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Seventy-first session

68th plenary meeting
Friday, 23 December 2016, 3 p.m.
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Official Records

President: Mr. Thomson (Fiji)

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

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

Agenda item 13 (continued)

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

Draft resolution (A/71/L.52)

The Acting President: Members will recall that the Assembly considered agenda item 13 at its 39th plenary meeting, on 2 November. Members will also recall that the Assembly considered, in a joint debate, agenda items 13, 117, 123 and 124, and adopted resolution 71/8 at its 46th plenary meeting, on 16 November.

It gives me great pleasure to introduce this draft resolution. I do so in accordance with resolution 70/294, entitled “Political Declaration of the Comprehensive High-level Midterm Review of the Implementation of the Istanbul Programme of Action for the Least Developed Countries for the Decade 2011-2020”, through which the General Assembly is mandated to adopt the charter of the Technology Bank before the end of 2016.

A mandate of the Istanbul Programme of Action for the Least Developed Countries for the Decade 2011-2020, the Addis Ababa Action Agenda of the Third International Conference on Financing for Development

and the 2030 Agenda for Sustainable Development, the establishment of the Technology Bank is particularly important for least developed countries (LDCs) where fewer than 7 per cent of households have access to the Internet and many still lack affordable access to information and communications technology.

At this juncture, I would like to thank all Member States for their input into the preparation of the draft resolution, particularly the Mission of Bangladesh and our colleagues in the United Nations Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States, who have been working diligently to ensure that the charter of the Technology Bank is agreeable to all. I would also like to thank the Government of Turkey for hosting the Technology Bank and for supporting its establishment through seed funding.

In line with the 9 December letter from the Secretary-General, I encourage other Member States, in particular partners of LDCs, to support the trust fund of the Technology Bank. Indeed, it is through mechanisms like this that the concept of leaving no one behind comes to life.

Over the past four months, representatives will have no doubt heard the President of the General Assembly refer repeatedly to the fundamental need to strengthen momentum around Sustainable Development Goal (SDG) implementation during the seventy-first session. When adopted, the draft resolution before us will directly contribute to such momentum, helping us to

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close in on the first successful implementation of an SDG target, namely SDG target 17.8. We will of course face many, many challenges in meeting the other 168 targets, but it is both reassuring and encouraging that real progress has already been made.

As we close in on the end of the main session, on the end of year one of the SDGs, I look forward to working with all representatives to deliver the momentum that will ensure that the SDGs gain traction to bring about the transformation that we, future generations and our planet so desperately need.

The Assembly will now take a decision on draft resolution A/71/L.52, entitled “Establishment of the Technology Bank for the Least Developed Countries”. May I take it that the Assembly decides to adopt draft resolution A/71/L.52?

Draft resolution A/71/L.52 was adopted (resolution 71/251).

The Acting President: Before giving the floor to speakers in explanation 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.

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

The Group wishes to extend to the Assembly, and through the Assembly to the Secretary-General, the United Nations Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States, Member States and other relevant stakeholders our appreciation for the extensive work leading up to the adoption of resolution 71/251 on the establishment of the Technology Bank for the Least Developed Countries.

The Group wishes to also express its appreciation to the Government of Turkey for hosting the Technology Bank and the pledge made to the trust fund for its operationalization. We further encourage developed partners and developing countries that are in a position to do so, as well as international organizations, foundations, the private sector and philanthropic organizations, to provide voluntary financial and technical assistance to the Technology Bank to ensure its timely operation.

It is also our firm view that strengthened international development cooperation, with North-South cooperation

as a central element, will go a long way towards releasing the requisite financial resources that remain critical to the economic and social uplifting of least developed countries (LDCs). This support is crucial if LDCs are to achieve the Sustainable Development Goals and to build upon the achievements of the Millennium Development Goals and address their unfinished business.

We are delighted that the adoption of this resolution on the last day of our work in 2016 will allow the Technology Bank for the LDCs to be operationalized by early 2017, as set out in target 8 of Sustainable Development Goal 17. This could serve as another driving force in the implementation of the 2030 Agenda for Sustainable Development, in line with the Group’s underpinning theme for the year 2016: “From vision to action: Inclusive partnership for sustainable development”. Indeed, the adoption of this resolution today demonstrates once again the inclusive partnership in full.

With 47 out of 48 countries officially listed as LDCs being members of the Group of 77, we would like to take this opportunity to express our strong and unequivocal commitment to the LDCs. We are confident that with the support of the international community and coordinated actions, LDCs will be able to overcome their structural weaknesses. In this light, we are hopeful that half of the LDCs will meet the graduation criteria by 2020, as was envisioned in the Istanbul Programme of Action.

Mr. Bin Momen (Bangladesh): I have the honour to deliver this statement on behalf of the 48 least developed countries (LDCs). We sincerely thank the President and his Office for their efficient stewardship in submitting resolution 71/251, on the establishment of the Technology Bank for the Least Developed Countries, and forging consensus on it. The Group of Least Developed Countries expresses its sincere appreciation to the members of the Assembly for the adoption of this resolution by consensus.

With the adoption of the resolution, a new organ of the General Assembly has emerged. For the first time in the history of the United Nations, the General Assembly has established an entity to foster technological leapfrogging for the LDCs. The new entity will facilitate the development of indigenous science, technology and innovation knowledge base and capacity and the acquisition and application of appropriate modern technologies. This is therefore a major breakthrough and a historic moment for the United Nations.

The adoption of the charter symbolizes the strong commitment and political will of the international community to realize the 2030 Agenda for Sustainable Development. It not only leads us to the realization of Sustainable Development Goal 17.8, but also paves the way for implementing the other Goals and targets, many of which are deeply contingent on leveraging modern and clean technologies. It also fortifies our confidence that the least developed countries are not alone in their efforts to overcome the enormous development challenges they have been facing.

This is an age of unprecedented advancement in science, technology and innovation. However, it is almost entirely in the hands of large companies located in developed countries and some emerging developing countries. The availability of technology can help the LDCs in building resilience against their multifaceted vulnerabilities. We are confident that the Technology Bank will greatly contribute to reverse the growing digital divide and foster the implementation of the 2030 Agenda, as well as the implementation of the Istanbul Programme of Action.

During the past six years, unprecedented efforts have gone into the operationalization of the Technology Bank. We pay tribute to all individuals who have provided significant intellectual contributions to this initiative. We would especially thank the Government of Turkey for hosting the Bank and also for the financial contribution towards its operationalization. I would also like to express my sincere gratitude to Secretary-General Ban Ki-moon and the Secretariat for pursuing this matter relentlessly. Allow me to recall with appreciation the contributions of the members of the Governing Council of the Bank, whose expertise and hard work have produced this charter.

The Technology Bank is a reflection of our solidarity with and empathy for the cause of LDCs. However, this is just the beginning. We will have to go a long way. This will be an organization whose survival will depend on voluntary contributions. We have to make sure that it sustains and keeps serving a large section of humankind, who are the most vulnerable among us. In this regard, I urge all to make efforts to mobilize resources for the sustenance of this Bank. We are confident that our development partners will come forward with their generous contributions in the same spirit that they have shown today.

Mr. Begeç (Turkey): As the host country, Turkey expresses its appreciation for the adoption of resolution 71/251, which established the Technology Bank for the Least Developed Countries. We thank the President of the General Assembly and his Office for his leadership in submitting this resolution and building consensus on it. We would also like to thank all Member States for their constructive engagement in this endeavour, which has lasted for more than five years, and commend the continued support and assistance of the Secretariat as well.

The establishment of the Technology Bank is a significant accomplishment in the implementation of the Istanbul Programme of Action and the 2030 Agenda for Sustainable Development. It is also a manifestation of our solidarity with the least developed countries (LDCs) in supporting their economic growth and sustainable development.

Science and technology and innovation are fundamental drivers of growth and development, yet it is a matter of continued concern for the LDCs. Addressing the structural concerns of the LDCs remains distant without rapidly building up their national capacities in science, technology and innovation. In this context, the Technology Bank seeks to contribute to the transformation of the LDCs by building up science, technology and innovation capacities, coupled with a transfer of such needed technologies. The Bank will help acquire new technologies and build up domestic capacity to fully utilize them. Moreover, the Bank will work towards bridging the digital divide and the technology gap in the LDCs. The Bank is also expected to channel increased official development assistance to the LDCs in the area of science, technology and innovation.

Turkey has always been supportive of the idea of establishing a new entity, under the auspices of the United Nations, in order to reinforce the technological leapfrogging of the LDCs and to spare no effort to make the science, technology and innovation available. The Government of Turkey delivered funds to the Secretariat for a feasibility study and convened the Governing Council of the Technology Bank. Our Government will provide the premises, as well as the office equipment, general services and utilities to the Technology Bank. In addition to this contribution in kind, the Turkish Government has pledged at this stage a voluntary financial contribution of \$1 million to the trust fund of the Technology Bank for the start-up year of 2017. We will consider an upward division of our financial

contribution once the work programme and the budget of the Bank for the year 2017 are considered and approved by the Governing Council.

We underline that the sustainable mobilization of financial resources is a must for the effective functioning of the Bank. Turkey stands ready to do its part in this regard. However, it is our joint responsibility. Therefore, all donor countries, traditional donors in particular, should contribute to the Bank in a timely fashion. On the other hand, the Secretariat must duly take concrete steps to increase funds through a resource mobilization strategy and outreach activities towards all stakeholders, including the private sectors and foundations. Likewise, the United Nations system should support the Bank and its activities in a coordinated manner by building the necessary capacities and mobilizing human resources.

Before I conclude, let me say that Turkey is fully committed to the realization of the Sustainable Development Goals. The Bank that we established today is a concrete achievement in this direction. We will continue our efforts in the period ahead towards the effective and efficient functioning of the Bank, but in doing so we will need partners and friends. In this regard, we and the LDCs are counting on the support of the President of the General Assembly, as well as the Secretary-General.

The Acting President: The General Assembly has thus concluded this stage of its consideration of agenda item 13.

Agenda item 14 (continued)

Culture of peace

Draft resolution (A/71/L.47)

The Acting President: Members will recall that the Assembly considered agenda item 14 at its 63rd plenary meeting, on 15 December. Members will also recall that under the same item, the Assembly adopted resolution 71/249 at its 67th plenary meeting, on 22 December.

I now give the floor to the representative of Bangladesh to introduce draft resolution A/71/L.47.

Mr. Bin Momen (Bangladesh): It is an honour for me to introduce today, on behalf of all sponsoring Member States, the draft resolution entitled "Follow-up to the Declaration and Programme of Action on a Culture of Peace", contained in document A/70/L.47.

Following this year's adoption, it will be 20 years since the Assembly began adopting this resolution annually in 1997. We are pleased that this resolution has been receiving overwhelming support by Member States and that it is adopted every year by consensus.

Intolerance, racism, xenophobia and other manifestations of hate drive many of today's conflicts, including violent extremism and acts of terrorism. It is, therefore, our onerous responsibility to consciously nurture and cultivate a culture of peace nationally and internationally. A culture of peace is an aspiration of all humankind, the essence of the Charter of the United Nations and an imperative in the current global context.

Bangladesh is committed to promoting the culture of peace and non-violence. Over four decades ago, the father of our nation, Bangabandhu Sheikh Mujibur Rahman, in his maiden speech at the General Assembly, envisioned "the building of a world order in which the aspiration of all men for peace and justice will be realized" (A/PV.2243, para. 2) and freedom from poverty, hunger, exploitation and aggression. Prime Minister Sheikh Hasina is equally committed to promoting peace not only at the national level, but also at the regional and international level by maintaining a zero-tolerance policy on all forms of terrorism, violent extremism and radicalization.

We thank Member States and their delegations for their active participation in the negotiation process this year. This year's draft resolution elaborates different elements for promoting a culture of peace. I want to highlight very briefly some of the additional elements and changes over resolution 70/20 adopted last year.

We have added two United Nations-proclaimed days. In addition to the International Day of Non-Violence, we have added a reference to vulnerable children in the context of the activities of UNICEF's Early Childhood Peace Consortium, understanding global citizenship in the context of providing education to children and the observance of the International Day of Non-Violence in the text of this year's draft resolution.

We have also added in the text the increased interest, particularly of Member States, to make country statements in the plenary segment of the General Assembly High-level Forum on the Culture of Peace, recognition of the President's summary issued for the first time in the Forum series and a request to the Secretariat to support the effective organization of the High-Level Forum. In this regard, I urge the Secretariat,

in particular the Department of Public Information, to support in every way the wider dissemination of the outcome of the Forum through press releases and media alerts. The community of non-governmental organizations should also spread the information on the Forum to wider circles of civil society.

I wish to commend the work that is being undertaken by United Nations agencies, particularly UNESCO, to promote a culture of peace and non-violence. We wish the President of the General Assembly every success in his endeavours in arranging the high-level informal dialogue on 24 January 2017 at the United Nations on “Building Sustainable Peace for All: Synergies between the 2030 Agenda for Sustainable Development and Sustaining Peace”. The Sustainable Development Goals (SDGs) are premised on the fundamental recognition of the importance of peace as an outcome in itself, through SDG 16 and its target 4.7, which has specifically recognized the importance of learning a culture of peace and non-violence for sustainable development.

This resolution every year receives the support of many Member States. I am pleased to mention that this year more than 100 countries have sponsored it. We express our sincere gratitude to all the sponsoring countries for their support and commitment. I hope that, as in past years, we will be able to adopt the draft resolution by consensus.

The Acting President: The Assembly will now take a decision on draft resolution A/71/L.47.

I give the floor to the representative of the Secretariat.

Ms. De Miranda (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 become sponsors of A/71/L.47: Afghanistan, Armenia, Bahrain, Benin, Brazil, Burundi, Chile, the Comoros, Cyprus, Dominica, the Dominican Republic, Ethiopia, Georgia, Greece, the Islamic Republic of Iran, Kenya, Lesotho, Mauritania, Mauritius, Mongolia, Mozambique, the Netherlands, Nigeria, Oman, Poland, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Timor Leste, Togo, Tonga, Turkmenistan and the United Republic of Tanzania.

The Acting President: May I take it that it is the wish of the General Assembly to adopt draft resolution A/71/L.47?

Draft resolution A/71/L.47 was adopted (resolution 71/252).

The Acting President: The Assembly has thus concluded this stage of its consideration of agenda item 14.

Agenda item 72 (continued)

Report of the International Criminal Court

Draft resolution (A/71/L.49)

The Acting President: Members will recall that the Assembly considered agenda item 72 at its 37th and 38th plenary meetings, on 31 October.

I now give the floor to the representative of the Netherlands to introduce draft resolution A/71/L.49.

Mr. Van Oosterom (Netherlands): I have the honour to introduce, under agenda item 72, draft resolution A/71/L.49, entitled “Report of the International Criminal Court”. In addition to the 66 countries listed in the document, another 12 countries have indicated their wish to be included as sponsors of the draft resolution. That brings the total number of sponsors to 78. We thank those countries for their strong support and their commitment.

The resolution is a technical rollover of previous consensus resolution 70/264. It underlines the importance of the relationship between the International Criminal Court and the United Nations, on the basis of the Relationship Agreement.

The Kingdom of the Netherlands thanks the President of the International Criminal Court, Judge Silvia Alejandra Fernández de Gurmendi, for presenting the twelfth annual report of the International Criminal Court (see A/71/342) to this organ on 31 October (see A/71/PV.37). The briefing was followed by a constructive debate in the Assembly on the challenges of the Court.

The Kingdom of the Netherlands is deeply committed to the fight against impunity for genocide, crimes against humanity and war crimes. That is a cornerstone of the system of international criminal justice. The imperative to domestically investigate and prosecute those crimes is a key principle of all States’

international legal obligations. The International Criminal Court is the international community's court of last resort in this common fight against impunity. The Court is therefore doing an extremely important job, and together, all of us, we must make sure that the International Criminal Court remains the strong institution in the fight against impunity that victims of atrocities worldwide need it to be. In that regard, the Kingdom of the Netherlands reiterates the importance of the universal ratification of the Rome Statute by all United Nations Member States.

The Kingdom of the Netherlands continues to take pride in being the host State of the International Criminal Court. As Mr. Albert Koenders, Minister for Foreign Affairs of the Kingdom of the Netherlands, said earlier this year, in the opening ceremony of the Court's new premises in the Hague, the Court owes its existence to two basic human instincts: empathy and a collective resolve — empathy for victims and their loved ones and the collective resolve to work together and shape our common future.

In conclusion, the Kingdom of the Netherlands presents this draft resolution to the Assembly today with the desire that it once again be adopted by consensus. Let us all continue to work together for peace and justice, and let me wish a happy and peaceful holiday to all representatives and their loved ones.

The Acting President: We shall now proceed to consider draft resolution A/71/L.49.

Before giving the floor to speakers in explanation of position before action is taken on the draft resolution, I would like to remind delegations that explanations of position are limited to 10 minutes and should be made by delegations from their seats.

Mr. Rahamtalla (Sudan) (*spoke in Arabic*): The Sudan reiterates its rejection of the precedent set by the decisions of the International Criminal Court (ICC) to initiate legal proceedings against citizens of Member States that are not parties to the Rome Statute and that do not accept the jurisdiction of article 12 of the Statute. Worse still, *jus cogens* and international law are undermined by the immunity of Presidents and the twisting of facts in order to achieve political interests and to erroneously interpret Security Council resolutions, thereby steering away from justice and law.

The ICC is the first tribunal to disregard and violate international law, as well as customary and written laws.

It behoves it only to respect the principle relating to the right of States, in line with article 11 of part 2 of the Vienna Convention on the Law of Treaties, of 23 May 1969. We underscore the importance of the statement made by the representative of the International Court of Justice that the Security Council, the master of its own procedures, cannot take a decision contrary to international law. We recall that the nexus between the United Nations and the ICC should take into consideration their independent and separate natures and the absence of organic or structural ties between them. We note the attempts of some State parties to the ICC to make the General Assembly an assembly of States parties to the Rome Statute, by which the Court was established.

We continue to express our clear-cut position in rejection of the trend that is evident in the annual periodic draft resolution on the report of the International Criminal Court, which contains extensive interpretations that do not reflect the letter and spirit of the Relationship Agreement between the United Nations and the International Criminal Court, and should not be used in the United Nations to benefit a Court that is supposed to be independent and of a particular nature, pursuant to a treaty which expresses its legal framework and has a residual mechanism. We will continue to express our relationship to the system and call for the adherence to the scope and framework of that relationship.

The Sudan disassociates itself from draft resolution A/71/L.49 and will attach no significance to it, as it imposes no obligations on my country.

The Acting President: The Assembly will now take a decision on draft resolution A/71/L.49, entitled "Report of the International Criminal Court".

I give the floor to the representative of the Secretariat.

Ms. De Miranda (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 become sponsors of A/71/L.49: Bolivia, Brazil, the Central African Republic, Fiji, Greece, Honduras, Lesotho, Panama, Samoa, San Marino, Timor-Leste and Vanuatu.

The Acting President: May I take it that it is the wish of the General Assembly to adopt draft resolution A/71/L.49?

Draft resolution A/71/L.49 was adopted (resolution 71/253).

The Acting President: Before giving the floor to those wishing to speak in explanation of position on the resolution just adopted, I would like to remind delegations that explanations of position are limited to 10 minutes and should be made by delegations from their seats.

Mr. Shi Xiaobin (China) (*spoke in Chinese*): China appreciates the adoption of resolution 71/253, entitled "Report of the International Criminal Court". This technical rollover text is a product of compromise among the parties. Although the text fails to capture the Court's developments over the past year, China had no major difficulty in accepting the resolution and therefore joined in the consensus.

This has been an unusual year for the development of the ICC. The Court's has made much progress in its work, but some States parties have announced their decision to withdraw from the Rome Statute of the International Criminal Court, which reflects some grave concerns over the actual functioning of the Court. The causes behind these concerns warrant our serious reflection in order to identify the causes of those concerns. I would like to take this opportunity to make three points.

First, China has always valued the role of international criminal-justice organs in the promotion of the international rule of law and the prosecution of serious international crimes, and has closely followed the work of the ICC. China hopes that the Court will heed the concerns of various parties and address them responsibly, fulfil its mandate prudently and earn the trust and respect of all through its objective and impartial work.

Secondly, the ICC and the United Nations are two organizations that are independent yet interconnected. They should cooperate and respect each other's mandate within applicable legal frameworks, such as the Charter of the United Nations and the Relationship Agreement between the United Nations and the International Criminal Court.

Thirdly, China expresses its concern over the practice of the Assembly of States Parties to the

Rome Statute of the International Criminal Court of excluding observer States from participation in certain consultations is concerning to China. In our view, such a practice is inappropriate and violates the rules of procedure and the principle of transparency, and should be corrected. In particular, consultations regarding the amendments to the definition of the crime of aggression affect the Security Council's mandate to maintain peace and security and the interests of the international community as a whole. Such consultations should not be open exclusively to States parties.

Mr. Zagaynov (Russian Federation) (*spoke in Russian*): Our delegation is disappointed that in considering resolution 71/253 today, the approaches of States that are not parties to the Rome Statute of the International Criminal Court (ICC) were not taken into account. The need to correct the resolution in order to align it with today's realities is long overdue. Its complimentary and self-congratulatory formulations have very little in common with the actual situation as it relates to the Court. The call for the rapid ratification of the Rome Statute is completely inappropriate against the backdrop of a number of States withdrawing from it, a fact that is not at all reflected in the resolution but clearly illustrates the justified nature of criticisms levelled against the legal institution.

Our views on regarding the ICC's activities werespelled out in detail during the discussion in May of resolution 70/264, with similar contents (see A/70/PV.95). Unfortunately, the past six months have given us no reason to review our assessment. In the light of the lamentable situation regarding the Court's discharge of its functions and the lack of prospects for any improvements, our country relayed to the depository of the Rome Statute the fact that we do not intend to become a party to the treaty.

Today's resolution is an artificially preserved collection of the hopes and desires that the international community placed in the judicial body during its first years of existence. The extent to which those came true is clear from its first 15 years of existence. Over all this time, it has delivered only four guilty verdicts, at a cost of \$1 billion, and some cases simply collapsed as a result of insufficient evidence. Exemplary speed is demonstrated by the Court only when the political situation lends itself to it. In 2011, for example, the International Criminal Court issued a very rapid legal accompaniment to the bombardment of Libya, initiating proceedings against Muammar Al-Qadhafi and his

supporters in the course of just a few days. After that, any interest in the issue apparently quickly evaporated. There have been no new cases over the past five years.

When it comes to investigating civilian deaths resulting from NATO air strikes in Libya, the ICC prefers to distance itself. Nothing has been done to investigate the crimes of the Islamic State in Iraq and the Levant. In its activity, the Court ignores the norms and standards of international law regarding the immunity of public officials of States that are not party to the Rome Statute. In that respect, we understand the concerns of a number of African States and the African Union. The political and legal grounds given for withdrawing from the Court are quite understandable to us. We are not going to list them all, but the main problem is that one cannot think of a single situation where the International Criminal Court genuinely promoted the stabilization of a situation, contributed to an end to violence and helped the civilian population. Especially telling in that respect are the results of its protracted activities in Libya and Darfur.

Mindful of all the aforementioned considerations, our delegation cannot back a technical rollover of the text and disassociates itself from the consensus on the resolution.

Mr. Ammar (Pakistan): I have requested the floor to put Pakistan's position on record. Pakistan has had a consistent position on this and other issues, and as other States have mentioned, it is not bound by the provisions of the instrument to which it is not party. We would like to put that position on record.

The Acting President: May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 72?

It was so decided.

Agenda item 126 (continued)

Cooperation between the United Nations and regional and other organizations

(a) Cooperation between the United Nations and the African Union

Draft resolution (A/71/L.50)

The Acting President: Members will recall that the Assembly considered sub-items (a) to (z) of agenda item 126 at its 48th plenary meeting, on 21 November.

I will now give the floor to the representative of Burkina Faso to introduce draft resolution A/71/L.50.

Ms. Fofana (Burkina Faso) (*spoke in French*): On behalf of the Group of African States, I have the honour to introduce draft resolution A/71/L.50, entitled "Framework for a Renewed United Nations-African Union Partnership on Africa's Integration and Development Agenda 2017-2027".

The adoption of the partnership framework between the United Nations and the African Union on Africa's integration and development agenda from 2017 to 2027 in June 2015 in Johannesburg, South Africa, was an important step in the implementation of the 2063 Agenda for Africa. That partnership framework enables not only us to provide follow-up and accelerate the implementation of the 2063 Agenda for Africa, but also to pool our efforts in implementing the 2030 Agenda for Sustainable Development. It seeks to promote an ever-closer and more effective partnership between the United Nations, the African Union and its subregional organizations in order to meet new challenges that pose a threat to peace, security and development and fuel terrorism and violent extremism, as well as an increase in the number of migrant, refugees and displaced persons.

That is why the today's draft resolution should be welcomed, as it calls on all States to show commitment and determination as bilateral and multilateral partners, as well as all other relevant partners. The cooperation framework between the United Nations and the African Union should therefore be supported.

Before concluding my statement, on behalf of the Group of African States I should like thank all delegations that played an active role in the negotiations on the draft text for the spirit of cooperation and considerable efforts that led to today's draft resolution. I would also like to thank all countries that have already sponsored this draft resolution for Africa and invite those countries that have not yet done so to sponsor it now.

The Acting President: The Assembly will now take a decision on draft resolution A/71/L.50, entitled "Framework for a Renewed United Nations-African Union Partnership on Africa's Integration and Development Agenda 2017-2027".

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

Ms. De Miranda (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 on the document, the following countries have also become sponsors of A/71/L.50: Australia, Finland and Georgia.

The Acting President: May I take it that the Assembly decides to adopt draft resolution A/71/L.50?

Draft resolution A/71/L.50 was adopted (resolution 71/254).

The Acting 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 126?

It was so decided.

(r) Cooperation between the United Nations and the Association of Southeast Asian Nations

Draft resolution (A/71/L.44/Rev.1)

The Acting President: Members will recall that the Assembly considered sub-items (a) to (z) of agenda item 126 at its 48th plenary meeting, on 21 November.

I now give the floor to the representative of the Lao People's Democratic Republic to introduce draft resolution A/71/L.44/Rev.1.

Mr. Thammavongsa (Lao People's Democratic Republic): I have the honour to speak on behalf of the States members of the Association of Southeast Asian Nations (ASEAN) — Brunei Darussalam, Cambodia, Indonesia, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Viet Nam and my own country, the Lao People's Democratic Republic — to introduce the draft resolution contained in document A/71/L.44/Rev.1, entitled "Cooperation between the United Nations and the Association of Southeast Asian Nations", under agenda item 126 (r).

ASEAN, founded in 1967 and based on the same principles that guides the United Nations, has become a dynamic and outward-looking regional organization that has a long history of forging friendly ties with various countries near and far, as well as with other regional and international organizations. ASEAN believes that the United Nations and regional organizations have unique and complementary capacities, with great potential to help its member States address issues of common interest and strive for peace, security and sustainable development at the regional and global levels.

Both ASEAN and the United Nations have had a long history of engagement based on the common desire to promote cooperation in political, security, economic and socioeconomic pillars, and with many other regional and international organizations to promote mutually beneficial cooperation through ASEAN-led mechanisms such as ASEAN+1, ASEAN+3, East Asia Summit and the ASEAN Regional Forum, to name but a few.

ASEAN has established dialogue partner relations with the United Nations since 2006, and a memorandum of understanding on ASEAN-United Nations cooperation was signed in New York on 27 September 2007 to forge a partnership between the two organizations. Following the adoption of the Joint Declaration on Comprehensive Partnership between the Association of Southeast Asian Nations and the United Nations in 2011, relations between the two organizations have progressed significantly, with new achievements in all key areas of cooperation.

We are pleased to note that the frequent convening of ASEAN-United Nations summits, regular ASEAN-United Nations ministerial meetings and Secretariat-to-secretariat coordination have further advanced ASEAN-United Nations interactions and cooperation. ASEAN also welcomed the presence of a United Nations liaison officer in Jakarta to strengthen joint activities and to implement the ASEAN-United Nations Comprehensive Partnership.

At the eighth ASEAN-United Nations Summit, held in Vientiane on 7 September, the leaders of ASEAN and the Secretary-General of the United Nations expressed their commitment to further deepening and broadening cooperation between the two organizations and welcomed the new plan of action 2016-2020 to implement the Joint Declaration on Comprehensive Partnership between ASEAN and the United Nations. The new plan of action covers a broad area of cooperation, including political security, economic, sociocultural and Secretariat-to-secretariat cooperation.

The resolution entitled "Cooperation between the United Nations and the Association of Southeast Asian Nations" was first introduced by ASEAN at the General Assembly in 2002. Resolution 57/35 welcomed the cooperation of the two organizations and encouraged both organizations to increase contacts and to further identify areas of cooperation as appropriate. Since then, ASEAN has submitted this resolution to the

General Assembly biennially, with the broad support of States Members of the United Nations, to underscore and encourage the broad range of activities being undertaken by ASEAN and the United Nations.

The draft resolution being introduced today is based on resolution 69/110, of 10 December 2014, with updates reflecting some of the important developments that have taken place in ASEAN, as well as in the ASEAN-United Nations cooperation over the past two years. The draft resolution once again welcomes the progress made in the ongoing activities of cooperation between the two organizations and encourages the United Nations to work together with ASEAN to further intensify the level of their cooperation.

In conclusion, I wish to take this opportunity to express, on behalf of the States members of ASEAN, our sincerest thanks to all the sponsors of the draft resolution and to all Member States for their continued support for the text, which has enjoyed wide sponsorship and has been adopted by consensus at the General Assembly since 2002. In view of this, I would like to request all Member States to lend their continued support to this year's draft resolution by adopting it by consensus as in the previous years.

I take this opportunity to wish all delegations a merry Christmas and a happy new year.

The Acting President: The Assembly will now take a decision on draft resolution A/71/L.44/Rev.1, entitled "Cooperation between the United Nations and the Association of Southeast Asian Nations".

I give the floor to the representative of the Secretariat.

Ms. De Miranda (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 document A/71/L.44/Rev.1, the following countries have also become sponsors of the draft resolution: Algeria, Austria, Belarus, Bhutan, Brazil, the Central African Republic, Croatia, Cuba, the Democratic People's Republic of Korea, Djibouti, the Dominican Republic, France, Georgia, Germany, Hungary, the Islamic Republic of Iran, Ireland, Italy, Kazakhstan, Latvia, Liberia, Liechtenstein, Madagascar, Mexico, Mongolia, Montenegro, Morocco, Pakistan, Papua New Guinea, Portugal, Samoa, Sweden, Tajikistan, the former Yugoslav Republic of Macedonia, Timor-

Leste, Togo, Turkmenistan, the United Kingdom of Great Britain and Northern Ireland and the Bolivarian Republic of Venezuela.

The Acting President: May I take it that it is the wish of the General Assembly to adopt draft resolution A/71/L.44/Rev.1?

Draft resolution A/71/L.44/Rev.1 was adopted (resolution 71/255).

The Acting President: May I take it that is the wish of the General Assembly to conclude its consideration of sub-item (r) of agenda item 126?

It was so decided.

Agenda item 128

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslav since 1991

Draft decision (A/71/L.53)

The Acting President: The Assembly will now take action on draft decision A/71/L.53, entitled "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991".

May I take it that the Assembly wishes to adopt draft decision A/71/L.53?

Draft decision A/71/L.53 was adopted (decision 71/416).

The Acting President: The General Assembly has thus concluded this stage of its consideration of agenda item 128.

We shall now suspend the meeting in view of the fact that the Fifth Committee has not yet completed its work. The plenary will resume following the adjournment of the Fifth Committee in order to take up the pending items before the Assembly. This will include the following draft resolutions whose consideration was postponed owing to budgetary implications: draft resolution A/71/L.23, 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)"; draft resolution

A/71/L.26, under sub-item (a) of agenda item 73, entitled “Oceans and Law of the Sea”; draft resolutions XXVI and XLI I recommended by the First Committee in its report (A/71/450), under agenda item 98, entitled “General and complete disarmament”; and finally draft resolution A/71/L.25, under agenda item 130, entitled “Investigation into the conditions and circumstances resulting in the tragic death of Dag Hammarskjöld and of the members of the party accompanying him”.

This meeting will be suspended and resumed under the chairmanship of my colleague, another Vice-President. I therefore take this opportunity on my own behalf to also extend to delegations my very best wishes for the holiday season and wish them a merry Christmas and a peaceful and prosperous new year.

The meeting was suspended at 4.10 p.m. and resumed at 8.15 p.m.

Agenda item 7 (continued)

Organization of work, adoption of the agenda and allocation of items

The Acting President: Members will recall that, at its 2nd plenary meeting, on 16 September 2016, the General Assembly decided to allocate agenda item 20 to the Second Committee. To enable the General Assembly to take action expeditiously on the document, may I take it that the Assembly wishes to consider agenda item 20 directly in plenary meeting and proceed immediately to its consideration?

It was so decided.

Agenda item 20 (continued)

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)

Draft resolution (A/71/L.23)

Report of the Fifth Committee (A/71/713)

The Acting President: The General Assembly will now take action on a draft resolution entitled “New Urban Agenda”, issued as document A/71/L.23.

The report of the Fifth Committee on the programme budget implications of draft resolution

A/71/L.23 is contained in document A/71/713. The text of the report, for the time being, is contained in document A/C.5/71/L.16, section D.

The Assembly will now take a decision on draft resolution A/71/23. May I take it that the Assembly decides to adopt the draft resolution?

The draft resolution was adopted (resolution 71/256).

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

I now give the floor to delegations who wish 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.

The Group would like to express its appreciation to the President of the General Assembly for the adoption of resolution 71/256, which expresses profound gratitude to the Government and the people of Ecuador for hosting the United Nations Conference on Housing and Sustainable Urban Development, Habitat III, and endorses the New Urban Agenda.

Habitat III was the first intergovernmental conference to take place after the historic year of the adoption of the outcomes of four major conferences related to sustainable development. The Conference contributed significantly to our efforts towards the effective management of the challenges of rapid urbanization and to provide an opportunity to promote a positive, mutually reinforcing relationship between cities and their surroundings, across the human settlements continuum.

The Group participated very actively in the Habitat III process, particularly in negotiations for the New Urban Agenda. We thank development partners for working with us in order to reach a meaningful outcome that will guide us towards sustainable urban development and human settlements in the next 20 years.

The Group firmly believes that sustainable urban development and human settlements can be a key driver of sustainable development in national and subnational development plans. We are guided by a

vision of cities and human settlements characterized by quality of life, equity, a sustainable environment and an inclusive economy, thereby ensuring that cities and human settlements are a positive force for achieving sustainable development.

In conclusion, the Group of 77 and China reiterates its unwavering commitment to the implementation, follow-up and review of the New Urban Agenda. We look forward to the recommendations of the independent assessment and the two-day high-level meeting of the General Assembly during the seventy-first session, during which issues regarding the effective implementation of the New Urban Agenda and the positioning of UN-Habitat will be discussed.

Mrs. Norman Chalet (United States of America): The United States is pleased that Member States were able to reach consensus on the New Urban Agenda. We are pleased that the New Urban Agenda is an action-oriented document that sets global standards of achievement and sustainable urban development, rethinking the way we build, manage and live in cities by drawing together cooperation with committed partners, relevant stakeholders and urban actors at all levels of Government and the private sector. We encourage all stakeholders from all sectors to work to make that new urban agenda a reality in the coming years. In supporting that document, we reaffirm our long-standing commitment to both sustainable urban development and the promotion of human rights. The United States takes its human rights obligations and commitments seriously in cities, just as it does everywhere within its territories. We do not recognize any right to the city, nor do we have any obligations or commitments with respect to it.

We also reiterate the concerns of the United States regarding the topic of a right to development, which are long-standing and well-known. It does not have an agreed international meaning, and any related discussion needs to focus on aspects of development related to human rights, which are universally held rights — enjoyed by all individuals — which all people may demand from their own Governments.

Further, the United States supports the right to an adequate standard of living, including adequate housing, and we support the States parties to the International Covenant on Economic, Social and Cultural Rights as they undertake steps to progressively achieve the full realization of that right. However, the United States

joins consensus in the express understanding that the new urban agenda does not imply that States must implement obligations under human rights instruments to which they are not a party, and the United States is not a party to the International Covenant.

We note that the term “equitable” is used in multiple contexts in the agenda. Although the United States fully endorses the importance of universal access to safe drinking water and sanitation, for example, we must collectively avoid any unintended interpretation of the term that implies a subjective assessment of fairness that, among other things, may lead to discriminatory practices. As we have said many times, the United States remains as committed as ever to assisting the most vulnerable on a path to the achievement of that agenda.

We note that throughout the document, the phrase “persons in vulnerable situations” is included. We understand that term to include all groups that find themselves vulnerable due to various characteristics such as gender, race, religion, sexual orientation and gender identity. At the same time, we collectively recognize that this is a universal agenda that calls for action by all. We underscore here that, by its terms, paragraph 18 reaffirms the principle of common but differentiated responsibilities only as it was originally set out in principle 7 of the Rio Declaration on Environment and Development, where it was explicitly limited to certain types of global environmental degradation.

The reaffirmation of principle 7, in that limited context, does not apply, and the United States does not accept the relevance or application of that principle to the broad range of issues addressed in the agenda or to sustainable development as a whole. Economic sanctions, whether unilateral or multilateral, can be a successful means of achieving foreign-policy objectives. In cases where United States has applied sanctions, they have been used with specific objectives in mind, including as a means to promote a return to the rule of law or democratic systems, to respect human rights and fundamental freedoms or to prevent threats to international security. We believe that economic sanctions can be an appropriate, effective and legitimate alternative to the use of force, and that United States sanctions are fully compliant with international law and the Charter of the United Nations.

Regarding the reference to foreign occupation in paragraph 19, we reaffirm our abiding commitment to a comprehensive and lasting peace, based on a two-State solution to the Israeli-Palestinian conflict. We remain committed to supporting the Palestinian people in practical and effective ways, including through sustainable development. We will continue to work with the Palestinian Authority, Israel and international partners to improve the lives of ordinary people that seek a more sustainable future.

Finally, the new urban agenda is not legally binding and does not affect existing obligations under applicable international and domestic law, particularly where commitments and other instruments are characterized as having been agreed, nor does it change the current state of conventional or customary international law. The United States will pursue the commitments, including those aspiring to change circumstances, in the agenda, consistent with United States law and policy and our limited authority at the federal level. We will pursue the agenda's commitments within and subject to our appropriations process.

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

Agenda item 73 (*continued*)

Oceans and the law of the sea

(a) Oceans and the law of the sea

Draft resolution (A/71/L.26)

Report of the Fifth Committee (A/71/714)

The Acting President: The report of the Fifth Committee on the programme budget implications of draft resolution A/71/L.26 is contained in document A/71/714. The text of the report, for the time being, is contained in document A/C.5/71/L.16, section E.

Members will recall that the Assembly held a debate on agenda item 73 and its sub-items (a) and (b) at its 54th and 55th plenary meetings, on 7 December 2016. We shall now proceed to consider draft resolution A/71/L.26.

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

Ms. De Miranda (Department for General Assembly and Conference Management): I should

like to announce that, since the submission of draft resolution A/71/L.26, in addition to those delegations listed in the document, the following countries have become sponsors of the draft resolution: Barbados, Belgium, Cameroon, Canada, Croatia, Cuba, the Czech Republic, Greece, Indonesia, Jamaica, Japan, Kenya, Latvia, Lithuania, Luxembourg, the Maldives, Malta, Monaco, Morocco, Nauru, Norway, Panama, Poland, Portugal, Togo, Ukraine and the United States of America.

The Acting President: The Assembly will now take a decision on draft resolution A/71/L.26, entitled "Oceans and the law of the sea". A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cabo Verde, Cambodia, Cameroon, Canada, Chad, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former

Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu, Viet Nam, Yemen, Zimbabwe

Against:

Turkey, Venezuela (Bolivarian Republic of)

Abstaining:

Colombia, El Salvador

Draft resolution A/71/L.26 was adopted by 158 votes to 2, with 2 abstentions (resolution 71/257).

[Subsequently, the delegation of the Bolivarian Republic of Venezuela informed the Secretariat that it had intended to abstain; the delegation of Botswana had intended to vote in favour.]

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

Mrs. Salas Pellicer (Bolivarian Republic of Venezuela) (*spoke in Spanish*): My delegation would like to speak in explanation of vote on resolution 71/257, on oceans and the law of the sea, just adopted by the Assembly.

We would like to take this opportunity to warmly thank the facilitator of the negotiation process on the resolution, Mr. Thembile Joyini of South Africa, as well as Ms. Gabriele Goettsche-Wanli, Director of the Division for Ocean Affairs and the Law of the Sea, and her team, and Mr. Miguel de Serpa Soares, Under-Secretary-General for Legal Affairs of the Office of Legal Affairs, for the support they have given on legal matters.

As we have always stated, the Bolivarian Republic of Venezuela is not a part to the 1982 United Nations Convention on the Law of the Sea (UNCLOS) or to the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, since their standards do not apply to us in terms of treaty or international customary law, except those that Venezuela may recognize in future by incorporating them into our national legislation. As we have said before, the international

instrument under discussion was adopted on 30 April 1982 in New York, after nine years of negotiations, at the third United Nations Conference on the Law of the Sea. The Convention was adopted by 130 votes to 4, with 17 abstentions. The countries that voted against it were the United States, Israel, Turkey and Venezuela. UNCLOS was opened for signature on 10 December 1982 in Montego Bay, Jamaica, and entered into force on 16 November 1994, which, it is worth noting, occurred one year after its sixtieth ratification, by the Cooperative Republic of Guyana.

As I have said, the Republic of Venezuela voted against UNCLOS during the third United Nations Conference on the Law of the Sea, in accordance with the declaration made by the head of the Venezuelan delegation at the Conference's 158th plenary meeting, held on 30 March 1982. Venezuela did not consider the wording of articles 15, 74 and 83, on the delimitation of maritime and maritime areas between States with adjacent or opposite coasts, in exclusive economic zones and on the continental shelf. Previously, Venezuela had expressed a specific reservation with regard to article 12 and paragraph 3 of article 24 of the Convention on the Territorial Sea and the Contiguous Zone, and article 6 of the Convention on the Continental Shelf. I should underscore the fact that article 15 of UNCLOS virtually reproduces article 12 of the Convention on the Territorial Sea and the Contiguous Zone.

With regard to the question of settling this dispute at the time, the head of the Venezuelan delegation stated that Venezuela had some issues with articles 9 and 8. It was also felt that the wording of paragraph 3 of article 121, on the regime of islands, was discriminatory with regard to national territory when it stated that

“rocks that cannot sustain human habitation or economic life of their own shall have no exclusive economic zone or continental shelf.”

In that regard, taking into account the principle of unity and indivisibility of national territory and the sovereignty of States, it was considered inadmissible that some areas of national territory should have rights while others did not.

Lastly, since according to article 309 of UNCLOS no reservations may be made to the Convention, Venezuela was unable to vote for its adoption. We still maintain the same reservations, and in various international forums the Bolivarian Republic of Venezuela has continued to maintain the position that UNCLOS should not be

seen as the only legal framework governing activities related to the oceans and seas, since there are other international instruments in force that, at the same level, and together with UNCLOS, constitute a legal framework for the law of the sea, such as the four Geneva conventions. The Republic of Venezuela has supported various instruments and maintained that position in various forums. UNCLOS, with 173 States party to it, does not have universal participation, while other multilateral conventions, such as the Convention on Biodiversity, have 193 States parties.

While resolution 71/257 has positive aspects, in our view it includes elements that at the time led Venezuela to express reservations about the final document of the 2012 United Nations Conference on Sustainable Development regarding the topic of marine biodiversity. For the same reasons, we expressed our reservations about the Sustainable Development Goals as expressed in resolution 70/1, "Transforming our world: the 2030 Agenda for Sustainable Development". We believe that in future we should consider updating the terms of the Convention on the Law of the Sea, because there are now new situations that are not sufficiently covered and that in some cases are counterproductive and an obstacle to its universalization. What is needed is a regime that can ensure that the most important current issues related to the oceans and seas should be dealt with in a balanced, constructive, equitable and inclusive way.

My country therefore voted against the adoption of resolution 71/257, and those are the reasons for which we cannot be party to it.

Mr. Erciyés (Turkey): Turkey voted against resolution 71/257, entitled "Oceans and the law of the sea", under sub-item (a) of agenda item 73. In principle, we agree with the resolution's general content, and we believe it is particularly important since it recognizes the important contribution that the sustainable development and management of the resources and uses of the oceans and seas have to make to the achievement of our international development goals, as outlined in the 2030 Agenda for Sustainable Development. Turkey therefore appreciates the efforts made by the resolution's coordinator, the Division for Ocean Affairs and the Law of the Sea and Member States to finalize the resolution.

However, owing to the resolution's strong references to the United Nations Convention on the Law of the Sea (UNCLOS), Turkey felt obliged to call for a recorded

vote on it. Turkey is not a party to UNCLOS and is of the opinion that it has neither a unified character nor universality. We also believe that it is not the only legal framework for regulating activities in the oceans and seas. We hope that in future negotiations the parties involved will take a more constructive and flexible approach aimed at getting all the non-parties on board, and that we will be able to reach a consensus on this important resolution. Until then, the UNCLOS language that I mentioned should not set a precedent for other United Nations resolutions.

Nevertheless, we would also like to recall the reasons that prevented Turkey from becoming party to UNCLOS remain valid. We support international efforts to establish a regime for the seas based on the principle of equity and acceptable to all States. In our opinion, however, the Convention does not provide enough safeguards for specific geographic situations and, as a consequence, does not take into consideration conflicting interests and sensitivities that are the result of special circumstances. Furthermore, the Convention does not allow States to register reservations to its articles. Although we agree with the general intent and most of the provisions of the Convention, those prominent shortcomings prevent us from becoming party to it. Because of that, we cannot support a resolution that makes a strong reference to UNCLOS and calls on States to harmonize their national legislation with its provisions.

Mr. Morales López (Colombia) (*spoke in Spanish*): Colombia takes the floor to explain its abstention in the voting on resolution 71/257. The Colombian delegation would like to respectfully and sincerely thank Mr. Thembile Joyini of South Africa for his tireless efforts as coordinator of this year's resolution on oceans and the law of the sea, to guide the discussions with positivity and transparency and in a constructive spirit that acknowledged the diversity of opinions among all the States that participated in the consultations.

Colombia would like to recall its comments at the 54th plenary meeting with regard to resolutions pertaining to oceans and the law of the sea and on sustainable fisheries. As a very diverse country, Colombia is committed to the conservation, protection and sustainable development of oceans, through the implementation of policies, plans and programmes that highlight the importance of the subject at the national, regional and global levels. In addition, our country has strong institutions to address marine and coastal issues,

which are guided by a comprehensive vision in which the sea, its coasts and resources have become key areas of action for the country.

That is why Colombia recognizes the valuable contribution made by the resolution on oceans and law of the sea. Nonetheless, the 1982 United Nations Convention on the Law of the Sea makes a similar contribution. It is a legal instrument that Colombia has not ratified, and its provisions are therefore not enforceable and cannot be imposed upon the country, with the exception of those that have been expressly accepted by my country.

Similarly, Colombia does not believe that the Convention is the sole normative framework governing ocean activities. My delegation would like to recall that Colombia carries out its marine activities in strict compliance with international commitments that it has expressly adopted or accepted.

Finally, as we have said repeatedly, the Republic of Colombia would like to state that resolution 71/257 and participation in the process of its adoption cannot be considered or interpreted in any way that would imply the express or tacit acceptance by the Colombian State of the provisions contained in the Convention on the Law of the Sea. In the constructive spirit that guides our country on issues relating to oceans and the law of the sea, we firmly believe that all nations must be committed to protecting the sea and its resources because the world's sustainable future depends upon it. Colombia stands ready to work with other nations to address challenges in order to keep our oceans healthy. We would like this statement to be included in the records of today's meeting.

Mr. Celarie Landaverde (El Salvador) (*spoke in Spanish*): It is an honour for me and for my delegation to address the plenary of the General Assembly on resolution 71/257, on oceans and the law of the sea. We welcome the positive outcome.

The Republic of El Salvador is aware of the importance of oceans, in particular the use of the oceans within the framework of sustainable development. Such use is essential in order to ensure food security for all human beings on the planet. We also understand that, to date, there are gaps in areas such as sustainable fisheries, transportation, conservation and the sustainable use of marine biodiversity. Considerable positive developments that redound to the benefit of the international community have been reached in those

areas. But much remains to be done, and so our efforts must continue.

As the Republic of El Salvador is not a State party to the United Nations Convention on the Law of the Sea, it believes that the provisions, agreements or resolutions reached by States parties or by the General Assembly should be informed by the norms of general international law, with the understanding that those provisions, agreements or resolutions do not create obligations on States that are not parties, without the consent of those States, with the exception of those which are expressly recognized by the States.

El Salvador invites all States to continue their efforts on the use, conservation and protection of the oceans and seas, in order to ensure quality life for future generations. That can be achieved with the cooperation of all countries, be it bilaterally, regionally or internationally. That will assist us in strengthening international peace and security and improve friendly relations among all nations, in accordance with the principles of justice and equality of rights and the purposes and principles of the Charter of the United Nations.

We should also consider the issue of the oceans and seas to be a matter of great importance for the international community. There are living and non-living resources on the seabed, and they are humankind's common heritage. The use of those resources should be equally shared and genuinely benefit all countries, in particular developing countries.

The Acting President: The General Assembly has thus concluded this stage of its consideration of sub-item (a) of agenda item 73.

Agenda item 98 (continued)

General and complete disarmament

Report of the First Committee (A/71/450)

Reports of the Fifth Committee (A/71/710 and A/71/711)

The Acting President: The Assembly shall now take action on draft resolutions XXVI and XLI, recommended by the First Committee in paragraph 112 of its report. The report of the Fifth Committee on the programme budget implications of draft resolution XXVI is contained in document A/71/710. For the time being, the text of the report is contained in document

A/C.5/71/L.16, section (a). The report of the Fifth Committee on the programme budget implications of draft resolution XLI is contained in document A/71/711. For the time being, the text of the report is contained in document A/C.5/71/L.16, section (b).

The Assembly will now take a decision on draft resolutions XXVI and XLI, one by one.

We shall first take a decision on draft resolution XXVI, entitled “Taking forward multilateral nuclear disarmament negotiations”. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cabo Verde, Cambodia, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Cuba, Cyprus, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Gabon, Ghana, Guatemala, Guyana, Honduras, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Lao People’s Democratic Republic, Lebanon, Lesotho, Libya, Liechtenstein, Madagascar, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Niger, Nigeria, Oman, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Suriname, Sweden, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe

Against:

Andorra, Australia, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Denmark, France, Germany, Greece, Hungary, Iceland, Israel, Japan, Latvia, Lithuania, Luxembourg, Micronesia (Federated States of),

Monaco, Montenegro, Norway, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Armenia, Belarus, China, Finland, India, Mali, Morocco, Netherlands, Nicaragua, Pakistan, Sudan, Switzerland, Uzbekistan

Draft resolution XXVI was adopted by 113 votes to 35, with 13 abstentions (resolution 71/258).

[Subsequently, the delegations of Albania, Estonia and Italy informed the Secretariat that they had intended to vote against; the delegation of the Comoros had intended to abstain.]

The Acting President: The Assembly will now take a decision on draft resolution XLI, entitled “Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices”. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cabo Verde, Cambodia, Cameroon, Canada, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Palau, Panama, Papua New Guinea, Paraguay,

Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe

Against:

Italy, Pakistan

Abstaining:

Burundi, China, Cuba, Egypt, Iran (Islamic Republic of), Israel, Nicaragua, Russian Federation, Syrian Arab Republic

Draft resolution XLI was adopted by 158 votes to 2, with 9 abstentions (resolution 71/259).

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

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 98?

It was so decided.

Agenda item 130 (continued)

Investigation into the conditions and circumstances resulting in the tragic death of Dag Hammarskjöld and of the members of the party accompanying him

Draft resolution (A/71/L.25)

Report of the Fifth Committee (A/71/712)

The Acting President: The General Assembly will now take action on the draft resolution issued as document A/71/L.25. The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/71/712. For the time being, the text of the report is contained in document A/C.5/71/L.16, section (c).

Members will recall that the Assembly held a debate on agenda item 130 at its 52nd plenary meeting, on 6 December 2016.

The Assembly will now take a decision on draft resolution A/71/L.25, entitled "Investigation into the conditions and circumstances resulting in the tragic death of Dag Hammarskjöld and of the members of the party accompanying him".

I give the floor to the representative of the Secretariat.

Ms. De Miranda (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 become sponsors of A/71/L.25: Andorra, Bosnia and Herzegovina, Costa Rica, Eritrea, Georgia, Lesotho, Monaco, Mozambique, Pakistan, Palao, Papua New Guinea, the Philippines, the Republic of Korea, San Marino, Serbia, Sierra Leone, South Africa, the Sudan, the former Yugoslav Republic of Macedonia, Tunisia, Ukraine and the Bolivarian Republic of Venezuela.

The Acting President: May I take it that it is the wish of the General Assembly to adopt draft resolution A/71/L.25?

Draft resolution A/71/L.25 was adopted (resolution 71/260).

The Acting President: The Assembly has thus concluded this stage of its consideration of agenda item 130.

Agenda item 115 (continued)

Appointments to fill vacancies in subsidiary organs and other appointments

(b) Appointment of members of the Committee on Contributions

Report of the Fifth Committee (A/71/590/Add.1)

The Acting President: In paragraph 3 of its report, the Fifth Committee recommends that the General Assembly appoint Mr. Baudelaire Ndong Ella of Gabon as a member of the Committee on Contributions for a three-year term of office beginning on 1 January 2017.

May I take it that it is the wish of the Assembly to appoint Mr. Baudelaire Ndong Ella as a member of the Committee on Contributions for a three-year term of office beginning on 1 January 2017?

It was so decided.

The Acting President: The Assembly has thus concluded this stage of its consideration of sub-item (b) of agenda item 115.

Reports of the Fifth Committee

The President: The General Assembly will now consider the reports of the Fifth Committee on agenda items 132, 133, 134, 137, 139, 141, 143 to 149 and 152.

I request the Rapporteur of the Fifth Committee, Ms. Diana Lee of Singapore, to introduce in one intervention the reports of the Fifth Committee before the Assembly.

Ms. Lee (Singapore), Rapporteur of the Fifth Committee: I have the honour today to introduce to the General Assembly the reports of the Fifth Committee. The Fifth Committee met from 29 September to 23 December and held 23 plenary meetings and numerous rounds of informal consultations.

I would like to draw the Assembly's attention to the fact that several Fifth Committee reports have already been considered by the General Assembly, at its 23rd, 35th, 45th, 48th and 51st plenary meetings, held on the following agenda items: agenda item 138, "Scale of assessments for the apportionment of the expenses of the United Nations", specifically on Article 19; agenda item 135, "Programme planning"; agenda item 144, "Report on the activities of the Office of Internal Oversight Services"; agenda item 133, "Review of the efficiency of the administrative and financial functioning of the United Nations"; agenda item 115, "Appointments to fill vacancies in subsidiary organs and other appointments"; and agenda item 139, "Human resources management", in particular on the implementation of the new common system compensation package in the United Nations Secretariat.

I shall now present additional reports of the Fifth Committee on the following items.

On sub-item (b) of agenda item 115, entitled "Appointment of members of the Committee on Contributions", the Committee recommends to the General Assembly, in paragraph 3 of its report contained in document A/71/590/Add.1, the appointment of Mr. Baudelaire Ndong Ella of Gabon as a member of the Committee on Contributions for a three-year term of office beginning on 1 January 2017.

On agenda 132, entitled "Financial reports and audited financial statements, and reports of the Board of Auditors", the Committee recommends to the General Assembly, in paragraph 7 of its report contained in document A/71/702, the adoption of a draft resolution adopted by the Committee without a vote.

On agenda 137, entitled "Pattern of conferences", the Committee recommends to the General Assembly, in paragraph 6 of its report contained in document A/71/706, the adoption of a draft resolution adopted by the Committee without a vote.

On agenda 139, entitled "Human resources management", the Committee recommends to the General Assembly, in paragraph 6 of its report contained in document A/71/638/Add.1, the adoption of a draft resolution adopted by the Committee without a vote.

On agenda item 141, entitled "United Nations common system", the Committee recommends to the General Assembly, in paragraph 6 of its report contained in document A/71/709, the adoption of one draft resolution that was adopted by the Committee without a vote.

On agenda item 142, entitled "United Nations pension system", the Committee recommends to the General Assembly, in paragraph 6 of its report contained in document A/71/701, the adoption of one draft resolution that was adopted by the Committee without a vote.

On agenda item 145, entitled "Administration of justice at the United Nations", the Committee recommends to the General Assembly, in paragraph 6 of its report contained in document A/71/707, the adoption of one draft resolution that was adopted by the Committee without a vote.

On agenda item 146, entitled "Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994"; agenda item 147, entitled "Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991"; and agenda item 148, entitled "Financing of the International Residual Mechanism for Criminal

Tribunals”, the Committee recommends to the General Assembly, in paragraph 6 of the respective reports contained in documents A/71/703 to A/71/705, the adoption of the related draft resolution that was adopted by the Committee without a vote.

On agenda item 149, entitled “Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations”, the Committee recommends to the General Assembly, in paragraph 6 of its report contained in document A/71/708, the adoption of one draft resolution that was adopted by the Committee without a vote.

On agenda item 152, entitled “Financing of the United Nations Operation in Côte d’Ivoire”, the Committee recommends to the General Assembly, in paragraph 6 of its report contained in document A/71/715, the adoption of one draft resolution that was adopted by the Committee without a vote.

On agenda item 134, entitled “Proposed programme budget for the biennium 2016-2017”, in document A/71/716, the Committee considered two draft resolutions in paragraph 65 of its report. In draft resolution I, entitled “Special subjects relating to the programme budget for the biennium 2016-2017”, oral amendments were introduced as follows.

On section XV, the representative of Burkina Faso, on behalf of the Group of African States, introduced a first amendment. A recorded vote on the amendment was requested by the representative of Argentina, in which the Committee voted not to include the proposed amendment. A second amendment was introduced by the representative of Israel, followed by a request for a recorded vote on the amendment by the representative of Thailand on behalf of the Group of 77 and China, in which the Committee voted not to include the proposed amendment.

On section XIX, the representative of Cuba introduced an oral amendment. A recorded vote on the amendment was requested by the representative of Slovakia on behalf of the States members of the European Union, in which the Committee voted not to include the oral amendment. The Committee subsequently adopted the draft resolution as a whole without a vote.

The Committee, in paragraph 65 of document A/C.5/71/L.20, recommends to the General Assembly the adoption of the draft resolution contained in document A/C.5/71/L.19. In the same paragraph, the Committee

also recommends to the Assembly the adoption of the revised budget appropriations for the biennium 2016-2017, the revised income estimates for the biennium 2016-2017 and the financing of the appropriations for the year 2017. Under the same agenda item, the Committee provides advice to the General Assembly on the programme budget implications should it adopt five draft resolutions. The reports of the Fifth Committee on those statements are issued in documents A/71/710 to A/71/714.

Finally, under agenda item 133, entitled “Review of the efficiency of the administrative and financial functioning of the United Nations”, in paragraph 8 of its report contained in document A/71/717, the Committee recommends to the General Assembly the adoption of a draft resolution on the proposed programme budget outline for the biennium 2018-2019. Also, in paragraph 9 of the same report, the Committee recommends to the General Assembly the adoption of a draft decision relating to questions deferred for future consideration, which the Committee adopted without a vote.

I thank delegations for their cooperation and assure them that changes made during the 23rd formal meeting of the Fifth Committee will be reflected in the draft resolutions and reports, which will be issued shortly. Before I conclude, please allow me to thank the Chair of the Fifth Committee, Ambassador Inga Rhonda King, for the dedicated way by which she guided us through our difficult work, as well as my fellow colleagues in the Bureau, with whom we have always had robust, frank and amusing exchanges.

The Acting President: I thank the Rapporteur of the Fifth Committee.

Before proceeding further, I would like to emphasize to representatives that, as the Fifth Committee has just finished its work, the reports are available in English only. It is my understanding that they will be issued in all languages as soon as possible. I thank the Assembly for its understanding.

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 Fifth Committee, which are before the Assembly today.

It was so decided.

The Acting President: Statements will therefore be limited to explanations of vote. The positions of delegations regarding the recommendations of the Fifth

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

Before we begin to take action on the recommendations contained in the reports of the Fifth 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 Fifth Committee, unless notified otherwise in advance. This means that where recorded votes were taken, we will do the same. I should also hope that we will proceed to adopt without a vote those recommendations that were adopted without a vote in the Committee.

Agenda item 132

Financial reports and audited financial statements, and reports of the Board of Auditors

Report of the Fifth Committee (A/71/702)

The Acting President: The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 7 of its report. The text of the draft resolution, for the time being, is contained in document A/C.5/71/L.7.

We will now take a decision on the draft resolution. The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution A/C.5/71/L.7 was adopted (resolution 71/261).

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

Agenda item 137

Pattern of conferences

Report of the Fifth Committee (A/71/706)

The Acting President: The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 6 of its report. The text of the draft resolution, for the time being, is contained in document A/C.5/71/L.12.

We will now take a decision on the draft resolution. The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution A/C.5/71/L.12 was adopted (resolution 71/262).

The Acting President: The Assembly has thus concluded this stage of its consideration of agenda item 137.

Agenda item 139 (continued)

Human resources management

Report of the Fifth Committee (A/71/638/Add.1)

The Acting President: The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 6 of its report. The text of the draft resolution, for the time being, is contained in document A/C.5/71/L.11.

We will now take action on the draft resolution. The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution A/C.5/71/L.11 was adopted (resolution 71/263).

The Acting President: The Assembly has thus concluded this stage of its consideration of agenda item 139.

Agenda item 141

United Nations common system

Report of the Fifth Committee (A/71/709)

The Acting President: The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 6 of its report. The text of the draft resolution, for the time being, is contained in document A/C.5/71/L.15.

We will now take a decision on the draft resolution. The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution A/C.5/71/L.15 was adopted (resolution 71/264).

The Acting President: The General Assembly has thus concluded this stage of its consideration of agenda item 141.

Agenda item 142

United Nations pension system

Report of the Fifth Committee (A/71/701)

The Acting President: The Assembly has before it a draft resolution recommended in paragraph 6 of the report. The text of the draft resolution, for the time being, is contained in document A/C.5/71/L.6.

The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution A/C.5/71/L.6 was adopted (resolution 71/265).

The Acting President: The Assembly has thus concluded this stage of its consideration of agenda item 142.

Agenda 145

Administration of justice at the United Nations

Report of the Fifth Committee (A/71/707)

The Acting President: The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 6 of its report. The text of the draft resolution, for the time being, is contained in document A/C.5/71/L.13.

We will now take a decision on the draft resolution. The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution A/C.5/71/L.13 was adopted (resolution 71/266).

The Acting President: The General Assembly has thus concluded this stage of its consideration of agenda item 145.

Agenda item 146

Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Report of the Fifth Committee (A/71/705)

The Acting President: The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 6 of its report. The text of the draft resolution, for the time being, is contained in document A/C.5/71/L.10.

We will now take a decision on the draft resolution. The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution A/C.5/71/L.10 was adopted (resolution 71/267).

The Acting President: The Assembly has thus concluded this stage of its consideration of agenda item 146.

Agenda item 147

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Report of the Fifth Committee (A/71/703)

The Acting President: The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 6 of its report. The text of the draft resolution, for the time being, is contained in document A/C.5/71/L.8.

We will now take a decision on the draft resolution. The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution A/C.5/71/L.8 was adopted (resolution 71/268).

The Acting President: The General Assembly has thus concluded this stage of its consideration of agenda item 147.

Agenda item 148**Financing of the International Residual Mechanism for Criminal Tribunals****Report of the Fifth Committee (A/71/704)**

The Acting President: The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 6 of its report. The text of the draft resolution, for the time being, is contained in document A/C.5/71/L.9.

We will now take a decision on the draft resolution. The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution A/C.5/71/L.9 was adopted (resolution 71/269).

The Acting President: The Assembly has thus concluded this stage of its consideration of agenda item 148.

Agenda item 149**Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations****Report of the Fifth Committee (A/71/708)**

The Acting President: The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 6 of its report. The text of the draft resolution, for the time being, is contained in document A/C.5/71/L.14.

We will now take a decision on the draft resolution, entitled "Review of the United Nations Office to the African Union". The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution A/C.5/71/L.14 was adopted (resolution 71/270).

The Acting President: The Assembly has thus concluded this stage of its consideration of agenda item 149.

Agenda item 152**Financing of the United Nations Operation in Côte d'Ivoire****Report of the Fifth Committee (A/71/715)**

The Acting President: The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 6 of its report. The text of the draft resolution, for the time being, is contained in document A/C.5/71/L.18.

The Assembly will now take a decision on the draft resolution. The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution A/C.5/71/L.18 was adopted (resolution 71/271).

The Acting President: The Assembly has thus concluded this stage of its consideration of agenda item 152.

Agenda item 134**Programme budget for the biennium 2016-2017****Report of the Fifth Committee (A/71/716)**

The Acting President: In connection with agenda item 134, the report of the Fifth Committee, for the time being, is contained in document A/C.5/71/L.20.

The Assembly has before it two draft resolutions recommended by the Fifth Committee in paragraph 65 of its report, and a draft decision recommended by the Committee in paragraph 66 of the same report.

The Assembly will first take a decision on draft resolution I, entitled "Special subjects relating to the programme budget for the biennium 2016-2017".

I now give the floor to the representative of Burkina Faso to introduce a draft amendment.

Ms. Fofana (Burkina Faso) (*spoke in French*): I take the floor on behalf of the Group of African States to propose a draft amendment as paragraph 2 bis of section XV of draft resolution I. It reads as follows:

"Decides not to allocate budgetary resources for the implementation of resolution 32/2 of the Human Rights Council, on protection against violence and discrimination based on sexual orientation and gender identity".

The Acting President: The representative of Burkina Faso has proposed an oral amendment to section XV of draft resolution I. In accordance with rule 90 of the rules of procedure, the Assembly shall first take a decision on the draft amendment submitted by the representative of Burkina Faso on behalf of the Group of African States.

I now call on the representative of Argentina, who wishes to speak in explanation of vote before the voting.

Mr. Estreme (Argentina) (*spoke in Spanish*): I do not wish to prolong our deliberations at this very late hour. However, in the light of the draft amendment just presented by the delegation of Burkina Faso, I should like to speak on behalf of Brazil, Chile, Colombia, Costa Rica, El Salvador, Mexico, Uruguay and my own country, Argentina.

The representative of Burkina Faso has just put forward a draft amendment to reopen an issue that was duly decided upon by the Human Rights Council, the Third Committee, the Fifth Committee and the General Assembly itself. Our countries would like to reiterate their serious concern about the draft amendment — the purpose of which is not to approve additional resources related to resolution 32/2 of the Human Rights Council — given the precedent set by this type of amendment with regard to the traditional approach of the Organization to budget-related questions. An identical draft amendment was rejected by the Fifth Committee a few hours ago by the vast majority of Member States, including representatives from the five regional groups. That rejection is a recognition of the integrity and independence of the Human Rights Council to adopt and implement resolution 32/2. The language proposed would seriously affect the work of the independent expert established by the Human Rights Council, who has already been appointed and has taken up his functions. That mandate was established through a resolution adopted legitimately by the Human Rights Council within the framework of its prerogatives.

For those reasons, as the primary sponsors of resolution 32/2 in Geneva, our eight countries request a recorded vote on the draft amendment.

Before concluding, let me reiterate our concern about the implications that the draft proposal introduced by the delegation of Burkina Faso, should it be adopted, might have on the integrity and independence of the budget process and on the United Nations system for

the protection and promotion of human rights. Our eight countries will therefore vote against the draft amendment. We respectfully invite other delegations to vote along the same lines.

The Acting President: I should like to remind members that, in accordance with Article 18 of the Charter of the United Nations and rule 83 of the rules of procedure of the General Assembly, decisions of the General Assembly on amendments to proposals relating to important questions, and on parts of such proposals put to the vote separately, shall be made by a two-thirds majority of the members present and voting. We will therefore proceed on that basis.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Azerbaijan, Bahrain, Bangladesh, Belarus, Benin, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, China, Comoros, Congo, Côte d'Ivoire, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Ghana, Guinea, Guyana, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Kuwait, Kyrgyzstan, Lesotho, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Morocco, Namibia, Nauru, Nicaragua, Niger, Nigeria, Oman, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, Sierra Leone, Sudan, Syrian Arab Republic, Tajikistan, Togo, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Zimbabwe

Against:

Albania, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Canada, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Fiji, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Monaco, Mongolia, Montenegro, Nepal, Netherlands, New Zealand, Norway, Palau, Panama, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, San Marino, Serbia, Slovakia, Slovenia, South Africa, Spain, Sri

Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam

Abstaining:

Barbados, Bhutan, Guatemala, Honduras, India, Jamaica, Liberia, Myanmar, Papua New Guinea, Paraguay, Philippines, Saint Lucia, Saint Vincent and the Grenadines, Singapore, Trinidad and Tobago

The draft amendment to draft resolution I was rejected by 81 votes to 65, with 15 abstentions.

[Subsequently, the delegation of Estonia informed the Secretariat that it had intended to vote against.]

The Acting President: I now give the floor to the representative of Israel to introduce a draft amendment.

Mr. Amer (Israel): Israel proposes a draft amendment to be included as an operative paragraph in section XV of draft resolution I. The text, which is the same as presented in the draft resolution during the informal consultations, reads as follows:

“Decides not to approve any resources stemming from the adoption of resolution 31/36 by the Human Rights Council”.

The Acting President: The representative of Israel has submitted an oral amendment to section XV of draft resolution I. In accordance with rule 90 of the rules of procedure, the Assembly will now take a decision on the amendment submitted by the representative of Israel.

I shall first give the floor to members who wish to speak in explanation of vote before the voting.

Mr. González Sánchez (Cuba) (*spoke in Spanish*): My delegation does not believe it is appropriate to undermine the funding for draft resolution I. It is crucial to have a database of all companies taking part in the activities detailed in the report. We are waiting for that database to be updated and submitted to us in the report to the Human Rights Council at its thirty-fourth session. We do not support the draft oral amendment put forward by Israel and will therefore vote against it.

Mr. Adam (Sudan) (*spoke in Arabic*): On behalf of the Group of Arab States, we support the statement

made by the representative of Cuba with respect to the voting on the draft amendment.

The Acting President: A recorded vote has been requested.

A recorded vote was taken.

In favour:

Australia, Canada, Guatemala, Israel, Marshall Islands, Palau, United States of America

Against:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Chad, Chile, China, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Greece, Guinea, Guyana, 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, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, 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, 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, Zimbabwe

Abstaining:

Cameroon, Central African Republic, Côte d'Ivoire, Georgia, Ghana, Honduras

The draft amendment to draft resolution I was rejected by 148 votes to 7, with 6 abstentions.

[Subsequently, the delegation of Colombia informed the Secretariat that it had intended to vote against.]

The Acting President: I now give the floor to the representative of Cuba to introduce a draft amendment.

Mr. González Sánchez (Cuba) (*spoke in Spanish*): I refer to draft resolution I, section XIX, "Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council".

My delegation would like to reiterate its principled position over the past 10 years. My delegation believes there is no intergovernmental agreement negotiated by Member States with regard to the definition of the concept of the responsibility to protect. We also repeat what we said in the Committee during the question-and-answer segment with the Secretariat, namely, that it point us to a General Assembly resolution endorsing the principle of the responsibility to protect. No such resolution was proffered.

Resources related to the Special Adviser on the Responsibility to Protect seem to be conflated with those requested for the Special Adviser on the Prevention of Genocide, the role of which has the full support of my delegation as part of our consistent principled position against genocide. The proposed amendment does not seek to undermine either the functions or resources for the Special Adviser on the Prevention of Genocide.

Cuba would like to introduce the following draft amendments to section XIX of draft resolution I.

The first preambular paragraph should read as follows:

"Recalling that the General Assembly has not decided on the concept of responsibility to protect, its scope, implications and possible ways of implementation".

The second preambular paragraph should read as follows:

"Noting that the estimates of thematic cluster I comprise narratives, functions, expected accomplishments, indicators of achievements,

outputs and other information related to the Special Adviser of the Secretary-General on the Responsibility to Protect".

Operative paragraph 1 should read as follows:

"Decides to delete the narratives, functions, expected accomplishments, indicators of achievement, outputs and other information related to the Special Representative of the Secretary-General on the Responsibility to Protect as contained in the strategic framework and the related narratives of the Office of the Special Adviser to the Secretary-General on the Prevention of Genocide".

Operative paragraph 2 should read as follows:

"Requests the Secretary-General to issue a corrigendum to his report contained in document A/71/365/Add.1".

In conclusion, we ask that delegations vote in favour of the draft amendments I have just introduced.

The Acting President: The representative of Cuba has submitted an oral amendment to section XIX of draft resolution I.

In accordance with rule 90 of the rules of procedure, the Assembly will now take a decision on the amendment submitted by the representative of Cuba.

I shall first give the floor to members who wish to speak in explanation of vote before the voting.

Mr. Yazdani (Islamic Republic of Iran): My delegation asked for the floor to explain its vote on the draft amendment to section XIX of draft resolution I.

Iran has always supported the activities of the United Nations in all its areas of work, provided that they are in accordance with the rules and regulations of the Organization and remain within the purview of international law and the United Nations. Although Iran supports the function of the Special Adviser to the Secretary-General on the Prevention of Genocide, in the view of my delegation, the issue of the responsibility to protect, including its definition, is still under the consideration of the General Assembly. My delegation therefore finds it unacceptable that the limited financial resources of the Organization be allocated to the funding of posts for which there is no mandated definition. For those reasons, my delegation will vote in favour of the draft amendment proposed by the Cuban delegation.

Mr. Escoto (Nicaragua) (*spoke in Spanish*): My delegation requested the floor to explain its vote with regard to the draft amendment put forward by the representative of Cuba in connection with section XIX of draft resolution I, regarding estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council.

Any definition of the responsibility to protect must be based on a clear recognition of the principles of sovereignty, territorial integrity and non-interference in the internal affairs of States. Since 2012, resources for the Special Adviser on the Responsibility to Protect have been completely combined with the resources of the Special Adviser to the Secretary-General on the Prevention of Genocide. The budgetary estimates and the narratives related to the Special Adviser on the Responsibility to Protect should be eliminated and put up for consideration, and the General Assembly should take a decision on its concept and implementation, the scope of its application and other related matters.

For that reason, my delegation will support the draft amendment proposed by Cuba, and we urge other members to do the same.

The Acting President: A recorded vote has been requested on the draft amendment to section XIX of draft resolution I.

A recorded vote was taken.

In favour:

Angola, Belarus, Bolivia (Plurinational State of), Burundi, Comoros, Cuba, Ecuador, Egypt, Equatorial Guinea, Eritrea, Guinea, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Mauritius, Namibia, Nicaragua, Pakistan, Russian Federation, Saint Vincent and the Grenadines, Sudan, Syrian Arab Republic, Tajikistan, Uzbekistan, Venezuela (Bolivarian Republic of), Zimbabwe

Against:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Japan, Latvia, Lebanon, Liberia,

Liechtenstein, Lithuania, Luxembourg, Malaysia, Malta, Marshall Islands, Mexico, Monaco, Mongolia, Montenegro, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay

Abstaining:

Algeria, Antigua and Barbuda, Bahamas, Bahrain, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Central African Republic, Chad, China, Colombia, Congo, Djibouti, Dominican Republic, Ethiopia, Guyana, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lesotho, Libya, Mali, Mauritania, Morocco, Myanmar, Oman, Philippines, Qatar, Saint Kitts and Nevis, Saint Lucia, Saudi Arabia, Senegal, Serbia, South Africa, Sri Lanka, Suriname, Thailand, Togo, Trinidad and Tobago, Uganda, United Arab Emirates, United Republic of Tanzania

The draft amendment to section XIX of draft resolution I was rejected by 26 votes to 84, with 45 abstentions.

The Acting President: The Assembly will next take a decision on draft resolution I, entitled "Special subjects relating to the programme budget for the biennium 2016-2017". The Fifth Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution I was adopted (resolution 71/272).

The Acting President: I shall now give the floor to members who wish to speak in explanation of vote after the voting.

Ms. Fofana (Burkina Faso) (*spoke in French*): On behalf of the Group of African States, I would like to thank the 65 delegations that voted in favour of the draft amendment proposed by the African Group to section XV of draft resolution I, concerning the budgetary implications for the implementation of resolution 32/2 of the Human Rights Council, on protection against violence and discrimination based on sexual orientation or gender identity. By doing so, they have affirmed the

principles that guide the work of the Organization and affirmed respect for international law.

While we respect the results of the voting, we nonetheless regret the adoption of budgetary implications that allow the designated independent expert to coordinate actions around the ideas of sexual orientation and gender identity, which do not have a legal basis in international law. That implementation may further polarize Member States.

The African Group therefore expresses its grave concern with regard to the activities stipulated by the independent expert and the established budget. We reiterate the position expressed in this Hall of disassociating ourselves from the independent expert's mandate, as set out in resolution 32/2 of the Human Rights Council, and we reserve the right to take the necessary steps to ensure respect for our national legislation.

Mr. Ry Tuy (Cambodia): My delegation wishes to deliver a brief statement under agenda item 134 following the adoption of resolution 71/272, section II, on the request for a subvention to the Extraordinary Chambers in the Courts of Cambodia (ECCC) for the period from 1 January to 31 December 2017.

On behalf of the Royal Government of Cambodia, I express my appreciation for the good work advocated by the Secretary-General and his team. I thank the Principal Donor Group of Countries for their voluntary contributions towards the financial needs of the Courts since the commencement of operations in the Chambers in 2006.

The year 2016 marks 10 years since the establishment of the Extraordinary Chambers put to trial the top Khmer Rouge leaders most responsible for the crimes committed from 1975 to 1979. In case 001, convict Kaing Guek Eav, alias Duch, and in case 002/01, convicts Nuon Chea, former Deputy Secretary of the Communist Party of Kampuchea, and Khieu Samphan, former Head of State of Democratic Kampuchea, were sentenced to life imprisonment on 3 February 2012 and 7 August 2014, respectively.

On 23 November 2016, the Supreme Court Chamber of the ECCC pronounced judgments on the appeals submitted by the convicts of case 002/01, Nuon Chea and Khieu Samphan, for murderous crimes committed against humanity, persecutions of the people of Cambodia and for forced evacuation on 17 April 1975.

The work of the Courts is still continuing with regard to case 002/02 and case 003, as well as case 004, in order to try the senior leaders and those most responsible for the crimes committed against the Cambodian people wherein 1.7 million people were executed, starved to death, tortured or put to death by forced labour between 17 April 1975 to 6 January 1979.

By resolution 69/274, of 24 April 2015, the Secretary-General had been authorized to enter into commitments on an amount not to exceed \$12.1 million to supplement the voluntary financial resources of the international component from 1 January to 31 December 2015 by broadening the donor base for funding future activities of the ECCC, while all member States have appealed to provide voluntary support for both the international component and national component of the ECCC.

It should be well noted that the ECCC had its share of adverse cash positions, which resulted in the worsening of the financial situation. It should be taken into account that the ECCC is accomplishing its work most appropriately, compared to other international and hybrid courts.

Consistent with the agreement, the Government of Cambodia is continuing with the work in the Courts in order to avoid disruption of the judicial proceedings. I wish to welcome the adoption of the resolution that was submitted to the Assembly today.

Since 2013, the ECCC has been experiencing a shortfall of funds both for the international component and the national component. It has been estimated that the total funds required for 2017 for the international component and the national component will be \$30.13 million, that is \$23.76 million for the international component and \$6.47 million for the national component. The Government of Cambodia will contribute \$4.15 million toward the ECCC as in previous years, that is \$1.65 million for operational costs and \$2.5 million to meet the salaries of the national staff for six months of 2017.

Hence, in order to pay the salaries of the national staff for the next six months, we request that the United Nations raise funds from major donors and new potential donors. I also take this opportunity to ask for the support of our principal donors and group of interested States. We ask that they come forward to fill in for the payment of salaries of the national staff for the remaining six months of 2017.

In conclusion, I wish to add that my Government wishes to maintain the Court's current pace and is committed to working closely with the United Nations and all stakeholders to ensure that the ECCC will complete the remaining work by the target date, as the defendants are all ageing.

The Acting President: Draft resolution II is entitled "Programme budget for the biennium 2016-2017", the text of which, for the time being, is contained in document A/C.5/71/L.20. The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 71/273).

The Acting President: We now turn to the draft decision recommended in paragraph 66 of the report.

The draft decision is entitled "United Nations Office for Partnerships". The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

The draft decision was adopted (decision 71/544).

The Acting President: I now give the floor to the representative of the Syrian Arab Republic, who wishes to speak in explanation of vote.

Mr. Awad (Syrian Arab Republic) (*spoke in Arabic*): My delegation voted in favour of the draft amendment to section XIX of draft resolution I, in respect of special political missions. However, my delegation has reservations about the allocation of financial resources for the special representative to implement Security Council resolution 1559 (2004).

In that respect, we would like to state that Mr. Terje Rød-Larsen, United Nations Special Representative for the implementation of Security Council Resolution 1559 (2004), has been acting outside the mandate entrusted to him by the Security Council. Mr. Brahimi, the United Nations Special Envoy to Syria, does not possess the qualities stated in paragraph 12 of resolution 63/261. Until he resigned on 31 May 2015, he overstepped his mandate pursuant to resolution 1559 (2004), as he has been involved in bilateral relations between the two sovereign countries of Syria and Lebanon. That was stated in his report regarding establishing diplomatic relations between Syria and Lebanon and the demarcation of borders.

Mr. Rød-Larsen continues to stress that matter and did not notice that a Syrian Embassy had been open in

Beirut for over eight years. The Lebanese Embassy in Damascus has been open for the same period. Mr. Rød-Larsen showed bias towards Israel in his report by deliberately overlooking the fact that Israel failed to implement any of the obligations set forth in resolution 1559 (2004), in particular as it relates to withdrawal from the occupied territories.

My delegation joined the consensus on draft resolution II, on the programme budget for 2016-2017. However, in relation to section XV of the draft resolution, regarding the revised estimates on the resolutions and decisions of the Human Rights Council, my delegation has reservations concerning the allocation of financial resources for Human Rights Council resolutions 31/17 and 33/23, on the situation of human rights in Syria. Our position regarding such a politicized resolution is well known.

The Acting President: The Assembly has thus concluded this stage of its consideration of agenda item 134.

Agenda item 133 (continued)

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

Report of the Fifth Committee (A/71/717)

The Acting President: The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 8 of its report and a draft decision recommended in paragraph 9 of the same report.

The Assembly will take action on the draft resolution, entitled "Proposed programme budget outline for the biennium 2018-2019", the text of which, for the time being, is contained in document A/C.5/71/L.17. The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 71/274).

The Acting President: The Assembly will now take action on the draft decision entitled "Questions deferred for future consideration", the text of which, for the time being, is contained in document A/C.5/71/L.21. The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

The draft decision was adopted (decision 71/545).

The Acting President: The Assembly has thus concluded this stage of its consideration of agenda item 133.

Agenda item 115 (*continued*)

(l) Appointment of the judges of the United Nations Dispute Tribunal

The Acting President: Members will recall that the Secretary-General, in his report circulated in document A/71/163, recommended that the General Assembly approve the extension of the three ad litem judge positions for a period of 12 months, from 1 January to 31 December 2017, in order to allow the Tribunal to keep abreast of its caseload.

Members will also recall that, by its resolution 71/266, of 23 December 2016, the General Assembly decided, inter alia, to extend the three ad litem judge positions and the current incumbent judges for one year, from 1 January to 31 December 2017, whose current terms of office are about to expire. The three ad litem judges whose terms expire on 31 December 2016 are Judge Rowan Downing of Australia, Judge Alessandra Greceanu of Romania and Judge Nkemdilim Amelia Izuako of Nigeria.

Pursuant to resolution 71/266, the General Assembly will now proceed to the extension of the terms of the three ad litem judges for the period of 1 January to 31 December 2017.

May I take it that the Assembly wishes to extend the terms of office of the three ad litem judges — Judge Rowan Downing of Australia, Judge Alessandra Greceanu of Romania and Judge Nkemdilim Amelia Izuako of Nigeria — from 1 January to 31 December 2017?

It was so decided.

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (l) of agenda item 115?

It was so decided.

Programme of work

The Acting President: With regard to the programme of work of the General Assembly, apart from organizational matters and items that may have to be considered by operation of the rules of procedure of the Assembly, and bearing in mind that consideration

and action have already been taken by the Assembly on a majority of items thus far, I should like to inform members that the following items on the agenda remain open for consideration during the seventy-first session of the General Assembly: agenda items 9 to 15, 19, 19 (h), 20, 28 to 35, 37, 38, 40 to 46, 51, 61, 62, 62 (a) and (b), 65, 65 (a), 66, 68, 68 (b), 69, 69 (a) to (d), 73, 73 (a), 87, 110 to 112, 114, 114 (a), 115, 115 (b), (g), (h), (i), (j) and (k), 116 to 125, 126, 126 (b), (c), (e) to (h), (j), (k), (m), (p), (q), (s), (t) and (z) and 127 to 164.

May I take it that the Assembly wishes to take note of those agenda items that remain open for consideration during the seventy-first session of the Assembly?

It was so decided.

The Acting President: Before concluding, I wish to announce that this is the last meeting of the General Assembly for Ms. Antonina Poliakova, Meeting Services Assistant in the General Assembly Affairs Branch of the Department for General Assembly and Conference Management. Ms. Poliakova has worked at the United Nations for more than 17 years. In the past few years, she has been responsible for the list of speakers in the plenary of the General Assembly. Her ability to manage that maddening task and her contribution to the smooth conduct of Assembly meetings has been truly significant. I ask the Assembly to give her a round of applause in appreciation of her service. We wish her all the best.

Mr. Plasai (Thailand): I have the honour to take the floor on behalf of the Group of 77 and China for one last time this year. As Chair and proud member of this dynamic family of developing countries, I do so with gratitude in my heart and confidence in the future ahead. To say that this past year has been eventful and demanding would be an understatement.

Throughout the seventy-first session, our resolve to address the interests and needs of developing countries has been repeatedly tested. Time and again, we have been challenged by the sheer difficulty of building global consensus on the critical issues we believe must move the 2030 Agenda for Sustainable Development forward.

For its part, Thailand was intent on fulfilling the promise of the theme chosen for our chairmanship. We aim to realize the 2030 Agenda by taking it from vision to action. Negotiations this year — particularly in the Second, Fifth and Third Committees — have been taxing and complicated, but that was to be expected.

We were transitioning this year into implementing the 2030 Agenda. At times, that meant redefining our path in the context of a new agenda.

In the Second Committee, our notable collective achievements include an agreement on the follow-up and review of the 2030 Agenda at the global level, the quadrennial comprehensive policy review of operational activities for development of the United Nations system, which successfully set the stage for Member States to provide strategy guidance to the United Nations development system, and a new urban agenda — negotiated only once every 20 years. It was also notable that the Group submitted its first resolution on the promotion of international cooperation to combat illicit financial flows to foster sustainable development.

In the Fifth Committee, we successfully worked to ensure adequate resources for the 2030 Agenda and the Addis Ababa Action Agenda of the third International Conference on Financing for Development. Difficult and complex negotiations on issues related to human rights management, construction and renovation of United Nations property, revised estimates and, finally, the budget outline for the biennium 2018-2019, concluded an agreement just hours ago.

In the Third and other Committees, the Group of 77 and China have much to be hopeful for, and we express our confidence in partners to continue to engage constructively in the year to come. Where there is a will to find compromise, there is always a way.

The United Nations is our United Nations. That means that for developing and developed countries alike, we only have ourselves to blame. We are responsible for enabling the Organization to deliver to our people on the interrelated pillars of development, human rights and peace and security. The Group of 77 and China takes that to heart and relies on everyone to

ensure a strong multilateral system that is responsive to the critical needs of our people on the ground.

(spoke in French)

The Group of 77 and China welcomes the successful outcome of the long and difficult negotiations carried out throughout the year by all of our competent experts, who have devoted many, if not all, of their days and nights to that effort. We also thank our partners for their constructive commitment and goodwill throughout the negotiations. We also express our appreciation to the Committee Chairs for their exemplary leadership.

Despite the differences of opinion and challenges we encountered on the path to consensus this year, we demonstrated yet again that we could succeed. That success our confidence in our shared future — a future that we hope for, as a community of nations, and that we bequeath generations to come.

Finally, on my own behalf and on behalf of the members of my team, I convey my deepest gratitude and appreciation to the members of the Group of 77 and China. We thank them for their continued support throughout our presidency. It has been a true honour for the Kingdom of Thailand to promote the interests of the countries of the South.

In conclusion, I wish to thank the President and his team for their leadership and support throughout the process. I also wish everyone happy holidays and a happy new year. May we all return next year recharged and revitalized, after a well-deserved rest, to resume our work under the wise guidance of Ecuador. I wish Mr. Horacio Sevilla Borja, Permanent Representative of Ecuador, and his team success and courage in taking over the functions as President of the Group of 77 and China in 2017. With our firm commitment to support his presidency next year, I wish Ecuador the best of luck.

The meeting rose at 11.55 p.m.