Dominican Republic, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kiribati, Kyrgyzstan, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Sudan, Spain, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tuvalu, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu, Viet Nam, Zambia

*Against:*

Algeria, Bahrain, Bolivia (Plurinational State of), Brunei Darussalam, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Lebanon, Libya, Malaysia, Maldives, Mauritania, Morocco, Nicaragua, Oman, Pakistan, Qatar, Saudi Arabia, Syrian Arab Republic, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen

*Abstaining:*

China, Ecuador, Guinea, Mali, South Africa, Sri Lanka, Turkey

*Draft resolution IV, as orally revised, was adopted by 147 votes to 26, with 7 abstentions (resolution 71/221).*

[Subsequently, the delegations of Iraq and the Sudan informed the Secretariat that they had intended to vote against; the delegation of Bangladesh informed the Secretariat that it had intended to abstain.]

**The President:** I now give the floor to the representative of Turkey, who wishes to speak in explanation of position on one of the resolutions just adopted.

**Mr. Altınörs (Turkey):** Turkey joined the consensus on resolution 71/220, entitled "Cooperative measures to assess and increase awareness of environmental effects related to waste originating from chemical munitions dumped at sea", because we attach importance to the conservation and sustainable use of the oceans and to the prevention of marine pollution of every kind. We believe the resolution is an important step towards raising awareness of the environmental effects relating to waste originating from chemical munitions dumped at sea. However, Turkey dissociates itself from the references made in the resolution to international instruments to which it is not party. They can therefore not be construed to represent any change in Turkey's legal position with regard to those instruments.

**The President:** The General Assembly has thus concluded this stage of its consideration of agenda item 19.

**(a) Implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development and of the United Nations Conference on Sustainable Development**

**Report of the Second Committee (A/71/463/Add.1)**

**The President:** The Assembly has before it two draft resolutions recommended by the Second Committee in paragraph 13 of its report. The Assembly will now take a decision on draft resolutions I and II, one by one.

Draft resolution I, entitled "International Decade for Action, 'Water for Sustainable Development', 2018-2028", was adopted by the Second Committee. May I take it that the Assembly wishes to do the same?

*Draft resolution I was adopted (resolution 71/222).*

**The President:** Draft resolution II is entitled "Implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development

and of the United Nations Conference on Sustainable 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), 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, 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, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

*Against:*

Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Israel, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom

of Great Britain and Northern Ireland, United States of America

*Abstaining:*

Australia, Canada, Iceland, Liechtenstein, New Zealand, Switzerland, Turkey

*Draft resolution II was adopted by 134 votes to 44, with 7 abstentions (resolution 71/223).*

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

**The President:** I now give the floor to the representative of Thailand, who wishes to speak in explanation of vote.

**Mrs. Chartsuwan** (Thailand): I have the honour to deliver this statement on behalf of the Group of 77 and China.

With regard to today's adoption by a recorded vote of resolution 71/223, entitled "Implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development and of the United Nations Conference on Sustainable Development", I would like to express the Group's deep disappointment about the fact that for the first time we could not reach consensus on this resolution. The main reason for that is related to the periodicity of the resolution and to attempts to introduce a discussion of the issue of revitalization into the substantive work of the Second Committee. In our view, the resolution merits its existence in every way, and its substance is justifiable, especially at this critical early stage of the implementation of the 2030 Agenda for Sustainable Development.

Crucial elements, particularly the institutional arrangements for Agenda 21, the Johannesburg Plan of Implementation and the 2012 United Nations Conference on Sustainable Development — as well as areas for which the resolution could add further value, including sustainable consumption and production, as reflected in Goal 12 of the Sustainable Development Goals (SDGs), and sanitation, as part of SDG 6 — represent unfinished business in our area of the 2030 Agenda that remains almost entirely unaddressed within the work of the General Assembly. Renewed commitments, extra efforts and necessary political support on the part of the General Assembly are required, and the Group sought to ensure that there was adequate coverage of that issue in the resolution. The Group is not yet confident that the 2030 Agenda and the High-level Political Forum on

Sustainable Development will cover all aspects of the three previous Conferences. We believe it is essential that we assess and be provided with evidence-based information so that we can make an informed decision. The Group did its utmost and displayed extraordinary flexibility in its efforts to reach consensus by requesting, in paragraph 14,

“the Secretary-General to submit to the General Assembly at its seventy-second session a report on the implementation of the present resolution and to include in the report a comprehensive and substantive analysis of the unfinished business of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development and of the United Nations Conference on Sustainable Development”.

We further insisted on including a subtitle in the draft resolution in the seventy-second session of the General Assembly to discuss the findings and the way forward. Nonetheless, our proposal was rejected by the development partners upfront.

It is a legitimate hope for us that our member States, and other States Members of the United Nations, will engage in our future negotiations with dedication, an open mind and a mindset aimed at giving consensus a chance. In conclusion, I would like to reaffirm the commitment of the 134 members of the Group to the work of the General Assembly. We have a responsibility to ensure that the work of the Second Committee is relevant. Our work must meet the ambitious and transformative 2030 Agenda for Sustainable Development, which, at its heart, is aimed at eradicating poverty — including extreme poverty — in all its forms and dimensions, while also taking into account the unfinished business in existing mechanisms and frameworks.

**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 19?

*It was so decided.*

**(b) Follow-up to and implementation of the SIDS Accelerated Modalities of Action (SAMOA) Pathway and the Mauritius Strategy for the Further Implementation of the Programme**

**of Action for the Sustainable Development of Small Island Developing States**

**Report of the Second Committee (A/71/463/Add.2)**

**The President:** The Assembly has before it two draft resolutions recommended by the Second Committee in paragraph 18 of its report. We will now take a decision on draft resolutions I and II, one by one.

Draft resolution I, entitled “Towards the sustainable development of the Caribbean Sea for present and future generations”, was adopted by the Second Committee. May I take it that the Assembly wishes to do the same?

*Draft resolution I was adopted (resolution 71/224).*

**The President:** Draft resolution II, entitled “Follow-up to and implementation of the SIDS Accelerated Modalities of Action (SAMOA) Pathway and the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States”, was adopted by the Second Committee. May I take it that the Assembly wishes to do the same?

*Draft resolution II was adopted (resolution 71/225).*

**The President:** I now give the floor to the representative of Turkey, who wishes to speak in explanation of position on one of the resolutions just adopted.

**Mr. Altınörs** (Turkey): Turkey joined the consensus on resolution 71/224, entitled “Towards the sustainable development of the Caribbean Sea for present and future generations”, because it addresses important issues related to the sustainable development of the Caribbean area. We fully support the efforts of the Association of Caribbean States to develop and implement regional initiatives aimed at promoting the sustainable conservation and management of their coastal and marine area resources. Turkey, however, dissociates itself from the references made in the resolution to international instruments to which it is not party. They can therefore not be construed to represent any change in Turkey’s legal position with regard to those instruments.

**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 19?

*It was so decided.*

**(c) Disaster risk reduction****Report of the Second Committee (A/71/463/Add.3)**

**The President:** The Assembly has before it two draft resolutions recommended by the Second Committee in paragraph 14 of its report. We will now take a decision on draft resolutions I and II, one by one.

Draft resolution I is entitled “Disaster risk reduction”. The Second Committee adopted it. May I take it that the Assembly wishes to do the same?

*Draft resolution I was adopted (resolution 71/226).*

**The President:** Draft resolution II is entitled “Effective global response to address the impacts of the El Niño phenomenon”. The Second Committee adopted it. May I take it that the Assembly wishes to do likewise?

*Draft resolution II was adopted (resolution 71/227).*

**The President:** May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (c) of agenda item 19?

*It was so decided.*

**(d) Protection of global climate for present and future generations of humankind****Report of the Second Committee (A/71/463/Add.4)**

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in paragraph 8 of its report. We will now take a decision on the draft resolution. The Committee adopted it. May I take it that the Assembly wishes to do the same?

*The draft resolution was adopted (resolution 71/228).*

**The 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 19?

*It was so decided.*

**(e) Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa****Report of the Second Committee (A/71/463/Add.5)**

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in

paragraph 7 of its report. We will now take a decision on the draft resolution, as orally revised. The Committee adopted it. May I take it that the Assembly wishes to adopt the draft resolution, as orally revised?

*The draft resolution, as orally revised, was adopted (resolution 71/229).*

**The President:** May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (e) of agenda item 19?

*It was so decided.*

**(f) Convention on Biological Diversity****Report of the Second Committee (A/71/463/Add.6)**

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in paragraph 7 of its report. We will now take a decision on the draft resolution, entitled “Implementation of the Convention on Biological Diversity and its contribution to sustainable development”. The Committee adopted it. May I take it that it is the wish of the Assembly to do the same?

*The draft resolution was adopted (resolution 71/230).*

**The President:** May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (f) of agenda item 19?

*It was so decided.*

**(g) Report of the United Nations Environment Assembly of the United Nations Environment Programme****Report of the Second Committee (A/71/463/Add.7)**

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in paragraph 9 of its report. We will now take a decision on the draft resolution. The Committee adopted it. May I take it that the Assembly wishes to do likewise?

*The draft resolution was adopted (resolution 71/231).*

**The President:** May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (g) of agenda item 19?

*It was so decided.*

**(h) Harmony with Nature****Report of the Second Committee (A/71/463/Add.8)**

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in paragraph 7 of its report. We will now take a decision on the draft resolution. The Committee adopted it. May I take it that the Assembly wishes to do the same?

*The draft resolution was adopted (resolution 71/232).*

**The President:** The Assembly has thus concluded this stage of its consideration of sub-item (h) of agenda item 19.

**(i) Promotion of new and renewable sources of energy****Report of the Second Committee (A/71/463/Add.9)**

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in paragraph 9 of its report. We will now take a decision on the draft resolution, entitled “Ensuring access to affordable, reliable, sustainable and modern energy for all”. The Committee adopted it. May I take it that the Assembly wishes to do the same?

*The draft resolution was adopted (resolution 71/233).*

**The President:** May I take it that it is the wish of the Assembly to conclude its consideration of sub-item (i) of agenda item 19?

*It was so decided.*

**(j) Sustainable mountain development****Report of the Second Committee (A/71/463/Add.10)**

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in paragraph 7 of its report. We will now take a decision on the draft resolution, as orally revised. The Committee adopted it. May I take it that the Assembly wishes to adopt the draft resolution, as orally revised?

*The draft resolution, as orally revised, was adopted (resolution 71/234).*

**The President:** I now give the floor to the representative of France, who wishes to speak in explanation of position.

**Mr. Le Deunff (France)** (*spoke in French*): I have the honour to speak today on behalf of Bulgaria, Romania and France. This year we once again joined the consensus on the adoptions of resolution 71/226, on disaster risk reduction, resolution 71/231, on sustainable mountain development, and on draft resolution A/C.2 71/L.23/Rev.1, on the promotion of sustainable tourism, including ecotourism, for poverty eradication and environment protection. All three texts make reference to the rights of indigenous peoples. We are fully committed to promoting and defending the human rights of all persons. Indigenous individuals are still too often the victims of discrimination and violations of human rights and fundamental freedoms because they belong to such groups. It is important to recall here that such people should enjoy the same rights and freedoms as anyone else, with full respect for the principles of equality and the universality of human rights.

Human rights are universal rights that are intended to apply to every individual. We do not recognize rights as belonging collectively to a group, whether that group is defined by a community of origin, culture, language or faith. We consider ourselves part of a political and legal tradition of human rights that recognizes only individual rights and opposes all forms of discrimination regardless of their basis. We therefore cannot subscribe to the references to collective rights made by the three resolutions. We would prefer a text that refers to the human rights of individuals who belong to indigenous populations, in order to remain faithful to our shared principles on human rights issues. We continue to be committed to effectively protecting and promoting the human rights of individuals who belong to indigenous groups, without discrimination of any kind.

**The President:** May I take it that it is the wish of the Assembly to conclude its consideration of sub-item (j) of agenda item 19?

*It was so decided.*

**Agenda item 20****Implementation of the outcomes of the United Nations Conferences on Human Settlements and on Housing and Sustainable Urban Development and strengthening of the**

## United Nations Human Settlements Programme (UN-Habitat)

### Report of the Second Committee (A/71/464)

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in paragraph 12 of its report. We will now take a decision on the draft resolution, entitled “Implementation of the outcomes of the United Nations Conferences on Human Settlements and on Housing and Sustainable Urban Development and strengthening of the United Nations Human Settlements Programme (UN-Habitat)”. The Committee adopted it. May I take it that the Assembly wishes to do the same?

*The draft resolution was adopted (resolution 71/235).*

**The President:** The General Assembly has thus concluded this stage of its consideration of agenda item 20.

## Agenda item 21

### Globalization and interdependence

#### Report of the Second Committee (A/71/465)

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in paragraph 11 of its report. We will now take a decision on the draft resolution, entitled “Towards a new international economic order”. 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, 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, 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, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), 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, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, 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, Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

#### *Abstaining:*

Palau, Republic of Korea, Tonga, Turkey

*The draft resolution was adopted by 131 votes to 49, with 4 abstentions (resolution 71/236).*

**The President:** The General Assembly has thus concluded this stage of its consideration of agenda item 21.

### (a) Globalization and interdependence

#### Report of the Second Committee (A/71/465/Add.1)

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

*It was so decided.*

**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 21?

*It was so decided.*

#### **(b) International migration and development**

##### **Report of the Second Committee (A/71/465/Add.2)**

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in paragraph 8 of its report. The Second Committee adopted it. May I take it that the Assembly wishes to do the same?

*The draft resolution was adopted (resolution 71/237).*

**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 21 and of agenda item 21 as a whole?

*It was so decided.*

#### **Agenda item 22**

##### **Groups of countries in special situations**

##### **Report of the Second Committee (A/71/466)**

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

*It was so decided.*

**The President:** The General Assembly has thus concluded this stage of its consideration of agenda item 22.

#### **(a) Follow-up to the Fourth United Nations Conference on the Least Developed Countries**

##### **Report of the Second Committee (A/71/466/Add.1)**

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in paragraph 8 of its report. We will now take a decision on the draft resolution. The Second Committee adopted it. May I take it that the Assembly wishes to do likewise?

*The draft resolution was adopted (resolution 71/238).*

**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 22?

*It was so decided.*

#### **(b) Follow-up to the second United Nations Conference on Landlocked Developing Countries**

##### **Report of the Second Committee (A/71/466/Add.2)**

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in paragraph 8 of its report. We will now take a decision on the draft resolution. The Second Committee adopted it. May I take it that the Assembly wishes to adopt the resolution, as orally revised?

*The draft resolution, as orally revised, was adopted (resolution 71/239).*

**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 22 and of agenda item 22 as a whole?

*It was so decided.*

#### **Agenda item 23**

##### **Eradication of poverty and other development issues**

##### **Report of the Second Committee (A/71/467)**

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in paragraph 11 of its report. The Assembly will now take a decision on the draft resolution, entitled "Promotion of sustainable tourism, including ecotourism, for poverty eradication and environment protection". The Second Committee adopted it. May I take it that the Assembly wishes to do likewise?

*The draft resolution was adopted (resolution 71/240).*

**The President:** The General Assembly has thus concluded this stage of its consideration of agenda item 23.

#### **(a) Implementation of the Second United Nations Decade for the Eradication of Poverty (2008-2017)**

##### **Report of the Second Committee (A/71/467/Add.1)**

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in paragraph 9 of its report. We will now take a decision on the draft resolution, entitled "Second United Nations Decade for the Eradication of Poverty (2008-2017)".

The Second Committee adopted it. May I take it that the Assembly wishes to do the same?

*The draft resolution was adopted (resolution 71/241).*

**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 23?

*It was so decided.*

## **(b) Industrial development cooperation**

### **Report of the Second Committee (A/71/467/Add.2)**

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in paragraph 8 of its report. We will now take a decision on the draft resolution. The Second Committee adopted it. May I take it that the Assembly wishes to do likewise?

*The draft resolution was adopted (resolution 71/242).*

**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 23 and of agenda item 23 as a whole?

*It was so decided.*

## **Agenda item 24**

### **Operational activities for development**

#### **Report of the Second Committee (A/71/468)**

**The President:** May I take it that it is the wish of the Assembly to take note of the report of the Second Committee?

*It was so decided.*

**The President:** The Assembly has thus concluded this stage of its consideration of agenda item 24.

#### **(a) Operational activities for development of the United Nations system**

##### **Report of the Second Committee (A/71/468/Add.1)**

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in paragraph 13 of its report. We will now take a decision on the draft resolution, entitled "Quadrennial comprehensive policy review of operational activities for development of the United Nations system".

In connection with the draft resolution, the General Assembly has before it a draft amendment circulated in document A/71/L.51. 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:*

Australia, Belize, Canada, Israel, Palau, Seychelles, South Sudan, United States of America

*Against:*

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Georgia, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kiribati, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

*Abstaining:*

Albania, Andorra, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Cameroon, Chad, Côte d'Ivoire, Croatia, Czech Republic, Democratic Republic of the Congo, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Poland,

Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Togo, Ukraine, United Kingdom of Great Britain and Northern Ireland

*The amendment was rejected by 8 votes to 114, with 46 abstentions.*

[Subsequently, the delegations of Azerbaijan, Belize and Cambodia informed the Secretariat that they had intended to vote against; the delegation of South Sudan 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 the draft resolution?

*The draft resolution was adopted (resolution 71/243).*

**The President:** I now call on the representative of Thailand, who wishes to speak in explanation of position on the resolution just adopted.

**Mr. Plasai** (Thailand): I have the honour to deliver this statement on behalf of the Group of 77 and China.

At the outset, please allow me to express our appreciation to you, Mr. President, and through you to the Chair of the Second Committee and to the members of his Bureau, for the way the negotiations on resolution 71/243, the quadrennial comprehensive policy review (QCPR) resolution, were guided. Our appreciation also goes to the facilitators and all Member States that constructively and actively engaged in the negotiation of this very important resolution.

The Group of 77 and China is of the firm view that the QCPR is a development resolution. We are deeply disappointed at the politically motivated proposal to amend the resolution at this meeting, given that delegations had an opportunity to raise objections to the draft during the silence procedure. We are extremely concerned that the considerations raised by the General Assembly and the Second Committee on 13 December 2016 with regard to this critical resolution were made under such political circumstances.

In addition, the Group reaffirms its non-politicized support for the principle that, in the implementation of the 2030 Agenda for Sustainable Development, the United Nations development system must address the special challenges facing developing countries, in particular African countries, least developed countries,

landlocked developing countries and small island developing States, the need for special attention to countries in conflict and post-conflict situations and countries and peoples under foreign occupation as well as the specific challenges facing middle-income countries. It is therefore absolutely incomprehensible to us — and downright absurd — that, just one year after this organ and the Organization pledged to leave no one behind, a particular delegation finds it necessary to call for an amendment, in a power grab that speaks to the challenges of those most in need of assistance on purely political grounds.

However, with the adoption of the resolution, the Group would like to reiterate the importance of the fact that the provisions contained therein will strategically guide the United Nations development system in its activities for development for the foreseeable future and in the long run. It is now critical that the system translate those provisions as called for into meaningful results at all levels to produce the much-needed system-wide coherence and coordination in support of all Member States in their efforts to successfully implement the 2030 Agenda for Sustainable Development and other intergovernmentally agreed development commitments.

At the country level, it is important that their activities take into account the need to build, promote and strengthen the capacity of programme countries in their efforts to address long-term sustainable development. At the same time, the importance of national ownership and leadership, while recognizing the different development levels and realities on the ground in these countries, cannot be overemphasized.

In conclusion, the Group of 77 and China looks forward to the immediate implementation of the provisions contained in the resolution by all the entities of the United Nations development system. The 134 members of the Group would like to reaffirm their commitment to continuing to work actively and constructively in their respective governing bodies to ensure policy coherence, in particular with the upcoming discussion of strategic plans of various entities in 2017.

**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 24?

*It was so decided.*

**(b) South-South cooperation for development****Report of the Second Committee (A/71/468/Add.2)**

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in paragraph 9 of its report. We will now take a decision on the draft resolution entitled “South-South cooperation”. The Second Committee adopted the draft resolution. May I take it that the Assembly wishes to do likewise?

*The draft resolution was adopted (resolution 71/244).*

**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 24 and of agenda item 24 as a whole?

*It was so decided.*

**Agenda item 25****Agriculture development, food security and nutrition****Report of the Second Committee (A/71/469)**

**The President:** The Assembly has before it two draft resolutions recommended by the Second Committee in paragraph 17 of its report. The Assembly will now take a decision on draft resolutions I and II, one by one.

Draft resolution I is entitled “Agriculture development, food security and nutrition”. The Second Committee adopted it. May I take it that the Assembly wishes to do the same?

*Draft resolution I was adopted (resolution 71/245).*

**The President:** Draft resolution II is entitled “Sustainable Gastronomy Day”. The Second Committee adopted it. May I take it that the Assembly wishes to do likewise?

*Draft resolution II was adopted (resolution 71/246).*

**The President:** May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 25?

*It was so decided.*

**Agenda item 59****Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including****East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources****Report of the Second Committee (A/71/470)**

**The President:** The Assembly has before it a draft resolution recommended by the Second Committee in paragraph 14 of its report. We will now take a decision on the draft resolution. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, 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, 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, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, 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, Malawi, 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, 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, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, 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, 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:*

Australia, Cameroon, Côte d'Ivoire, Democratic Republic of the Congo, Honduras, Papua New Guinea, Paraguay, South Sudan, Togo, Tonga, Vanuatu

*The draft resolution was adopted by 168 votes to 7, with 11 abstentions (resolution 71/247).*

**The President:** May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 59?

*It was so decided.*

## Agenda item 121

### Revitalization of the work of the General Assembly

#### Report of the Second Committee (A/71/471)

**The President:** The Assembly has before it a draft decision recommended by the Second Committee in paragraph 5 of its report. We will now take action on the draft decision, entitled "Programme of work of the Second Committee for the seventy-second session of the General Assembly". The Second Committee adopted the draft decision. May I take it that the Assembly wishes to do likewise?

*The draft decision was adopted (decision 71/542).*

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

## Agenda item 135

### Programme planning

#### Report of the Second Committee (A/71/472)

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

*It was so decided.*

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

On behalf of the General Assembly, I would like to thank the Chair of the Second Committee, His Excellency Mr. Dian Triansyah Djani of Indonesia, members of the Bureau as well as all delegations for a job well done.

The Assembly has thus concluded its consideration of all the reports of the Second Committee before it for this meeting.

### Agenda item 31 (continued)

#### Prevention of armed conflict

##### Draft resolution (A/71/L.48)

**The President:** Members will recall that the Assembly considered agenda item 31 at its 58th and 59th plenary meetings, on 9 December 2016, and adopted resolution 71/130 at its 58th plenary meeting, held on 9 December 2016.

I now give the floor to the representative of Liechtenstein to introduce draft resolution A/71/L.48.

**Mr. Wenaweser** (Liechtenstein): I have the honour to introduce, on behalf of the 59 sponsors, draft resolution A/71/L.48, entitled "International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011". The text was elaborated by a cross-regional group, in particular with strong participation from countries of the region. We thank all partners for their input, help, support and outreach efforts, in particular the delegation of the State of Qatar, which has been our trusted partner in this effort.

The situation in the Syrian Arab Republic is the defining crisis of our time. The armed conflict, which has been under way for five and a half years now, has been carried out with blatant and systematic disregard for the most basic rules of international humanitarian law by conflict parties, resulting in the unprecedented displacement of people, causing enormous human suffering and destabilizing the region. It is also a stark illustration of the limitations of our system to maintain international peace and security. The disagreement between those members of the Security Council that have veto power has led time and again to inaction

by the international community and a breakdown of multilateral diplomacy, at the expense of the people of Syria and of peace and security. As a result, we have all failed collectively in the duties we have accepted under the Charter of the United Nations, irrespective of membership in the Security Council. In this situation, there is a clear need for more ownership by the General Assembly, which has taken up the challenge in adopting resolution 71/130, on the humanitarian situation in the Syrian Arab Republic, which was put forward by Canada.

The draft resolution before the Assembly today addresses an issue that has been consistently neglected in spite of its very obvious urgency, that is, the need for accountability for the crimes committed since March 2011. The mechanisms established by the United Nations, in particular the Commission of Inquiry, have produced report after report documenting that war crimes and crimes against humanity have been, and continue to be, committed by the parties to the conflict. The Organization for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism has confirmed the use of chemical weapons by different actors. All the information available has therefore led to strong calls for accountability from within the United Nations system and among States, but there has been no action to pursue that goal.

A referral to the International Criminal Court, advocated repeatedly by the Secretary-General, the United Nations High Commissioner for Human Rights and many of us, is another course of action made impossible by the dynamic in the Security Council.

The draft resolution before the Assembly today therefore chooses a different path. It allows us to take one decisive step to ensure that there will indeed be accountability. It proposes the establishment of an international, independent and impartial mechanism that will, in close cooperation with the Commission of Inquiry, collect, consolidate, preserve and analyse evidence of violations of international humanitarian law and human rights violations and abuses and prepare files to facilitate and expedite future criminal proceedings, without prejudice to where and when such proceedings will take place.

The Commission of Inquiry, the Joint Inspection Mechanism, States and non-governmental organizations, among others, are already engaged in documenting crimes that have been committed in Syria since March

2011. In that regard, it is useful to emphasize that the intention behind the draft resolution is that the actors listed in paragraph 6 will transmit information and documentation to the mechanism for it to consolidate and analyse. At the same time, the mechanism will have the capacity to fill any gaps it identifies as a result of that analysis through the collection of additional evidence, in collaboration with those actors.

To lay the groundwork for future criminal trials, it will be important that information and documentation be obtained that is of a form that will best enable the investigative and prosecutorial authorities that ultimately receive the mechanism's assistance to admit it before the court or courts that exercise jurisdiction over these crimes. And it will of course cover all the crimes committed in the course of the armed conflict in Syria, irrespective of the perpetrators or their affiliation.

In reaffirming the sovereignty of the Syrian Arab Republic, the draft resolution makes clear that, under relevant standards of international law, the country itself has the primary responsibility to investigate and prosecute the crimes committed. Where independent and fair criminal proceedings continue to be absent, other options must be considered. The mechanism is designed to facilitate and expedite criminal proceedings once there is a court or tribunal able and willing to provide such independent and fair proceedings in accordance with international standards. The draft resolution before the Assembly has been consulted on very extensively with the relevant actors within the United Nations system to ensure that its mandate is complementary to that of the Commission of Inquiry. The mechanism will therefore apply standards of proof applied in criminal proceedings and thereby meet formal criminal-justice standards.

The sponsors of the draft resolution feel strongly that this mechanism, as a matter of principle, would ideally be funded from the regular budget of the Organization. That is reflected in the commitment in the draft resolution to seek regular budget funding as soon as possible as the best reflection of the independent and impartial nature of the mechanism. We will work closely with all members to ensure the implementation of this commitment as early as possible in the new year, in a separate decision to be taken by the Assembly. The Secretary-General's report commissioned in paragraph 8 of the draft resolution will give us a basis on which to do so.

The sponsors of this text have worked very hard to reach out to the membership in order to consult on the contents of the draft resolution, in open consultation, in group meetings and bilaterally. We would have liked to have engaged in more conversations with many delegations, and we understand that some of them feel the same way. We have made various revisions to the text based on the feedback we received in open consultations and are satisfied that this has enhanced the support for the text.

The past few weeks have been characterized by a high level of activity concerning the situation in Syria, and we have coordinated closely with all of those who have pursued positive initiatives in order to avoid distraction for them. We have postponed any meaningful action on accountability too often and for too long. Our inaction sends the signal that committing war crimes and crimes against humanity is a strategy that is condoned and has no consequences. We missed the best moment to send a message to the contrary a long time ago. The second-best time to do so is today. In adopting the draft resolution before us, we are finally taking one meaningful step towards meeting the expectations that we have failed to meet for such a long time.

**The President:** We shall now proceed to consider draft resolution A/71/L.48.

I now give the floor to the representative of the Secretariat.

**Ms. Pollard** (Department for General Assembly and Conference Management): The present statement is made in accordance with rule 153 of the rules of procedure of the General Assembly.

Under the terms of paragraphs 4, 5 and 8 of draft resolution A/71/L.48, the General Assembly would decide to establish the International, Impartial and Independent Mechanism to assist in the Investigation and Prosecution of those Responsible for the Most Serious Crimes under International Law committed in the Syrian Arab Republic since March 2011, under the auspices of the United Nations, to closely cooperate with the Independent International Commission of Inquiry on the Syrian Arab Republic to collect, consolidate, preserve and analyse evidence of violations of international humanitarian law and human rights violations and abuses and to prepare files in order to facilitate and expedite fair and independent criminal proceedings in accordance with international law

standards in national, regional or international courts or tribunals that have or may in the future have jurisdiction over these crimes in accordance with international law; would request the Secretary-General, in this regard, to develop, within 20 working days of the adoption of this draft resolution, the terms of reference of the International, Impartial and Independent Mechanism, with the support of the Office of the United Nations High Commissioner for Human Rights, and would also request that the Secretary-General undertake without delay the steps, measures and arrangements necessary for the speedy establishment and full functioning of the International, Impartial and Independent Mechanism, initially funded by voluntary contributions, in coordination with the Independent International Commission of Inquiry on the Syrian Arab Republic and building on existing capacities, including recruiting or allocating impartial and experienced staff with relevant skills and expertise in accordance with the terms of reference; and would request the Secretary-General to report on the implementation of the present draft resolution within 45 days of its adoption and would decide to revisit the question of funding of the International, Impartial and Independent Mechanism as soon as possible.

It is understood that the establishment and functioning of the International, Impartial and Independent Mechanism, including its resource requirements, would initially be funded by voluntary contributions. However, it should be noted that the detailed cost estimates can be determined only after the terms of reference are developed, as requested in paragraph 5. Furthermore, the activities related to the requests contained in the draft resolution would be carried out subject to the availability of voluntary contributions.

With regard to the future funding of the Mechanism, it is noted that the General Assembly would revisit the funding of the Mechanism, as indicated in paragraph 8. Accordingly, the adoption of draft resolution A/71/L.48 would not give rise to any budgetary implications under the programme budget for the biennium 2016-2017.

**The President:** I am just getting a ruling from the Office of Legal Affairs and the Legal Counsel.

We have just been referring again to the rules of procedure of the General Assembly and decision 34/401. We have been checking on the fact that explanations of vote and interventions in the exercise of the right

of reply and procedural motions must be made by delegations from their seats. Therefore, before giving the floor to speaker in explanation of vote before the voting, may I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

I call on the representative of the Syrian Arab Republic.

**Mr. Ja'afari** (Syrian Arab Republic): I thank you, Mr. President, for presiding over this important meeting.

I did not ask to make a statement in explanation of vote. I asked in my capacity as the main party concerned to address the plenary in a general statement, not in an explanation of vote. Therefore, Mr. President, I ask you to be so kind as to allow me to address the plenary from the rostrum, as my colleague the Ambassador of Liechtenstein did.

**The President:** I will take further advice as to when a general statement can be made. Our lawyers have been consulting. In this case, I will make a ruling from the Chair. It can be challenged from the floor, but I would suggest that we continue with this afternoon's proceedings.

I shall give the Permanent Representative of Syria the opportunity to make a statement from the rostrum, as it is the affected country. Thereafter, we will revert to the normal procedure for making statements from our chairs.

**Mr. Ja'afari** (Syrian Arab Republic) (*spoke in Arabic*): I thank you, Mr. President, for deciding on these legal matters with impartiality and objectivity.

Before I start my statement, I would like to congratulate Liechtenstein on its unholy alliance with the State of Qatar in presenting draft resolution A/71/L.48. Once again, a few days after a similar ill-considered Canadian move, the General Assembly faces another movement that lacks transparency, impartiality and legality a result of the practices of the Liechtenstein delegation, which launched an initiative that runs counter to paragraph 7 of Article 2 of the Charter of the United Nations, which states:

“Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the

Members to submit such matters to settlement under the present Charter”.

The Legal Counsel should have studied that paragraph instead of trying to prevent me from addressing the General Assembly from this rostrum.

The contents of the draft resolution before us today reveal considerable hypocrisy and an enormous gap between theory and practice with regard to respecting the Charter and the sovereignty of Member States. Permit me to make some observations that refute the draft resolution and expose the intentions of its sponsors. I refer to paragraph 1 of Article 12 of the Charter, which states:

“While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests.”

In the Syrian case, as the Assembly knows, the Security Council remains seized of its responsibilities. Two days ago, at an early morning meeting (see S/PV.7841), it adopted resolution 2328 (2016). That proves that the delegations of Liechtenstein and Canada have violated the principles and goals of the Charter. The General Assembly does not have the jurisdiction to establish mechanisms such as those mentioned by my colleague from Liechtenstein. That power is entrusted only to the Security Council, not to Liechtenstein, in league with Qatar. The establishment of such mechanisms by the General Assembly would require the authorization of the Secretary-General and the consent of the affected State, in this case the Government of Syria.

None of these principles have been respected by the sponsors, and the Legal Counsel has not addressed the matter. The establishment of such a mechanism is a flagrant interference in the internal affairs of a State Member of the United Nations. It undermines the legal jurisdiction and procedures of my country, which fall under the purview of its national authorities and organs. Such action at this decisive stage also undermines the national reconciliation efforts undertaken by my Government, which have been agreed to by large segments of my people and have been effective in many areas. More importantly, the establishment of such a mechanism directly threatens the prospects for finding a political solution in Syria. All relevant Security Council

resolutions have stated that the process should be led by Syria, not by Liechtenstein and Qatar. Consequently, the draft resolution reflects the intent of some sponsors to politicize such a mechanism and to use it as a means of political reprisal and the perpetuation of conflict in my country, Syria.

The draft resolution is based on the contentious and deeply controversial language that is rife within our international Organization. The sponsors have tried to embroil Member States in dangerous legal precedents that will become rules upon which States will build their attempts to legitimize their interference in the internal affairs of other States. Talk about concepts and terminology, by way of talking about responsibility to protect, non-national and putative jurisdictions or other international and regional courts, reflects the conduct of some Member States in formulating and presenting draft resolutions under mendacious humanitarian pretences. They incorporate furtive language, ambiguous terminology and bombastic expressions that lend themselves to more than one interpretation, to be applied in a manner inimical to the expressed humanitarian wishes, all in the service of the well-known historical agenda of States that pay no heed to human rights, the welfare of people or the sovereignty of States. They seek instead to legitimize external interference, topple legitimate Governments by military force, destroy nations' resources and steal their wealth. They seek to fragment people along sectarian and religious lines, under the cover of United Nations resolutions.

The Charter entrusts the United Nations to protect the rule of law and the territorial integrity of countries. Notorious examples of the Organization's failure to do so can be found in some African and Latin American States, as well as in Iraq and Libya. Moreover, the sponsors do not mention the terrorism that my country has been subjected to. There is not even an allusion or reference to terrorism or the practices of terrorist armed groups in Syria. That was to be expected, since some of the sponsors of terrorism in Syria — Turkey, Saudi Arabia and Qatar — are among the sponsors of the draft resolution.

The States that should be held accountable over Syria are those that have created, supported and financed the terrorist armed groups. They have supplied them with the oil and money needed to buy weapons, recruit terrorists and spread takfiri ideologies. They have opened their borders in order to enable foreign

terrorist fighters from more than 100 States to enter Syria. In that regard, I note that the delegation of Liechtenstein has been hypocritical enough to support and participate in the initiative proposing this draft resolution alongside States that have bombed civilians in Yemen and beheaded citizens, as Da'esh has done in Syria and Lebanon.

One of the consequences of such hypocrisy, in which some European Union Governments condone such acts and collude with oil Powers and the supporters of terrorism — contrary to their claims to be protecting humanitarian and human values and civilizations — is the spread of terrorist ideologies. In that context, we would like to advise the countries that have become sponsors of the draft resolution to read the book *Nos très chers émirs*, recently published by two French journalists, Georges Malbrunot and Christian Chesnot, which documents stories of the financial corruption of princes of Qatar and Saudi Arabia.

The actions of the delegation of Liechtenstein were highly suspect, since it hastened to introduce this draft resolution in the space of less than a week, without consulting my country, the State concerned, in any way. Liechtenstein then requested informal consultations with particular States whose positions vis-à-vis my country are well known. The draft resolution has been brought to the vote in a surprising way. In paragraph 5, the sponsors include an indication that the financing for the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 would come from Member States' contributions, contrary to what Liechtenstein said originally, which was that it would be funded from the regular budget of the United Nations. If the funding is from external contributions, the Mechanism will not be independent. Experience has shown that Governments that finance such commissions and mechanisms decide the direction they will take and the outcomes they will arrive at in advance. How can we allow such a mechanism to be financed by sponsors of terrorism, particularly Qatar, Saudi Arabia and some of the European countries that have been exporting European terrorism to my country and Iraq?

In conclusion, I ask that draft resolution A/71/L.48 be put to a vote and urge Member States that believe in the principles of the Charter of the United Nations to vote against it. Such a vote would not only help to

support the national interests of Syria and its people, who are still victimized by terrorism; it would also represent a victory for what remains of the credibility of international legitimacy and protects all of us from the attempts of some States to manipulate United Nations resolutions in order to target other States' national sovereignty and their legitimate representative judicial and legislative institutions. I reiterate that my country will never vote against any State Member of this international community except when that conforms to the Charter and international law.

**The President:** Before I give the floor to the next speaker, I would like to inform the Assembly that we still have to hear six explanations of vote before the voting and 14 of vote after the voting. I therefore urge delegations where possible not to speak for their full 10 minutes and to keep their statements as brief as possible, in the interests of completing our business this evening.

**Mr. Zagaynov** (Russian Federation) (*spoke in Russian*): As we know, the General Assembly, like other organs of the United Nations, does not have the right to create support structures with powers that the Assembly itself does not possess. According to the Charter of the United Nations, the Assembly cannot establish any prosecutorial bodies or entities that may be called on to investigate crimes committed on the territory of a Member State, such as has been conceived by the authors of draft resolution A/71/L.48, under consideration today.

The draft resolution's adoption would therefore require the Assembly to exceed its mandate through direct interference in the internal affairs of a State Member of the United Nations and a violation of its sovereignty. United Nations practice fully supports that assessment. Throughout the history of our Organization, it has been established that the General Assembly can create commissions of inquiry only on the basis of agreement with the State concerned — that is, subject to its express prior consent. This draft resolution is missing that crucial element.

The Russian Federation has consistently supported the principle that efforts to address questions of prosecution and punishment should not work against political settlements. On the contrary, the two processes should facilitate each other. If adopted, this draft resolution would only postpone the key task of establishing a peace process in the Syrian Arab

Republic. The proposed text runs counter to the Geneva communiqué of 30 June 2012 (A/66/865, annex), which specifies the parameters for transitional justice within the framework of a comprehensive settlement for Syria.

The right to determine mechanisms for investigating crimes and prosecuting their perpetrators belongs to Syria and its people. Any consideration of the issue must be conducted in the context of Syrian national reconciliation and should not prejudge its outcomes. This draft resolution has clearly been prepared hastily and behind closed doors, with no real open consultations on the text, and in this case there can therefore be no talk of the collective approach that should underpin all United Nations efforts. We can hardly consider it an example of a genuine attempt to provide justice. Such methods are more typical of politicized, tactical moves.

The authors of the draft resolution are therefore proposing that the General Assembly take a clearly illegitimate decision that goes beyond its remit. We believe that whatever material the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 may collect, it cannot be considered to be evidence in the criminal or procedural sense or be accepted as such by judicial and law-enforcement authorities. Its work would therefore be no more than a political step and not of genuine use. My delegation will vote against draft resolution A/71/L.48 and will urge other States to do the same.

**Mr. Ramírez Carreño** (Bolivarian Republic of Venezuela) (*spoke in Spanish*): Before I begin, I would like to offer our condolences to the Permanent Mission of Russian Federation for the dastardly murder of Ambassador Andrey Karlov. At the same time, we reiterate our condemnation of the hate propaganda and narrative against the Russian Federation because of its fight against terrorism. Such propaganda incites violence. We also extend our sympathy to the Government and the people of Germany following the terrorist attack that occurred in Berlin on 19 December.

With regard to draft resolution A/71/L.48 under consideration today, Venezuela reiterates its unequivocal condemnation of the continued escalation of violence in the Syrian Arab Republic, which is the by-product of a war that has spawned more than 60 extremist groups that refer to themselves as moderate

opposition groups. Such groups work in partnership with terrorist entities such as Da'esh and the Al-Nusra Front, among others. Their aim is to undermine the legitimate Government of Syria and, to date, they have been responsible for more than 250,000 deaths, the suffering of millions of civilians, the destruction of the country and the destabilization of the region.

Regrettably, it must be said that this brutal war has been fuelled and supported by powerful countries that have supplied weapons, funding and political and diplomatic support to the self-proclaimed moderate opposition. No one knows for sure who such groups are or who represents them, apart from that fact that they support extremist groups that become terrorist groups, such as Da'esh and the Al-Nusra Front. Those responsible for the situation in Syria now use rhetoric to express concern about the suffering of the Syrian people. We know that some brotherly countries have demonstrated genuine concern about and interest in the suffering of the Syrian people, and we urge them to continue to do so. But there are those that support the violence perpetrated by extremists and terrorists. We can only condemn the political cynicism reflected in their actions.

The Security Council continues to monitor the situation in Syria. In the General Assembly, we addressed the situation in Syria twice in one week. There is a clear bias against the Syrian Government and a desire for it to be overturned, as occurred in Libya and Iraq. The toppling of those Governments wreaked havoc on their people and disrupted peace and stability in the region. If today's draft resolution is constructive, then we must wonder why Palestine, Libya, Yemen or Iraq are not included — to mention just a few of the situations in which war crimes and crimes against humanity have been committed.

We are in favour of investigating and sanctioning, in strict adherence to international law, war crimes and crimes against humanity that are committed in any conflict, by any State or non-State actor. That has always been our position, but we remain deeply respectful of the principles of the Charter of the United Nations, non-interference in the internal affairs of States and the sovereignty of countries.

This situation is much more visible in the case of Syria because of the terrible pressure on the Syrian Government, which in no way helps in finding a peaceful solution to the conflict. For that reason, we will

not support today's politically biased and manipulated draft resolution, which is aimed at levelling accusations at the Syrian Government, as has been done on numerous occasions. It is clearly a cause for concern when such draft resolutions are submitted just as the Syrian Government is liberating Aleppo. We wonder why, instead of celebrating the liberation of Aleppo and the expulsion of the terrorists in media outlets and in the Security Council, we talk of massacres with no evidence of such. We are concerned that nothing has been said in the Assembly about the atrocities committed by the terrorists in Palmyra, Raqqa or other areas that are controlled by terrorist groups.

Today's draft resolution has not taken into account the perspective of the Syrian Government or, in other words, of the country concerned. That is a clear break with the democratic spirit of the United Nations and the provisions of the Charter. The Syrian Government was not consulted because some countries do not recognize the Syrian Government, a position that not only violates the sovereignty of the Syrian people but has continually been a hindrance to finding a political solution to the conflict because it disregards the military and political situation on the ground.

It is also vital to consider that there is a clear intention to ignore the remit of the Security Council, which is the United Nations organ created to establish subsidiary investigative bodies. We call upon the Security Council and the General Assembly to work constructively to support the diplomatic efforts of the co-Chairs of the International Syria Support Group and of the Special Envoy of the Secretary-General, Staffan de Mistura, in the quest for the only solution possible to the current conflict — a political solution that puts an end to the war and the tragic situation suffered by the Syrian people.

It is for those reasons that Venezuela will vote against the draft resolution. We hope that, in future, we will be able to work on political initiatives that are fully in line with the ultimate goal of restoring peace, stability and justice in Syria and other countries that have suffered or suffer the horrors of war, while taking into account the fundamental principles of the Charter of the United Nations, the interests of its peoples and respecting sovereignty and international law and the principle of non-interference.

**Mr. Sevilla Borja** (Ecuador) (*spoke in Spanish*): Ecuador reiterates its serious concern about the dire

humanitarian situation in Syria, including in Aleppo. It hopes that those responsible for committing crimes against humanity will be brought to justice, including those who have provided financial or military support to terrorist groups operating in the country.

With the regard to draft resolution A/71/L.48 under consideration today and introduced by the Principality of Liechtenstein, the delegation of Ecuador would like to make the following explanation of vote.

First, the draft resolution is a mechanism that is unprecedented in the history of the United Nations. It undermines the sovereign jurisdiction of States and, at the same time, seriously weakens the structure of international justice established by the Rome Statute and its mechanisms by eroding the authority of the International Criminal Court and, in particular, the Office of the Prosecutor. Today's draft resolution lends support to the idea of an à la carte system of international justice, which is contrary to efforts undertaken to strengthen existing mechanisms, particularly at a time when threats are arising on various fronts.

Secondly, the draft resolution is part of a biased narrative that does not take into account the complexity of the causes of the conflict in the Syrian Arab Republic or its evolution. The constant use of that distorted narrative by some States and the media seeking to effect an illegitimate regime change in Syria is one of the reasons why, to date, no solution has been found to Syria's internal conflict. To resolve that conflict, it is important to have the whole truth and not just the truth with which we are most comfortable.

Thirdly, the draft resolution proposes that, at least in its initial place, the mechanism be funded by voluntary contributions. In that way, the sponsors of the draft are inserting an element into the text that casts doubt from the start on the impartiality of the proposed mechanism. It is not enough to insert the words "impartial" and "independent" in the title of the draft resolution. We must demonstrate those principles in practice, particularly where the financing is concerned.

Fourthly, the introduction of the draft resolution is not timely, since it can only complicate the likelihood of ensuring that the negotiations can continue in accordance with Special Envoy Staffan de Mistura's proposal for negotiations aimed at achieving an inclusive, decisive political solution that Syrians agree with. This is at a time when, on Monday, the Security Council was able to unanimously adopt resolution 2328

(2016), on the evacuation of civilians and combatants from the conflict zone in Aleppo. Other discussions and agreements on the issue are also currently being undertaken.

Lastly, if the main rationale behind this draft resolution is supposedly to keep alive the possibility that those responsible for atrocities and crimes against humanity can be brought to justice, it is striking that the mechanism is not being expanded to cover other serious situations that have arisen in the past few years, such as the attacks in Yemen, the massacres in Fallujah, the continuing siege of the people of Gaza and the 2010 attacks on the flotilla that attempted to bring humanitarian aid to their martyred land, and the deaths of hundreds of innocent civilians in drone attacks.

For all of those reasons, Ecuador will abstain in the voting on draft resolution A/71/L.48, and we urge all those involved to be responsible in refraining from actions that could hinder the continuation of the negotiations for a definitive end to the conflict in Syria as part of a settlement negotiated by all the parties in Syria. We urge them to do so without forgetting their obligation to combat terrorist groups, with full respect for international humanitarian law.

**Mrs. Rodríguez Abascal** (Cuba) (*spoke in Spanish*): The Cuban delegation would like to explain its vote on draft resolution A/71/L.48, entitled "International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011".

The delegation of Cuba cannot support a draft resolution that so obviously fails to recognize the fact that the Government of the Syrian Arab Republic and its judicial system have the primary responsibility for investigating and prosecuting any violation or crime that may have been committed on its territory. While the text contains rhetoric affirming its commitment to upholding the sovereignty of the Syrian Arab Republic, in actuality its provisions run entirely counter to that commitment and to the fundamental principles enshrined in the Charter of the United Nations and international law. The independence, sovereignty and territorial integrity of every State, including the Syrian Arab Republic, must be strictly respected.

We believe that it is unacceptable to ask the General Assembly to endorse an international mechanism for

supposedly impartial and independent investigation and prosecution in Syria, when the draft resolution that establishes that mechanism does not even define the terms of reference underpinning it. In reality, Member States will not be able to offer an opinion on the terms of reference and will be even less able to take decisions about them. Moreover, we believe that it is impossible to ensure the independence and impartiality of a mechanism that would enter into force and initially function through voluntary donations. On the contrary, examples abound of the harmful consequences that such financing can have for independence and impartiality. The donor countries will ultimately wield the most clout on decisions about how the mechanism will function in practice. For those reasons, the Cuban delegation will vote against the draft resolution.

**Mr. Matjila** (South Africa): We would like to thank you, Mr. President, for enabling the General Assembly to discuss the situation in Syria today. South Africa condemns all abuses of human rights — particularly violations of the rights of vulnerable groups, such as women and children — everywhere, including Yemen, Syria, Iraq, Libya and Palestine. It is more important than ever that we affirm our commitment to the protection of human rights and to the people affected in all of those crisis areas.

Draft resolution A/71/L.48 throws the entire United Nations system into crisis. It deepens divisions and polarizes our Organization. It is a bad ending for 2016. When we are dealing with people's lives, we should make room for extensive dialogue and consultations. After all, just a few days ago the Security Council adopted resolution 2328 (2016) on Syria. South Africa is opposed to the selective way that issues are being dealt with in the General Assembly, and we believe that these one-sided draft resolutions that continue to be presented to the Assembly are not helping to resolve the conflict in Syria. We believe that the draft resolution under discussion will not help the parties to the Syrian conflict to reach a lasting peace, and South Africa will therefore vote on it accordingly.

We are concerned that some Member States may be using this as an opportunity to advance their own geopolitical interests and achieve certain outcomes that may not fall within the mandate of the General Assembly. In our view, the draft resolution seeks to oblige the Assembly to do the work of the Security Council. We cannot risk letting it encroach on the Council's mandate when the Charter of the United Nations clearly states

that the responsibility for maintaining peace and security lies with the Security Council. We also believe that the draft resolution's process was not transparent and is procedurally flawed. Article 12 of the Charter clearly states that

“[t]he Secretary-General, with the consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and shall similarly notify the General Assembly, or the Members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.”

The Assembly has not received any such notification. Furthermore, the Article implies that the Assembly cannot deal with an issue that is before the Security Council unless it is authorized to do so by the Council. I am not sure that we have been given the communication to do so.

Secondly, the way in which this process was undertaken runs the risk of setting an erroneous precedent. This kind of decision should be reached only with the consent of the Member States directly involved, and that principle was not followed. South Africa believes that peace is a fundamental condition for the protection and promotion of human rights in Syria. We will continue to urge the parties to the conflict to turn to the Security Council themselves and collectively find a road map for a sustainable Syrian-led political solution to the crisis. The General Assembly, this parliament of the people of the world, should put more effort into reaching the goal of a durable political settlement in Syria.

**Mr. Dehghani** (Islamic Republic of Iran): I would like to begin by expressing our heartfelt condolences to the people, Governments and Permanent Missions of the Russian Federation and Germany, and our solidarity with them, in the wake of the terrorist attacks in Ankara and Berlin. Unfortunately, hearing tragic news of terrorist incidents here and there around the world is becoming horribly routine and an indication that the international community has a long way to go in addressing that evil phenomenon.

In the past several years, the Syrian Arab Republic has suffered more than any other country from the evil of terrorism. The Government and the people of Syria have paid a heavy toll in their fight against dark elements

of violent extremism and terrorism, which continue to be sponsored, armed and supported from outside the country. In these difficult days, it is incumbent on the international community to support Syria in its fight against terrorism and extremism. It is also critical to take initiatives aimed at ending the conflict in order to start a Syrian-led political reconciliation process as soon as possible.

Unfortunately, draft resolution A/71/L.48, under consideration today, does exactly the opposite. We find it to be an unconstructive move on both legal and political grounds. With regard to the legal aspects, we regret the fact that while the text's first and second preambular paragraphs emphasize the Charter of the United Nations and the sovereignty of the Syrian Arab Republic, the draft resolution in its entirety is in violation of the Charter and its fundamental principle of State sovereignty. According to the norms and principles of international law, the enforcement of laws and prosecution of criminals fall strictly within States' domestic jurisdictions.

However, the draft resolution seeks to establish an international mechanism to

“assist in the investigation and prosecution of those responsible for the most serious crimes under international law committed in the Syrian Arab Republic”.

Needless to say, establishing such a mechanism without the consent of the State concerned would utterly disregard the sovereignty of the Syrian Arab Republic. As such, the initiative is also in violation of the provisions of the Charter of the United Nations, including paragraph 7 of Article 2, because it intervenes in matters that are essentially within the domestic jurisdiction of a State Member of the United Nations. In accordance with the same article, the only exception to that rule would be the application of enforcement measures under Chapter VII of the Charter.

On the political front, the draft resolution is also not helpful for many reasons, including the following. Taking into account the realities on the ground in Syria, and the timing of the introduction of the draft resolution, there can be little doubt that it serves to further a political agenda in the guise of a quest for justice. It is quite noticeable that immediately after the Syrian army's retaking of Aleppo from the terrorists, various initiatives with a clear political agenda have

suddenly been promoted at various levels, including in the Assembly.

While there is an international consensus that terrorism should be defeated, Iran has reiterated time and again that there can be no military solution to the situation in Syria and that the people of Syria themselves should decide their own political future. In that context, we have always supported a genuinely Syrian-led and -owned process aimed at achieving peace and national reconciliation. Any other efforts or initiatives should be in line with such a process and should help and expedite it. In that regard, the meeting of the Foreign Ministers of Turkey, the Russian Federation and Iran held yesterday in Moscow is an example of how we can all help in a constructive way to get back to that political process, including the implementation of Security Council resolution 2254 (2015).

However, the draft resolution before us today is not leading in the right direction, since it could undermine efforts to foster a political solution to the crisis. By establishing an illegal investigation mechanism and introducing conditionality, the draft resolution serves no purpose other than to create impediments to finding that solution. While the Islamic Republic of Iran firmly upholds the principle of combating impunity and ensuring accountability, we believe we should carefully avoid any politicization of that important principle. The international community should seek to end impunity everywhere in the world, including in the occupied Palestinian territories, Yemen and all other areas dealing with foreign intervention or aggression. In that regard, politicization, selectivity and the application of double standards can be poisonous and an obstacle to ending impunity. The question we have for the sponsors of this draft resolution is whether they are ready to combat impunity all over the world, or whether they choose to be selective when dealing with impunity for the most serious kinds of crime.

Moreover, the draft resolution fails to address the root causes of the heinous problem of terrorism in Syria and will only contribute to the impunity of those who have formed, financed, armed and ideologically nurtured terrorist groups and foreign terrorist fighters in Syria. It sets a dangerous precedent for politicizing the fight against impunity for the sake of shortsighted political interests at the expense of ignoring well-established principles of international law and the Charter. For those reasons, we will vote against draft

resolution A/71/L.48, and we invite all Member States to consider doing the same.

**Mr. Bessedik** (Algeria) (*spoke in Arabic*): My delegation wishes to speak in explanation of vote on draft resolution A/71/L.48.

In that regard, I would like once again to reiterate Algeria's commitment to the principle of accountability and to combating impunity all over the world, with no selectivity, politicization or double standards. I would also like to stress that in the context of United Nations reform, Algeria, as one of the founding members of the Human Rights Council, actively contributed to its establishment. Algeria's appointment as a coordinator between New York and Algeria when the Council was reviewed in 2012 is proof of its commitment to the promotion and protection of human rights. Accordingly, Algeria condemns all forms of human rights violations all over the world and urges that those responsible for such violations be held accountable wherever they are.

The mechanism called for in the draft resolution before the General Assembly constitutes a precedent, as the Security Council has submitted no relevant request to the General Assembly. While, according to the rules of procedure, Member States have the right to establish such a mechanism, it must be established either through a diplomatic conference or under the mandate or prerogatives of the Security Council. With regard to this particular subject, it should be established through a diplomatic conference.

On the other hand, we are of the view that such an initiative concerns mainly the Syrian people, in line with the guidelines agreed on in Geneva among the Syrian partners. Accordingly, Algeria is concerned that establishing such a mechanism in such an expedient manner, without having held additional consultations to define the legal terms of reference, would lead to the failure of the current political process for the settlement of the Syrian crisis. As a result, my delegation cannot support the draft resolution and will vote against it. We call on all Member States to do likewise.

**The President:** We have heard the last speaker in explanation of vote before the voting.

The Assembly will now take a decision on draft resolution A/71/L.48, entitled "International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible

for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011".

I call on the representative of the Syrian Arab Republic on a point of order.

**Mr. Ja'afari** (Syrian Arab Republic) (*spoke in Arabic*): Please accept my apologies for the interruption. I should like to recall that many delegations, including my own, have raised several very clear procedural issues that neither deserve nor require any consultation with the so-called legal advisers in this Hall. I am referring to Article 12 of the Charter, and to other questions that prohibit the General Assembly from considering any issue of which the Security Council is seized. We have received no response to this crucial question, which will define the path of this meeting. What is the legal opinion on this?

Many other irrefutable legal points have been raised by myself and other colleagues. What can we do in the face of the flagrant legal contradiction to which we alluded? According to the provisions of the Charter, the General Assembly cannot address a subject being considered by the Security Council. Hence, continued consideration by the General Assembly of the draft resolution before it contravenes the provisions of the Charter and undermines the remaining credibility of our international Organization.

**The President:** With regard to the comments — which I did indeed hear — from a number of delegations on the competence of the General Assembly to consider the draft resolution contained in document A/71/L.48, in the light of Article 12 of the Charter, I should like to recall that in accordance with the practice of the Assembly, and also in line with the views previously expressed by the Office of the Legal Adviser, Article 12 does not prevent the General Assembly from generally considering, discussing and making recommendations on items that are on the agenda of the Security Council, in particular when the item before the Council and the Assembly are not identical.

I would also like to clarify that the words "is exercising" in Article 12 have consistently been interpreted as meaning exercising at this moment, and consequently the Assembly has made recommendations on matters that the Security Council was also considering. The accepted practice of the General Assembly to consider, in parallel with the Security Council, the same matter concerning the maintenance

of international peace and security has also been noted by the International Court of Justice in its advisory opinion of 2004. In that regard, unless challenged, I intend to proceed accordingly.

I call on the representative of the Syrian Arab Republic on a point of order.

**Mr. Ja'afari** (Syrian Arab Republic): The President is a friend of mine, and I respect his ruling. However, I would like to read out again, in English, Article 12 of the Charter. Paragraph 1 states:

“While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not” — I repeat, shall not — “make any recommendation with regard to that dispute or situation unless the Security Council so requests.”

Paragraph 2 states:

“The Secretary-General, with the consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and shall similarly notify the General Assembly, or the members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.”

I am not a legal consultant, but I do not respect the legal advisers in this Hall. They have cheated. They have deceived all the Member States many times in their twisted rulings over delicate matters. They have done so three times in just a matter of months. In one instance, I was obliged to circulate an official letter addressed to the Secretary-General, complaining about the irresponsibility of the so-called legal advisers of this international Organization.

**The President:** I take the point of order made by the representative of the Syrian Arab Republic into consideration. At this stage I would like to say that if the representative wishes to challenge the President's ruling, which has obviously been made on the basis of the legal advice available to me, he may do so formally, under rule 71 of the rules of procedure, by clearly informing the General Assembly of his intention. According to the rules, a representative may appeal against the ruling of a President. The appeal shall be immediately put to the vote, and the President's ruling shall stand unless overruled by a majority of the

members present and voting. A representative rising to a point of order that has been made may not speak on the substance of the matter under discussion. So the representative of the Syrian Arab Republic must clarify whether he is formally challenging the President's ruling or not. I give him the floor.

**Mr. Ja'afari** (Syrian Arab Republic): No, I will not challenge the ruling. The issue is not about challenging the ruling. The issue is about opening the eyes of the Member States to something very strange, weird and irresponsible taking place in the Organization. These legal advisers receive their salaries from us, the Member States. As such, they must be impartial and independent. They must not be spoiled and corrupt. They must tell the truth.

**The President:** I believe the point of order has been made. We will have to move on at this stage.

I now give the floor to the representative of the Secretariat.

**Ms. Pollard** (Department for General Assembly and Conference Management): I should like to announce that since the submission of the draft resolution, and in addition to those delegations listed in the document, the following countries have also become sponsors of draft resolution A/71/L.48: Australia, Croatia, France, Italy, Jamaica, Liberia, the Federated States of Micronesia, Monaco, New Zealand, Norway, Portugal, San Marino, Slovakia, Spain, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Vanuatu.

**The President:** 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, Brazil, Bulgaria, Burkina Faso, Cabo Verde, Canada, Central African Republic, Chile, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Estonia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Jordan, Kiribati, Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Malta, Marshall

Islands, Mauritania, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Oman, Palau, 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, Slovakia, Slovenia, Solomon Islands, Somalia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Yemen, Zambia

*Against:*

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

*Abstaining:*

Antigua and Barbuda, Armenia, Bangladesh, Benin, Bhutan, Brunei Darussalam, Cambodia, Colombia, Congo, Dominica, Ecuador, Egypt, El Salvador, Ethiopia, Grenada, Guinea, Guinea-Bissau, India, Indonesia, Iraq, Kazakhstan, Kenya, Lao People's Democratic Republic, Lebanon, Lesotho, Madagascar, Mali, Mauritius, Mongolia, Mozambique, Myanmar, Namibia, Nauru, Nepal, Niger, Nigeria, Pakistan, Panama, Paraguay, Philippines, Saint Vincent and the Grenadines, Serbia, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Togo, Tuvalu, Uganda, United Republic of Tanzania, Viet Nam

*Draft resolution A/71/L.48 was adopted by 105 to 15, with 52 abstentions (resolution 71/248).*

**The President:** Before giving the floor for explanations of vote after the voting, may I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats. We have 14 speakers, so I would ask delegations to be concise.

**Mr. García Moritán** (Argentina) (*spoke in Spanish*): The Argentine Republic has on several occasions recalled the pressing need to ensure that grave violations and abuses of human rights and international humanitarian law committed by all parties

during the conflict in Syria are duly investigated and brought before courts, either by the competent national bodies or by applicable international mechanisms. In that connection, Argentina has on several occasions, including during its most recent tenure on the Security Council as a non-permanent member, supported the idea that the situation in Syria should be referred to the International Criminal Court. For these reasons we voted in favour of resolution 71/248, as we believe it is a means to ensure the preservation of evidence and a means through which we can render effective accountability possible in future.

Nevertheless, we reaffirm that the primary legal authority to rule on events that have occurred during the conflict in Syria and the obligation to investigate them lies with the Syrian courts themselves. We believe that an accountability mechanism under the auspices of the United Nations, particularly one that is established without the consent of the State in question, should be financed through the regular budget of the Organization. That would guarantee the impartiality and independence of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011. We would therefore have preferred the text of the resolution to adhere unequivocally to that principle.

Moreover, we hope that the the terms of reference of the Mechanism will bear in mind a number of important issues that have not been considered in the resolution itself, including the resolution of possible jurisdictional conflicts. In that connection, we believe that the mechanism should not cooperate with national courts, which may attempt to exercise criminal jurisdiction without sufficient jurisdictional ties to alleged events.

**Mr. Vieira** (Brazil): As a country firmly committed to ensuring accountability for the most serious international crimes, Brazil voted in favour of the establishment of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011. We share the concern that the evidence of acts that may amount to war crimes and crimes against humanity by all parties to the conflict is rapidly vanishing. The preservation of evidence is instrumental for our shared goal of bringing

all perpetrators of those crimes to justice, always in accordance with the due process of law.

Brazil wishes to stress that the legitimacy of the work of the Mechanism, and therefore our hope for future accountability, depends on impartial and non-selective evidence gathering on the ground. It must not be about focusing on one part of the conflict as opposed to another, or on one city as opposed to another. It must be about the higher values that prevent us from tolerating impunity for war crimes and crimes against humanity. The legitimacy of this exercise also depends on its full alignment with standards of international law, including those related to the limits and the scope of universal jurisdiction. The Mechanism should not be instrumentalized to enable trial in absentia based on questionable claims regarding universal jurisdiction. From our vantage point, the terms of reference to be prepared by the Office of the High Commissioner for Human Rights should make it clear that information will not be shared with States wishing to exercise universal jurisdiction, but that do not have the alleged criminal in their territory.

**Mr. Skinner-Klee** (Guatemala) (*spoke in Spanish*): Guatemala voted in favour of resolution 71/248, taking into account the very serious situation afflicting the people of the Syrian Arab Republic. Almost six years have passed and more than 250,000 civilians have lost their lives, including women and children, while more than 3 million refugees have fled abject and indiscriminate violence. All victims have seen their rights and human dignity flagrantly violated. Despite the gravity of the situation and the suffering of the Syrian people, no responsible person has been brought to justice for the grotesque crimes and grave violations of human rights and international humanitarian law that have been committed.

Faced with that scenario and the inability of the Security Council to fulfil its obligations, Guatemala reaffirms that it is incumbent on the international community to protect the individual, guarantee life and facilitate access to justice. My delegation recognizes the value of the resolution and therefore supports its content in general terms, including the establishment of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

We recognize that the urgency of the situation and the need to collect and preserve evidence as soon as possible require an effective, objective Mechanism free of all attempts at politicization. We would therefore have preferred it to be financed through the Organization's regular budget in order to preserve the independent and impartial nature of the Mechanism. We voted in favour of the resolution also because we are convinced that justice should be afforded to the innocent victims who have suffered in a bloody, senseless conflict that is shrouded in hate and marked by intolerance. It has not only shed the blood of innocents, but has become a threat to international peace and security.

We know that peace is the product of justice. The General Assembly is discussing peace and security issues and the responsibility that may or may not be ascribed to those who have committed grave violations of human rights or international humanitarian law. We welcome Security Council resolution 2328 (2016), and we see today's resolution as an opportunity to protect human lives and discourage the use of violence as a political instrument until a definitive solution to this hateful conflict can be reached and justice rendered to thousands of victims.

My delegation therefore calls on all parties involved and civil society to cooperate fully and unconditionally with the Mechanism and with the Independent International Commission of Inquiry on the Syrian Arab Republic in the fulfilment of their mandates. Guatemala has always favoured dialogue and reiterates its faith in multilateralism; we have always trusted in the successful outcomes of lengthy discussions undertaken within the United Nations, based on good faith and truth. Our responsibility to future generations is to bequeath them a future of peace and security.

**Mr. Wu Haitao** (China) (*spoke in Chinese*): China is deeply saddened by the terrible suffering that the conflict in Syria has brought to its people. We strongly appeal to all parties in Syria to put an end to their disputes and conflicts and return to the righteous path of resolving the issue through dialogue and consultations, keeping in mind the future and destiny of the country and the fundamental interests of the people.

China has always advocated that all parties in Syria must respect human rights, abide by international humanitarian law and do all they can to avoid harming the innocent. China is resolutely opposed to any act committed by the parties to the Syrian conflict

in violation of international humanitarian law and human rights. At the same time, we believe that, while addressing the issue of impunity, we should uphold respect for the judicial sovereignty of the host country as a prerequisite, observe the principle of host-country leadership and cooperate towards reaching the big picture of a political settlement.

Mr. Staffan de Mistura, United Nations Special Envoy for Syria, has announced that the Geneva peace talks on Syria will resume next February. In the current situation, the international community should join hands in creating conditions conducive to an early relaunch of the political process to address the Syrian problem. Any action the international community takes should respect Syria's sovereignty, independence, unity and territorial integrity. It should be conducive to playing a proactive and constructive role in taking forward the political settlement of the Syrian problem. It should help to safeguard the unity of United Nations membership and avoid complicating the problem.

China has participated consistently and proactively in and promoted the political process to resolve the Syrian problem, and played a constructive role in facilitating a political solution. Together with the international community, China will continue to endeavour to help all parties to the Syrian conflict return to the path of negotiation at an early date and seek a solution acceptable to all parties in Syria, under the principle of Syrian ownership and leadership and thereby make its due contribution to a comprehensive, proper and just resolution of the Syrian problem.

**Ms. Pham** (Viet Nam): Viet Nam is seriously concerned about the grave humanitarian situation in Syria and condemns all acts of violence targeting civilians. We call on all parties to the conflict to put an end to such outrageous acts, first and foremost by complying with international humanitarian and human rights law.

At the same time, my delegation is deeply concerned that resolution 71/248 calls for the establishment of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 without proper consultation with all parties concerned. The resolution also fails to ensure the impartiality and the independence of the Mechanism.

We are of the view that, now that the Mechanism will be established, its functions and applications must be strictly in conformity with the Charter of the United Nations and the principles of international law, including the principle of respect for national sovereignty, non-interference and non-intervention in internal affairs of a sovereign State. We therefore abstained in the voting on the resolution. Viet Nam reaffirms its support for a political solution through peaceful negotiations and dialogue among all parties concerned with a view to achieving a sustainable peace in Syria.

**Mr. Habib** (Indonesia): My delegation wishes to take the floor to deliver an explanation of vote on resolution 71/248, which we have just adopted.

Indonesia has continuously, on different occasions and in various forums, expressed deep concern about the continued human rights and humanitarian situation in Syria, as well as about the ongoing conflict between all parties, which has affected the lives of many civilians in Syria. 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.

We are of the view that General Assembly resolutions such as resolution 71/203, which we supported, as well as Security Council resolution 2328 (2016) — which was adopted a few days ago — provide good impetus and a solid basis to further pave the way for a cessation of hostilities and to grant humanitarian access and assistance. We also believe that those resolutions will revive an inclusive political dialogue, involving all parties in Syria in finding a durable solution.

We believe accountability is very important; we nevertheless abstained in the voting on resolution 71/248 as questions remain on the need to establish a new mechanism with an unclear mandate that may duplicate an already existing mandate established by the Human Rights Council and the Security Council. The establishment of a new and unclear mechanism in this time of emergency could shift our focus away from overcoming humanitarian crises and securing the well-being of the civilian population on the ground — a population that is in dire need. It would also prolong the process of finding a peaceful political solution.

We should concentrate on implementing the resolutions we have adopted recently, on ensuring humanitarian assistance for the civilian population and

unhindered, safe passage for humanitarian workers. We welcome all efforts by the international community to find a peaceful solution to the long-standing conflict in Syria, and we reiterate our call for respect for the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic.

**Mr. Moustafa** (Egypt) (*spoke in Arabic*): I wish to begin by stressing that Egypt has always been and will always be a major advocate of the rule of law, the establishment of justice and the fight against impunity. My delegation is of the view that accountability for serious crimes and violations of international humanitarian law, as well as for human rights violations and abuses, wherever they are perpetrated — be it in Syria, Libya, Somalia, Iraq, western Africa or even in Asia — is of the utmost importance. However, notwithstanding our readiness to play a major role when it comes to accountability, my delegation abstained in the voting today on resolution 71/248 for reasons related to the process of preparing the resolution and submitting it to Member States.

First, there was a lack of transparency in the preparation of the text. It is incomprehensible and unacceptable that a small group of States consulted among themselves for weeks on a resolution that concerns the international community at large. It was also unacceptable that this small group should deal with the matter as if it were a military secret, with no submission of the draft text or consultations with the majority of States or relevant groups of States, including the Group of Arab States.

Secondly, this small group did not give the general membership enough time to consult with respect to the draft text. The general membership was surprised to receive the draft of the resolution on Friday 16 December, before it was to be officially submitted on Monday 19 December and adopted on Wednesday 21 December.

Thirdly, it was evident during the meeting on Friday (see A/71/PV.64) that there was no desire to open up consultations on the text. That was made evident when the Ambassador of Liechtenstein indicated that the approval of all sponsoring countries was required before any amendment could be introduced to the draft text.

Unfortunately, all of those actions confirmed that the countries that took the initiative of drafting the resolution deliberately refrained from consulting with

the general membership and from taking their views into consideration. Member States were dealt with as if their approval were a foregone conclusion. That is not acceptable in State relations, in particular in the General Assembly. Such behaviour constitutes an unfortunate precedent that we do not wish to see repeated.

In addition, there is ambiguity and a lack of clarity as to the link between the resolution adopted today and the Geneva communiqué of 30 June 2012 (A/66/865, annex), which is one of the major terms of reference of the political settlement in Syria. The communiqué explicitly states that transitional justice should be an integral part of the comprehensive framework for amnesty and national reconciliation.

In conclusion, we stress once again that Egypt is among the group of States that seek to establish justice and to hold accountable those involved in crimes. We stress that international law must be upheld in the implementation of the resolution adopted today. When evidence is being collected and cases are being built, selectivity and politicization should be avoided, particularly in relation to the accused and the categories of crime, which should definitely include heinous terrorist crimes, the financing and supporting of terrorism, providing weapons to foreign terrorist fighters, facilitating terrorist acts, and sheltering and providing safe haven for masterminds of terrorist acts. What is very surprising and strange is that certain States cry outwardly for accountability and are keen to appear to be seeking justice while they and their officials are implicated in the support of terrorism. They should be at the top of the list of those to be held accountable.

**Mrs. Karabaeva** (Kyrgyzstan) (*spoke in Russian*): The delegation of Kyrgyzstan would like to speak in explanation of vote after the voting on resolution 71/248.

Kyrgyzstan is committed to upholding the Charter of the United Nations and the norms of international law. We are also troubled by the current situation in the Syrian Arab Republic and fully recognize the need for an expeditious end to the armed conflict. At the same time, we deem it of fundamental importance that efforts to that end be carried out on the basis of the Charter and universally acknowledged principles.

Furthermore, we believe that the adoption of a resolution that is not supported by the country in question only politicizes the work of the General Assembly and does not help to foster constructive

solutions to existing problems. We do not fully understand the need to establish another mechanism that essentially duplicates the activities of the Independent International Commission of Inquiry on the Syrian Arab Republic, which was set up in 2011 by the Human Rights Council. At that time, Kyrgyzstan supported the idea of its establishment.

In the light of all this, and given our regret that the process of adopting the resolution was organized hastily, without granting countries time for a more in-depth review and discussion of its provisions and their potential repercussions, the delegation of Kyrgyzstan voted against the resolution.

**Mr. Gafoor** (Singapore): Singapore is deeply concerned about developments in Syria, in particular the humanitarian situation on the ground. We support the principle of accountability for violations of international law. However, we abstained in the voting on resolution 71/248 for two reasons.

First, the exact terms of reference of the proposed International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 are not clear. Many key questions are unanswered. For example, how will the Mechanism interact with the pre-existing Independent International Commission of Inquiry on the Syrian Arab Republic? How will the proposed Mechanism relate to existing international courts and tribunals? This is probably the first time that we have taken a decision to establish a Mechanism of this nature before deciding its terms of reference. We certainly hope that this does not set a precedent for the future.

Secondly, we believe that international efforts should, as a matter of priority, focus on supporting all parties involved in their efforts to cease hostilities and focus on addressing the humanitarian situation in Syria. Our concern is that this initiative to set up an evidence-collection mechanism could damage ongoing efforts to broker peace, build confidence and find a political settlement among all the parties involved. In that regard, we welcome the adoption of Security Council resolution 2328 (2016), and in particular resolution 71/130, both of which underline the extreme urgency of finding a political solution to the Syrian situation.

We hope that the Secretary-General will address the questions we have raised and all relevant legal questions when drawing up the terms of reference. We also hope that the Secretary-General will draw upon support from all relevant parts of the Secretariat, including the Office of Legal Affairs, when preparing the terms of reference and the next steps.

**Mr. Al-Khaqani** (Iraq) (*spoke in Arabic*): My delegation would like to deliver an explanation of vote on resolution 71/248.

Iraq welcomes the establishment of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 to hold accountable the perpetrators of crimes and terrorist acts, especially given the fact that Iraq has been the victim of terrorist attacks in recent years. It is important that the Mechanism be clear in its purposes and target the terrorist groups that have committed such crimes.

We note that the resolution does not name terrorist groups, such as Da'esh and the Al-Nusra Front, which have been condemned in previous resolutions on terrorism. The resolution fails to note how the Syrian Government should be involved in the Mechanism at a later date, given that the terms of reference of the Mechanism must be established by consensus, with the participation of the relevant State where the crimes have been committed.

**Ms. Jaquez** (Mexico) (*spoke in Spanish*): The United Nations is facing one of the most pressing challenges of this century as it seeks to resolve the humanitarian crisis in Syria. That is why Mexico welcomed the adoption of Security Council resolution 2328 (2016), which represents a major United Nations response to the outrage elicited by the suffering of innocent civilians, who are victims of the lack of an effective political solution and the inability of the Security Council to assume its responsibility to address this prolonged crisis. We hope that the Security Council decision will mark the first step towards political negotiated solution to the Syrian conflict.

Mexico also reiterates its strong call on all actors involved in the conflict to resume the peace talks as soon as possible and achieve a prompt negotiated solution through diplomatic means. Mexico will continue to tirelessly emphasize that the veto is not a

privilege, but an international responsibility of the five permanent members of the Security Council to prevent human suffering. That is why, since 2014, Mexico, together with France, has promoted the initiative to voluntarily restrict the use of the veto by permanent members of the Security Council in the case of crimes against humanity and war crimes. To date, some 100 countries have supported that initiative, and we invite others to do so. Faced with that state of play, it is most important to give high priority to accountability for international crimes.

Mexico wishes to express its recognition to Liechtenstein for its efforts and work in preparing resolution 71/248, which we have just adopted and which complements other efforts of the General Assembly and the Security Council. Mexico voted in favour of the resolution because we are convinced that the United Nations must demonstrate its capacity to respond to such crises.

However, the legitimacy of the new International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 is essential to its success and directly linked to its impartiality and independence. The source of financing for the Mechanism is of great importance in that regard. To that end, Mexico is prepared to work immediately for a clear definition of the terms of reference of the Mechanism and to provide its financing with resources from the regular budget of the Organization.

**Mr. Plasai** (Thailand): The Kingdom of Thailand decided to support this resolution because of the overriding importance that it attaches to the principles enshrined in the Charter of the United Nations and the applicable principles of international law, as well as to the issues of accountability for alleged crimes committed in the Syrian Arab Republic. We also support the objective of ensuring justice for all victims and preventing any violation of applicable law in the future.

However, in order to pursue practical steps to attain such goals, many challenges remain with regard to how the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 could function in facilitating and expediting fair and independent

criminal proceedings, considering the conditions prevailing in the concerned areas. We are also concerned about the lack of clarity with regard to the terms of reference of the new Mechanism, in particular its relationship with the Independent International Commission of Inquiry on the Syrian Arab Republic mandated by the Human Rights Council since 2011.

**Mr. Scappini Ricciardi** (Paraguay) (*spoke in Spanish*): The Republic of Paraguay wishes to explain why it abstained in the voting on resolution 71/248.

For Paraguay, accountability and responsibility for abuse or violations of international humanitarian law and international human rights law are fundamental pillars of peaceful coexistence among States, reconciliation and lasting peace, particularly when those violations or abuses may constitute war crimes or crimes against humanity. It is Paraguay's view that the perpetrators of such crimes should be held responsible for them.

The current humanitarian situation in the Syrian Arab Republic, particularly Aleppo, has been addressed in recent weeks by the General Assembly and the Security Council in resolutions that, we believe, will help ease the situation. Consequently, it is Paraguay's view that, once the humanitarian urgency was acknowledged, many of the elements of resolution 71/248 were not discussed with the necessary depth, participation or time that the subject warrants, leaving many important questions in our minds about their implications.

**Ms. Young** (Belize): Belize supported resolution 71/248 on the following bases.

We consider that the authority vested in the General Assembly to address questions of international peace and security — pursuant, inter alia, to Articles 10 and 11 of the Charter of the United Nations — is axiomatic. The resolution applies broadly to all States, all parties to the conflict and civil society. It is therefore not, on the face of it, selective nor can it be said to be punitive.

The resolution is essentially about the plight of victims, survivors and future generations. Thousands of people cannot have their family members killed off or maimed, schooling denied to children, homes destroyed and not receive help to tell their story. It will therefore be critical that the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in

the Syrian Arab Republic since March 2011 function verifiably, independently and impartially, and that it dutifully serve its purpose, as stated in paragraph 4, to

“consolidate, preserve and analyse evidence of violations of international humanitarian law and human rights violations and abuses”.

We have heard arguments against the resolution but, at this stage, Belize can see no other effective way to move forward.

**The President:** We have heard the last speaker in explanation of vote.

I shall now give the floor to those delegations that have asked to speak in exercise of the right of reply. I remind them that statements in exercise of the right of reply are limited to 10 minutes for the first intervention and to five minutes for the second, and must be made from their seats.

**Ms. Al-Thani (Qatar) (*spoke in Arabic*):** I have asked to speak in exercise of the right of reply to the representative of Syria, who continues to point fingers, falsely accusing Qatar of the atrocities, violations and crimes committed in Syria, which have reached proportions that could have never been imagined in the twenty-first century. Instead of addressing the topic at hand, the representative of Syria is using the United Nations as a stage for issuing propaganda against Member States and hurling certain epithets at them that more aptly apply to him.

Resolution 71/248, adopted today, is a very important measure for the administration of justice and the fight against impunity, as there is no doubt that one reason for the ongoing horrible acts in Syria is the lack of accountability for those crimes. History has taught us that attaining justice for heinous crimes is a long path, but there is always a light at the end of the tunnel. The resolution adopted today sends the very clear message that all those who violate international law will eventually be held accountable and relegated to the dark side of history.

For our part, we will not be discouraged by the false allegations against Qatar. We will continue to uphold our policy of supporting international efforts to combat impunity for those who would perpetrate heinous crimes. We do so in keeping with our religious and humanitarian principles.

**Mr. Canay (Turkey):** I have asked for the floor in exercise of our right of reply. We reject the intervention of the Syrian regime’s representative, as it only contained distorted facts and baseless accusations against my country. The regime, which lost its legitimacy long ago, is ruthlessly massacring its own people and intentionally targeting the infrastructure where humanitarian needs are addressed. It is obvious why we have gathered here, and I do not need to speak further, as the resolution adequately addresses the atrocities committed by the Syrian regime and the steps that should be taken. Turkey will continue to stand by the democratic aspirations of the Syrian people.

**Ms. Radwan (Saudi Arabia) (*spoke in Arabic*):** First of all, my country’s delegation categorically denies all that was said by the representative of Syria in his statement with regard to Saudi Arabia. We were hardly surprised to hear such allegations and distorted facts from those who are shedding crocodile tears over Syrian women and children, despite the crimes and atrocities they have committed.

I thank the delegations of Liechtenstein and Qatar for sponsoring the important resolution 71/248, as well as the more than 100 countries that adopted it, including Saudi Arabia. I would also like to comment on the resolution, as it comes on the heels of a request for accountability emanating from the meeting of the League of Arab States, held last Monday, regarding Syria.

We reiterate our strong condemnation of all the atrocities and crimes committed by the Syrian regime and its accomplices against unarmed civilians — acts that run counter to the principles of all religions and are flagrant violations of international human rights conventions. We also strongly condemn the crimes committed by such terrorist groups as Da’esh and Al-Nusra Front throughout Syria. In various statements, the United Nations has reiterated that the crimes committed by the Syrian regime and those terrorist groups amount to crimes against humanity and war crimes.

Accordingly, we reiterate the urgent need to hold all perpetrators accountable. We have repeatedly warned against any failure to end the humanitarian crisis in Syria and affirmed that impunity and lack of accountability encourage the perpetrators of all such crimes to persevere in, intensify and boast of their

crimes. We saw that happen in Aleppo, where people exhumed corpses and took selfies with them.

Saudi Arabia has always called for the establishment of mechanisms to hold accountable all perpetrators of crimes against humanity, whoever they may be, recognizing that the primary perpetrators and the party principally responsible for all such crimes are the forces of the Syrian regime and the militias and mercenaries of Hizbullah, according to the reports of the United Nations, human rights organizations, the Organization for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism, and the Independent International Commission of Inquiry on the Syrian Arab Republic.

Saudi Arabia reiterates that the only sustainable solution to the Syrian crisis is a resumption of negotiations on the political transition, pursuant to the Geneva communiqué (A/66/865, annex). We believe it extremely important to hold all perpetrators of crimes against the Syrian people to account, as that will be a cornerstone of efforts to end the sectarian sedition and violence in the region.

With regard to the horrendous war on civilians being waged in Syria; the grave violations, demographic changes and forced displacement requiring people to choose between dying under bombs or losing their homes; and the fact that the Security Council has failed to take the steps necessary to protect civilians throughout Syria and to adopt measures to hold to account all perpetrators of crimes against humanity there, Saudi Arabia reiterates how important it is that the General Assembly convene a special session in order to guarantee the protection of civilians and the maintenance of peace and security in Syria.

My delegation welcomes the adoption of resolution 71/248 today and hopes that its speedy implementation will serve as a deterrent, put an end to the violations committed by the Syrian regime and to all the fighting, lift the siege on Syrian cities, stop the forced displacement of civilians, compel the Hizbullah militias and foreign fighters to withdraw and hold them accountable for all the crimes they have committed in Syria.

**Mr. Mounzer** (Syrian Arab Republic) (*spoke in Arabic*): Regrettably, the General Assembly has

adopted a resolution that violates the Charter of the United Nations and its purposes. Resolution 71/248 reflects the ill will expressed by the representatives of Qatar and Saudi Arabia, who, alongside the sponsors of the resolution, seek to legitimize interference in the internal affairs of Syria.

The Government of the Syrian Arab Republic accuses Qatar, Saudi Arabia and Turkey of supporting terrorism. Two weeks ago, the Foreign Minister of Qatar told Reuters that his country would continue to arm and fund armed groups in Syria even if the United States President-elect were to stop doing so, because Qatar was confident that armed groups would reclaim Aleppo. In 2015, a former Foreign Minister of Qatar told the French newspaper *Le Monde* that his country rejected the distinction between the Al-Nusra Front and the moderate opposition because they were all opposed to the regime.

The same culpability clings to the Saudi and Turkish regimes, as attested by the reports of Security Council counter-terrorism committees relevant to the implementation of Security Council resolution 2253 (2015). Some countries are not committed to the implementation of that resolution and continue to finance terrorist groups and to facilitate the entry of foreign terrorist fighters into Syria. The representative of the Saudi regime spoke of purported crimes committed in Aleppo. Perhaps she is unaware of reports distributed by the international media. She described recordings that have been fabricated by such notorious media institutions as Al-Jazeera of Qatar and Al-Arabiya of Saudi Arabia.

I inform the representatives of the three regimes supporting terrorism in Syria that Aleppo has been liberated from their terror and the time has come for the Syrian people to hold them responsible. They shall be punished for supporting terrorism and ultimately be held accountable by the Syrian people.

In conclusion, I take this opportunity to thank the countries that voted against resolution 71/248.

**The President:** The General Assembly has thus concluded this stage of its consideration of agenda item 31.

*The meeting rose at 7.10 p.m.*