



# General Assembly

Seventy-sixth session

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New York

Official Records

*President:* Mr. Shahid . . . . . (Maldives)

*The meeting was called to order at 10 a.m.*

## Agenda item 16

### Culture of peace (continued)

#### Report of the Secretary-General (A/76/357)

#### Draft resolutions (A/76/L.19 and A/76/L.21)

**Mr. Mohamed** (Egypt): At the outset, allow me to extend my thanks to the Secretary-General for his report (A/76/357) entitled “Promotion of a culture of peace and interreligious and intercultural dialogue, understanding and cooperation for peace”, submitted pursuant to resolutions 75/25 and 75/26. We commend the efforts of Bangladesh, Pakistan and the Philippines on the draft resolutions (A/76/L.19 and A/76/L.21) presented under this agenda item. We also praise the efforts of the various United Nations entities to create and promote a culture of peace and engage in interreligious and intercultural dialogue.

As described in the report, the magnitude of global transformations has given rise to new opportunities as well as threats, while global trends in certain areas, such as media, trade and technology, have brought the international community closer together. It is beyond doubt that, across the globe, inequality, intolerance, discrimination, xenophobia, violence and extremism are on the rise.

The extraordinary coronavirus disease (COVID-19) pandemic crisis, with its all-embracing and debilitating repercussions, has highlighted the still missing components of the culture of peace. It underscores the

urgent need to leverage the culture of peace as a means of bridging divides across and within societies, as well as ensuring peaceful coexistence as a foundation for ensuring international peace, security and development.

The gravity and complexity of such challenges required the combined efforts of the international community. For example, the optimism that prevailed in the world with the successful development of vaccines and the establishment of the COVID-19 Vaccine Global Access Facility quickly dissipated due to the significant disparity in access to vaccines between rich and middle-income and low-income countries. That issue needs to be at the top of the international agenda. No one is safe until everyone is safe.

In addition, as the world is at a crucial juncture in technology governance, there is an essential role for intellectuals, cultural leaders, the media and educators to play. Primarily online, it is imperative to make greater efforts to confront ideas that provoke hatred, promote ignorance, reject diversity and exclude others and to work on disseminating values of moderation and tolerance. In that regard, the media should play its role by raising awareness, combating extremist and destructive ideas and transmitting noble values.

In that context, it is important to note that efforts should also be made to prevent the misuse of modern technologies, mainly social media and the Internet, to spread incitement and hatred and to recruit under the guise of false religious claims. We must ensure that such technologies are used in the way in which they were originally intended, namely, to disseminate

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culture and knowledge and enhance positive interaction among peoples and civilizations.

Egypt has always been, and will continue to be, a power for promoting the culture of peace and tolerance through initiatives and efforts at the national, regional and international levels. I reiterate Egypt's strong support for the endeavours throughout the United Nations system to promote a culture of peace, as well as interreligious and intercultural dialogue. Only through concerted efforts by the international community and a dialogue can peace prevail and our efforts to eliminate intolerance, prejudices, negative stereotyping and discrimination succeed and endure.

**Mr. Al Khalil** (Syrian Arab Republic) (*spoke in Arabic*): My country's delegation would like to thank you, Mr. President, for convening this important high-level meeting on the culture of peace.

The Government of my country, the Syrian Arab Republic, has always been convinced that a culture of peace can be brought about and established only through respect for the principles of international law, the provisions of the Charter of the United Nations and international law resolutions. The adoption by the General Assembly of the Declaration and Programme of Action on a Culture of Peace seeks to build and establish such a culture at the international and national levels. Unfortunately, significant challenges remain in that regard. Everybody is aware that the first of those challenges is that some influential States seek to dominate our Organization by using its mechanisms and resolutions to serve their narrow interests, while concealing practices that flagrantly contravene the purposes and principles of the Charter, particularly with regard to respecting national sovereignty and non-interference in the internal affairs of Member States.

The challenges to maintaining international peace and security compel us all to promote a culture of peace by practice, not just by theories and resolutions, in order to ensure collective will that can lead to enhanced human communication, without exclusion, isolation, discrimination and antagonism, thereby prioritizing dialogue, cooperation, acceptance of others and coexistence, while putting an end to hegemonic and aggressive policies, usurpation of rights and the occupation of the territories of others. Establishing a culture of peace requires us to move from words to deeds by promoting the principles of the United Nations Charter, putting an end to the exploitation of

our joint mechanisms by some States to target specific States based on erroneous interpretations of some Articles of the Charter, such as Article 51, adopt a policy of double standards, politicize humanitarian issues or striving by certain States to impose their will at the international level, as we can see through unilateral coercive measures, whose catastrophic effects are being suffered by many peoples, including my people in Syria. In addition, policies of aggression and occupation continue to exist, including the Israeli occupation of Palestine and the occupied Syrian Golan, as well as other Arab territories occupied in 1967.

My country stresses the need to robustly and urgently address the recent increase in radical policies, hate speech, racism, stigmatization, stereotyping, undermining of religion and xenophobia, especially against refugees and migrants. Such obstacles will undermine the culture of peace to which we aspire, widen the gap among peoples and weaken confidence in the performance of our international Organization. Many peoples are still paying a heavy price for colonialist ambitions, interference, military invasions and terrorist wars that are supported by some Governments, in addition to the creation of illegal alliances, which, through their crimes and aggression, squander significant developmental and structural achievements realized by many developing countries, including my own country, Syria.

In conclusion, we hope to see joint action so that we can achieve results and implementable solutions on the ground that contribute to promoting a culture of peace and respect the national sovereignty of countries, given that the culture of peace is intrinsically linked to the 2030 Agenda for Sustainable Development and is a fundamental pillar for establishing international peace and security.

**Ms. Alshamsi** (United Arab Emirates) (*spoke in Arabic*): It is a pleasure for me to take part in this important debate on the culture of peace, which is a necessity today if we are to combat violence, hate speech and intellectual and religious intolerance in order to achieve a more peaceful and tolerant world. I would like to thank the Secretary-General for his latest report on the promotion of a culture of peace and interreligious and intercultural dialogue, understanding and cooperation for peace (A/76/357).

The year 2021 has tested the international community as we try to recover from the coronavirus

disease pandemic, whose social and economic impacts have spared no people regardless of borders, religions, gender or age. The United Arab Emirates believes that promoting a culture of peace is extremely important to ensure a better recovery and bring about more resilient and inclusive societies.

A few days ago, my country celebrated its fiftieth anniversary. We look forward to strongly and vividly keep going for the next 50 years so that the United Arab Emirates can be a haven for tolerance, coexistence and human brotherhood, while achieving peace, tolerance and well-being both for our own people and for the peoples of the entire world. Tolerance, coexistence and compassion are great human values to be shared by the peoples of the world. They have been advocated by all religions over time. The United Arab Emirates believes in the importance of inclusivity by involving all parts of society, in particular the most vulnerable, in all aspects of life at the local, regional and international levels.

In that regard, the United Arab Emirates launched the Global Alliance for Tolerance initiative in the context of Expo 2020 to call for greater international efforts to promote a culture of tolerance within all nations and achieve a happier global society that lives in peace and security.

Despite the vast technological and communication progress, the digital transformation remains a luxury in many parts of the world. If we want to be well-prepared to combat future crises, such as those of the current pandemic and the effects of climate change, we must pool our international efforts to ensure that the next generations can have a better future and define global trends that can bring inspiration and hope to peoples and urge them to work and realize achievements. In that context, my country has developed a Government digital strategy for 2025 that aims to bridge the digital gap and reduce inequalities while maintaining a safe, stable and peaceful society for a better future for humankind.

The United Arab Emirates is proud to have established partnership between Dubai Cares and United Nations Children's Fund to expand the scope of digital transformation that was launched last year with a view to realizing digital communication for all the people. We also welcome the efforts by United Nations Educational, Scientific and Cultural Organization, the International Telecommunication Union and the wider United Nations system to promote digital transformation.

It is crucial that Governments develop national plans and strategies to ensure the dissemination of the message of peace and tolerance with a view to a more peaceful future. That will help to achieve the goals of 2030 Agenda for Sustainable Development. The terms "dialogue", "tolerance", "integration" and "compassion" will serve humankind only if supported by tangible measures and inter-community cooperation. In that context, the United Arab Emirates, together with the Arab Republic of Egypt, the Kingdom of Bahrain and the Kingdom of Saudi Arabia, submitted the resolution entitled "International Day of Human Fraternity", which coincides with 4 February and was adopted unanimously by the General Assembly (resolution 75/200), to invite the world to celebrate common values together, based on acquaintance, coexistence and positive communication among human beings through national and international initiatives for the benefit of all throughout the world.

In conclusion, the United Arab Emirates will continue its efforts and initiatives as a partner with the world community to entrench the principles of peace for generations to enjoy greater solidarity and tolerance with a view to achieving sustainable development, which will lead to a world free from hatred and where peace prevails.

**Ms. Ighil (Algeria):** First of all, I would like to thank the Secretary-General for his report (A/76/357), which provides an important overview of the promotion of the culture of peace and interreligious and intercultural dialogue within the United Nations system. Allow me also to thank the delegation of Bangladesh and the delegations of Pakistan and the Philippines for presenting the two important draft resolutions A/76/L.19 and A/76/L.21) under this agenda item.

Today's debate is an opportunity to recall that the concept of peace is enshrined and deeply rooted in the Charter of the United Nations and, as such, must be promoted and upheld as a common driver of the international community's actions. The Declaration and Programme of Action on a Culture of Peace is a milestone document in that regard, as it recognizes that peace is a process that requires everyone's contribution and cooperation. We therefore need to reaffirm our commitment to international cooperation and solidarity, which are needed now more than ever.

Apart from existing challenges, as the coronavirus disease pandemic has spread, so has the alarming

number of tensions and conflicts, which has made a culture of peace all the more relevant. A global response is therefore required on the basis of coordinated action at all levels as part of a vision for sustainable and peaceful societies. The global pandemic has also underscored the urgent need to leverage a culture of peace as a means of bridging divides across and within societies and ensure peaceful coexistence as a foundation for implementing the Sustainable Development Goals. Concrete actions must therefore be taken to realize the culture of peace by addressing the root causes of conflicts, including combating violent extremism conducive to terrorism, eradicating poverty, promoting education and social inclusion, fostering good governance and the rule of law and decolonization.

As a crossroads of civilizations, throughout its history Algeria has always been, and remains, committed to the promotion of a culture of peace and dialogue within societies and nations. Against that backdrop, the values of peace and tolerance and the importance of economic, social and cultural policies based on inclusiveness and social justice were further strengthened in our new Constitution. The values of living together were also upheld by strengthening the rule of law, ensuring respect for human rights and fundamental freedoms, promoting the rights and status of women and preserving the social cohesion of Algerian society.

Moreover, Algeria's role at the regional and global levels has been consolidated by making peace and security and respect among nations an overarching principle of its foreign policy. To that end, Algeria continues to promote cooperation with its neighbouring countries as a mediator on the conflict in Mali, which led to the signing of the Agreement on Peace and Reconciliation in Mali and its contribution in promoting intra-Libyan dialogue. Furthermore, at the initiative of Algeria, the International Day of Living Together in Peace was proclaimed on 16 May, with the aim of further contributing to promoting the values of tolerance, peaceful coexistence, understanding and mutual respect as a means to guarantee peace and sustainable development.

Allow me to conclude by underscoring that, as we are in the process of reforming our Organization and implementing the 2030 Agenda for Sustainable Development, our hope is that the culture of peace could advance with the willingness to pursue our efforts towards achieving lasting peace throughout the world.

As the International Decade for the Rapprochement of Cultures nears its end in 2022, we have a unique opportunity to sustain the momentum on the culture of peace. My country is fully committed to that endeavour.

**Mr. Zambrana Torrelío** (Plurinational State of Bolivia) (*spoke in Spanish*): My delegation appreciates the convening of this meeting in order to adopt draft resolutions A/76/L.19 and A/76/L.21 under the agenda item "Culture of peace", recalling that our Organization and its Member States have a founding mandate to achieve peace.

The Declaration and Programme of Action on a Culture of Peace have contributed to the building of a new notion of peace, intrinsically linked to sustainable development, founded on the universal values of respect for life, freedom, justice, solidarity, tolerance and equality between women and men.

More than five years ago, we adopted resolution 70/1, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", which, in the eighth paragraph of its preamble states:

"We are determined to foster peaceful, just and inclusive societies which are free from fear and violence. There can be no sustainable development without peace and no peace without sustainable development."

However, my delegation believes that the world is artificially divided into societies where conflict, inequality and intolerance are on the rise.

My country comes from a region declared as a zone of peace, where strengthening multilateralism was presumed by my delegation as a key element in keeping our doors open to the world and highlighting that the historical and current inequality makes us prone to conflict.

In that context, concerned about the great tensions at the global level due to the many conflicts and the disproportionate impact of climate change, as well as structural inequalities, the gaps between developed and developing countries and discrimination among today's societies, which, in turn, bring with them a great humanitarian cost, Bolivia has made a firm commitment to the culture of dialogue among nations through people's diplomacy.

We are convinced that, in order to build a true path to sustainable development, we need a dynamic,

inclusive and participatory process that promotes mutual understanding and cooperation among States Members of this Organization. The culture of peace can be strengthened only in the context of an adequate quality of life for the entire population, without exceptions.

Today we take this opportunity to emphasize the consequences of the coronavirus disease. At a time when access to health care and the lives of our citizens were at risk, intolerance has increased. In my delegation's understanding, strengthening peaceful societies also requires coordination for equitable, universal and non-discriminatory access to vaccines, as well as effective vaccination mechanisms.

In conclusion, Bolivia believes that we must continue to work together to promote equality and tolerance in diversity. We can do that only through revitalized and inclusive multilateralism. Overcoming divisions among societies and cultures is urgent and necessary for peace, stability and development.

**The President:** We have heard the last speaker in the debate on this item.

We shall now proceed to consider draft resolutions A/76/L.19 and A/76/L.21. Delegations wishing to make a statement in explanation of vote or position before action on any or both of those draft resolutions are invited to do so now in one intervention.

Before giving the floor for explanations of position, may I remind delegations that explanations of are limited to 10 minutes and should be made by delegations from their seats.

I give the floor to the representative of Armenia.

**Mr. Knyazyan (Armenia):** I take the floor in explanation of position of the delegation of Armenia on draft resolution A/76/L.21, entitled "Promotion of interreligious and intercultural dialogue, understanding and cooperation for peace".

Armenia is strongly committed to the values and goals of the Declaration and Programme of Action on the Culture of Peace. The protection of religious and ethnic groups, the prevention of identity-based violence and countering hate speech are important priorities of multilateral cooperation to which our country is fully committed.

We attach the utmost importance to the unity and solidarity of the international community in addressing challenges to the values of tolerance,

peace and diversity, such as the rise in discrimination, stigmatization and incendiary rhetoric in the time of the pandemic. Upholding and promoting human rights and fundamental freedoms are an important prerequisite for promoting mutual respect, non-discrimination and building peaceful and inclusive societies.

Draft resolution A/76/L.21, which is before us, contains many valuable provisions related to the promotion of a culture of peace, better understanding and respect among civilizations, cultures and religions, and countering discrimination and intolerance. However, there are certain references that we deem incompatible with the promotion of interreligious and intercultural dialogue.

In particular, we reiterate our objection to the thirty-fifth preambular paragraph of the draft resolution, which refers to an event held in a Member State with a long-standing record of gross violations of human rights, racist policies and promulgation of hate speech that incites inter-ethnic hatred and violence. In 2020, amid an unprecedented global pandemic, that Member State launched an aggressive war, in violation of the Charter of the United Nations and the Secretary-General's call for a global ceasefire. The massive violence was accompanied by numerous war crimes, atrocities, torture and extrajudicial killings of prisoners of war and civilian hostages, as well as the intentional destruction and desecration of the Armenian Christian heritage.

For decades, Azerbaijan has promoted a policy of indoctrination of its own society, in particular its young people, with Armenophobia and hatred. In their reports, international organizations stress that political leaders, educational institutions and the media have continued to use hate speech against Armenians and that an entire generation of Azerbaijanis has now grown up listening to that hateful rhetoric.

One hideous example of such a policy is the inauguration of the so-called military trophy park in Baku on 12 April to display personal belongings and helmets of fallen Armenian soldiers, along with a most dehumanizing collection of wax mannequins depicting ethnic Armenians. The park has been extensively condemned by international organizations, human rights organizations and the independent media as a manifestation of intolerance and ethnic hatred.

While preparing reports on the promotion of a culture of peace and interreligious and intercultural

dialogue, it is imperative that the relevant United Nations departments pay specific attention to the context in which various international events are being organized and their real intent before referring to such events as “a key global platform for promoting intercultural dialogue”. Due regard should also be given to the record of the host country in terms of adherence to its obligations under international humanitarian law and international human rights law and the protection of cultural heritage of historical and religious significance.

Armenia therefore asks for a vote on the draft resolution and reiterates that references to the event referred to in the thirty-fifth preambular paragraph cannot be considered as agreed language in any future negotiations.

**The President:** We have heard the only speaker in explanation of position.

The Assembly will now take a decision on draft resolutions A/76/L.19 and A/76/L.21, one by one. We turn first to draft resolution A/76/L.19, entitled “Follow-up to the Declaration and Programme of Action on a Culture of Peace”.

I give the floor to the representative of the Secretariat.

**Ms. Ochalik** (Department for General Assembly and Conference Management): I should like to announce that, since the submission of draft resolution A/76/L.19, and in addition to those delegations listed in the document, the following countries have also become sponsors: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Austria, Azerbaijan, Bahrain, Belarus, Bhutan, the Plurinational State of Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, the Central African Republic, Chad, Chile, China, Colombia, Côte d’Ivoire, Djibouti, the Dominican Republic, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, the Gambia, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, India, Iraq, Japan, Jordan, Kenya, Kuwait, the Lao People’s Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Namibia, Nepal, Nicaragua, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Paraguay, Peru, the Philippines, Qatar, the Republic of Korea, Rwanda, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles,

Singapore, Spain, Sri Lanka, the Sudan, Suriname, the Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tunisia, Turkey, Turkmenistan, Tuvalu, the United Arab Emirates, Uruguay, Uzbekistan, the Bolivarian Republic of Venezuela, Zambia and Zimbabwe.

**The President:** May I take it that the Assembly decides to adopt draft resolution A/76/L.19?

*Draft resolution A/76/L.19 was adopted (resolution 76/68).*

**The President:** The Assembly will now take a decision on draft resolution A/76/L.21, entitled “Promotion of interreligious and intercultural dialogue, understanding and cooperation for peace”.

I give the floor to the representative of the Secretariat.

**Ms. Ochalik** (Department for General Assembly and Conference Management): I should like to announce that, since the submission of draft resolution A/76/L.21, and in addition to those delegations listed in the document, the following countries have also become sponsors: Bahrain, Bangladesh, the Plurinational State of Bolivia, Brunei Darussalam, Burkina Faso, Cambodia, the Central African Republic, China, Costa Rica, Djibouti, Equatorial Guinea, Eritrea, Ethiopia, Fiji, the Gambia, Guatemala, Guinea, Guinea-Bissau, Indonesia, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, the Lao People’s Democratic Republic, Madagascar, Malaysia, Morocco, Myanmar, Nicaragua, Oman, Panama, Peru, Qatar, the Russian Federation, Sao Tome and Principe, Saudi Arabia, Singapore, the Sudan, Thailand, Timor-Leste, Turkey, Turkmenistan, Uzbekistan, the Bolivarian Republic of Venezuela and Viet Nam.

**The President:** A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Albania, Algeria, Andorra, Angola, Argentina, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Chad, Chile, China, Colombia, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt,

El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, Nicaragua, North Macedonia, Oman, Pakistan, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, United Arab Emirates, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe

*Against:*

None

*Abstaining:*

Armenia, Australia, Canada, India, New Zealand, Norway, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uzbekistan

*The draft resolution was adopted by 139 votes to 0, with 9 abstentions (resolution 76/69).*

**The President:** Before giving the floor to speakers in explanation of vote after the voting, may I remind delegations that explanations are limited to 10 minutes and should be made by delegations from their seats.

**Mr. Malovrh** (Slovenia): I have the honour to speak on behalf of the European Union (EU) and its member States to explain our vote on resolution 76/69.

The EU is a strong supporter of freedom of religion or belief and actively encourages and supports interreligious and intercultural dialogue, understanding and cooperation for peace. We also believe that no meaningful dialogue can take place without proper guarantees for respect for the right

to freedom of expression. The freedom of religion or belief and the freedom of expression are interdependent and interrelated. Those values are at the core of the European Union.

We continue to regret that this resolution in many ways duplicates and distorts the provisions of two other draft resolutions recently adopted by the Third Committee — soon to be considered by the General Assembly. The first one, on freedom of religion or belief (draft resolution A/C.3/76/L.36), and the second, on combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief" (draft resolution A/C.3/76/L.48), were shaped over the past two years with the involvement of the main co-sponsors of the current resolution. We see no need for this resolution to address and redefine the same issues.

The resolution continues to include elements that are problematic for the EU. That includes the lack of stronger affirmation of the positive role that human rights, including the freedom of expression, play in furthering intercultural and interreligious dialogue. The overall balance between the freedom of religion or belief and the freedom of expression in particular attempts to redefine or curtail the latter.

The reference to a statement by the spokesman of the High Representative for the United Nations Alliance of Civilizations, which we believe is misleading as regards the right of everyone to exercise their freedom of expression, including with the right to religion, in the mentioning of a further event with yet unknown significance for this resolution, which takes the focus away from tangible achievements and adopted documents.

Throughout the negotiations, the proposals put forward by the EU had the following objectives: to enhance references to the full enjoyment of human rights and to safeguard important human rights, such as the freedom of expression and the freedom of religion or belief, against attempts to curtail or redefine them; to stress that the freedom of religion or belief, including the right not to believe, and to change one's religion or belief belongs to the individual, who can exercise that freedom alone or in community with others; and to reject the idea that religious symbols, as such, carry significance and stress that it is only individuals alone

or as a part of the community who can accord such significance to any symbol.

While we thank the co-facilitators for accommodating our main concerns, we still believe that the balance of the text should have been further improved, and we will continue to work on that in the future. We welcome the co-facilitators' decision to biennialize this resolution, which subscribes to the appeals for the revitalization of the work of the General Assembly and will give everyone ample time to reflect on further improvements to the resolution. With that understanding and those clarifications, the EU and its member States voted in favour of resolution 76/69.

**Ms. Lelek** (United States of America): The United States strongly believes in encouraging a culture of peace through the promotion of justice, democracy, human rights and fundamental freedoms, as well as by rejecting violence and addressing the root causes of conflict. In recognition of those values, we support resolution 76/68, on the follow-up to the Declaration and Programme of Action on a Culture of Peace. We thank Bangladesh for its leadership on that text and for its efforts to ensure that the text reflects the views of all United Nations delegations.

In addition, the United States supports efforts to promote interreligious and intercultural dialogue and cooperation. We thank the Philippines and Pakistan for their initiative in submitting resolution 76/69, on an important topic of key interest to all United Nations delegations. We would like to take this opportunity to clarify our position on the following issues.

The United States strongly supports the freedoms of expression and religion or belief. We oppose any attempts to unduly limit the exercise of those fundamental freedoms. In that context, we continue to have strong reservations about paragraph 15, where the text suggests that protections for freedoms of expression and religion or belief are at odds with one another. We strongly believe that protecting the freedom of religion and the freedom of expression promotes mutual respect and pluralism and is essential to human dignity and a robust civil society. We firmly believe that all people should be free to choose and practise their faith based upon the persuasion of the heart and mind. Freedom of religion plays an important societal role and is crucial to the creation of tolerant and respectful societies.

Those two freedoms are mutually reinforcing, and both must be respected in order to achieve meaningful

interreligious and intercultural dialogue. Rather than seek restrictions to expression to deal with intolerance or hate speech, the United States advocates for robust protections for speech, as well as the enforcement of appropriate legal regimes that deal with discriminatory acts and hate crimes. We remind Member States that, as recognized in the Istanbul Process for Combating Intolerance, Discrimination and Incitement to Hatred and/or Violence on the Basis of Religion or Belief, the open, constructive and respectful debate of ideas, as well as interfaith and intercultural dialogue at the local, national and international levels, can play a positive role in combating religious hatred and violence.

Regarding the invocation of "moderation" in paragraph 14, we are concerned that the implementation of moderation-focused programmes and policies could be subject to abuse. In particular, we are concerned that such programmes and policies could undermine the enjoyment of freedoms of expression and thought, conscience and religion or belief.

With respect to the twenty-fourth preambular paragraph and paragraph 15, the United States notes its reservations to the International Covenant on Civil and Political Rights.

Nevertheless, we reiterate our appreciation for the efforts of the Philippines and Pakistan in submitting this resolution on interreligious dialogue. The United States remains committed to working with Member States to promote tolerance and understanding.

**Mr. Dvornyk** (Ukraine): The delegation of Ukraine would like to make an explanation of vote with regard to resolution 76/69, entitled "Promotion of interreligious and intercultural dialogue, understanding and cooperation for peace". We thank the Philippines and Pakistan for presenting the text on this important topic. Ukraine acknowledges the importance of interreligious and intercultural dialogue for the purposes of peace and has always been a part of international efforts to that end. Ukraine supports all steps to promote tolerance and respect for cultural diversity and religious pluralism. At the same time, it is critical to ensure the freedom of expression and the freedom to hold opinions, including on religion.

In that regard, Ukraine does not support the idea of the inclusion in the text of the resolution the reference to the intentions of the Inter-Parliamentary Union to hold the World Conference on Intercultural and Interreligious Dialogue in the Russian Federation.

Regrettably, the Russian Federation attempts to make all international events that it hosts serve the goal of whitewashing its aggressive policies against States and repressive practices in the occupied areas, including in the religious and cultural dimensions. The ongoing pressure exerted upon religious communities remains a daily routine for people in the temporarily occupied Autonomous Republic of Crimea, the city of Sevastopol and the territories in Donetsk and Luhansk regions of Ukraine. The occupying Power's toolbox includes frequent police raids, the demolition of, and eviction from, buildings dedicated to religion, undue registration requirements that have affected legal statutes and property rights and threats against, and the persecution of those belonging to the Orthodox Church of Ukraine, mosques, Muslim religious schools and Jehovah's Witnesses. Dozens of peaceful Muslims have been convicted under trumped-up charges of allegedly belonging to Islamic organizations. The adoption of this resolution should not be interpreted as toleration of flagrant human rights violations by the Russian Federation, including the right to freedom of religion or belief.

**Mr. Alvarez** (Argentina) (*spoke in Spanish*): Argentina voted in favour of resolution 76/69, entitled "Promotion of interreligious and intercultural dialogue, understanding and cooperation for peace", because we believe that dialogue among religions and cultures can make a significant contribution to the goals of the Declaration and Programme of Action on a Culture of Peace.

Argentina has the greatest respect for religious freedoms and has adopted an approach that goes above and beyond mere tolerance and promotes understanding and mutual respect among those with theistic beliefs, non-theistic beliefs, such as those of some indigenous people, and atheistic beliefs. Religious freedom refers to a broad range of beliefs, encompassing institutionalized religions, cults, beliefs, popular observances and specific world views.

The freedom of religion or belief, the freedom of opinion and expression, the right to peaceful assembly and the right to freedom of association are interdependent and mutually reinforcing. They therefore play an important role in combating all forms of intolerance and discrimination based on religion or belief. In that regard, the Special Rapporteur on freedom of religion or belief indicated that international human rights law compels States to adopt a moderate approach

when addressing the tensions between the freedom of expression and the freedom of religion or belief.

That approach must be based on limitation criteria that recognize the rights of all persons to the freedom of expression and the freedom of religion or belief, regardless of whether they are critical of opinions, ideas, doctrines or beliefs or whether such expression shocks, offends or disturbs others, provided that it does not extend to promoting religious hatred or incitement to discrimination, hostility or violence. That is why we note with concern that, despite the efforts made, the draft resolution continues to place an unnecessary and counterproductive emphasis on limitations to the right to freedom of expression. Therefore, we note with concern the fact that resolution 76/69 places an unnecessary and counterproductive emphasis on restrictions of the right to freedom of expression.

In conclusion, we would like to express our appreciation to the resolution's facilitators, Pakistan and the Philippines, for their efforts aimed at bringing us closer together, and we look forward to continuing to work to that end in future sessions.

**Mr. Aliyev** (Azerbaijan): Azerbaijan would like to offer the following explanation of vote on resolution 76/69, entitled "Promotion of interreligious and intercultural dialogue, understanding and cooperation for peace", which was just adopted with the overwhelming support of the States Members of the United Nations.

Azerbaijan shares the main objectives of the resolution and voted in favour of it. We are grateful to the delegations of Pakistan and the Philippines for their leadership and strong commitment to promoting interreligious and intercultural dialogue. Azerbaijan attaches great importance to the promotion of a culture of peace, paying particular attention to encouraging intercultural and interreligious dialogue at the national, regional and international levels.

In that regard, we note that the resolution welcomes the declarations adopted by the Global Forums of the United Nations Alliance of Civilizations, which include the declaration made by the seventh Global Forum of the United Nations Alliance of Civilizations, held in Baku in April 2016. Furthermore, the resolution just adopted is the fifth to refer to the World Forum on Intercultural Dialogue as a key global platform for promoting intercultural dialogue, which since 2011 has been organized biennially by Azerbaijan, in cooperation

with UNESCO, the Alliance of Civilizations, the World Tourism Organization, the Council of Europe and the Islamic Educational, Scientific and Cultural Organization. We welcome the international recognition of the World Forum, the leading role and important contribution of which were also emphasized in three earlier reports of the Secretary-General (A/72/488, A/74/476 and A/74/212), in the United Nations Plan of Action to Safeguard Religious Sites, as well as in a number of other international documents.

Against this background, irrelevant and unacceptable comments made by the representative of Armenia, at the core of which are undoubtedly deeply rooted racial hatred and attempts to disguise his country's own flagrant violations of international human rights law and international humanitarian law, run counter to the very spirit, as well as the object and purpose, of the resolution. By presenting its standard set of insinuations, Armenia has once again eloquently confirmed that its narrow and short-sighted political agenda is incompatible with such notions as "culture", "peace" and "dialogue".

Azerbaijan regrets that, this year, again, the hostile position of Armenia has prevented the General Assembly from adopting this important resolution by consensus. We also regret that it could not join other Member States in co-sponsoring the resolution. Our position on the event and its highly controversial outcome document referred to in the thirtieth preambular paragraph of the resolution was explained in detail in the statement delivered by the delegation of Azerbaijan at the plenary meeting of the General Assembly held on 15 April 2018 (see A/73/PV.75).

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

Before giving the floor to speakers in the exercise of right of reply, I remind members that statements in the exercise of the right of reply are limited to 10 minutes for the first intervention and to five minutes for the second and should be made by delegations from their seats.

I now give the floor to the representative of Armenia.

**Mr. Knyazyan** (Armenia): I take the floor in exercise of Armenia's right of reply to the delegation of Azerbaijan.

Positioning itself as an example of multiculturalism and tolerance, Azerbaijan is investing significant

resources in an attempt to conceal and whitewash its responsibility for the State policy of dehumanizing the Armenian people, instigating identity-based hatred and violence, glorifying perpetrators of anti-Armenian hate crimes and committing atrocity crimes. The real intent of such window-dressing exercises as the so-called World Forum on Intercultural Dialogue is to draw the attention of the international community away from the decades-long systematic destruction, desecration and misappropriation of the millennia-old Armenian civilizational heritage in the territories currently under the control of Azerbaijan. The World Forum is held in a city hosting a military trophy park, the opening of which was condemned by international organizations as a manifestation of hate and intolerance — in a city that has twice been the scene of anti-Armenian atrocities, in 1918 and 1919.

In the twenty-first century, the opening of the so-called military trophy park stands as an example of medieval barbarism, which has nothing in common with the Charter of the United Nations, international law or values of the culture of peace. The Government of the country organizing such international events for decades has demonized Armenians as useful enemies and sought legitimacy by instigating anti-Armenian hatred. State-sponsored propaganda at the highest level and indoctrination of Azerbaijani society into Armenophobia, starting from school desks, have created grounds conducive to committing numerous war crimes, atrocities and other gross violations of human rights and humanitarian law against the people of Nagorno-Karabakh. Azerbaijani media and social networks have widely disseminated and celebrated the torture and inhuman treatment and extrajudicial executions of Armenian prisoners of war and civilian hostages at the highest political levels.

The grave crimes committed by Azerbaijan against the people of Nagorno-Karabakh, including in recent days, and the prevailing atmosphere of impunity in Azerbaijani society, encouraged by the incendiary and warmongering speeches of the country's leaders, have once again come forth to prove that, under Azerbaijani jurisdiction, it is impossible to guarantee the physical security and right to life of Armenians in Nagorno-Karabakh.

**Mr. Aliyev** (Azerbaijan): I have asked for the floor in the exercise of the right of reply in connection with the comments by the representative of Armenia. I would like to make the following points.

No matter how many international events Azerbaijan hosts and how many initiatives it puts forward, that is its sovereign right, as it is the right of any State or international organization to participate in or contribute to them or not. Armenia's attempts to challenge the resolutions of the General Assembly simply because they mention Azerbaijan as a host country of international events are irresponsible and unethical, although the question in this context is whether it is appropriate at all to talk about ethics in relation to Armenia.

Persistently trying to portray itself as the near-centre of civilization with traditions of coexistence, Armenia, unlike other countries in the South Caucasus and across the globe, is uniquely monoethnic, having achieved its homogenous composition as a result of a deliberate policy and practice of ethnic cleansing and cultural erasure against other peoples, including Azerbaijanis, who were once the largest national minority in Armenia. Armenia has also applied the same policy of creating a monoethnic culture in the formerly occupied territories of Azerbaijan. Indeed, what can be the weight of Armenia's allegations if it is not only liable for destroying, looting and vandalizing numerous cultural monuments and religious sites, but also for using mosques in the formerly occupied territories as pigsties, cow sheds and animal pens?

Armenia has never deplored such outrageous acts and instead stubbornly refrains from investigating and prosecuting numerous hate crimes committed by its nationals and other persons and groups under its direction or control. Moreover, continued attempts by Armenian officials to deny the existence of an Azerbaijani ethnicity or identity and to dehumanize Azerbaijanis as inferior, calling them "rootless nomads" with no historical or cultural ties to their lands, are illustrative of the deeply rooted racist prejudices in Armenia.

Azerbaijan has not unleashed aggression against anyone. A contrary assertion is absurd not only because the place names to which the representative of Armenia has referred as alleged objects of aggression or occupation are fictional and do not exist on a world map, but also because the assertion contradicts international law and numerous resolutions and instruments adopted by international organizations. Azerbaijan seriously suffered from the aggression unleashed against it by Armenia in the early 1990s. A significant part of the sovereign territory of my country was seized and

has remained under occupation for nearly 30 years, in flagrant violation of international law and relevant Security Council resolutions. In response to Armenia's armed attacks last fall, Azerbaijan used a counterforce to protect its people and end the occupation of its territories, acting exclusively on its sovereign soil, in full conformity with the Charter of the United Nations and international law. Azerbaijan's military actions were carried out in accordance with international humanitarian law. Suffice it to mention that the 44-day war resulted in more civilian casualties in Azerbaijani-populated settlements far outside the theatre of active hostilities than within it, in Armenian-populated areas.

We resolutely reject Armenia's allegations about the so-called anti-Armenian hatred and the destruction of Armenian cultural heritage. I would recommend that the representative of Armenia not waste time lecturing others about the principles, values and norms that his Government has consistently disregarded and opposed. Post-conflict realities pave the way for Armenia to release itself from its mythology and racist prejudices. Compliance with international law and good-neighbourly relations are the main objectives to which Armenia should finally begin aspiring.

**Mr. Knyazyan** (Armenia): I would like to exercise my second right of reply. I will not dignify the representative of Azerbaijan's statement with a response, bearing in mind that he attempted to deflect the attention of those present in the Hall from the topic of our discussion, namely, the culture of peace, by referring to its so-called counteroffensive and right to defence in the context of the pre-planned and well-prepared aggression of Azerbaijan against Nagorno-Karabakh in the fall of last year. I will refute the allegations just made by the delegation of Azerbaijan and would like to make several short comments.

The outrageous statement that we just heard does not come as a surprise. A simple look at the social media accounts of the delegation of Azerbaijan and its members would indicate the level of Armenophobic indoctrination in Azerbaijani society, especially young people. The glorification of masterminds of the Armenian genocide and their portrayal as saviours of Armenians is just one example of this ill-mindedness.

We heard allegations about being monoethnic. When it comes to the protection of national minorities, our point of reference is the protection of their rights, rather than using them for window-dressing exercises.

The gross violations of the rights of national minorities in Azerbaijan are documented in the reports on the implementation of the Council of Europe Framework Convention for the Protection of National Minorities. In stark contrast with Azerbaijan, Armenia's protection of ethnic and religious minorities is an indisputable priority, both domestically and internationally. National minorities are part of the vibrant political and public life in Armenia, including in Armenia's parliament and in local-community leadership. They are able to freely exercise their human rights and fundamental freedoms, profess their religion and exercise their linguistic rights, which is not in the case in Azerbaijan.

I will confine myself to quoting some reports of organizations on what is called Azerbaijani multiculturalism. In a report, the Council of Europe's European Commission against Racism and Intolerance states that

“Political leaders, educational institutions and media have continued using hate speech against Armenians; an entire generation of Azerbaijanis has now grown up listening to this hateful rhetoric.”

It seems to me that one representative of this generation is now present in this Hall. The report further stressed that, in 2012, the authorities pardoned, released and promoted Ramil Safarov, who had been sentenced in Budapest to life imprisonment for the murder of an Armenian army officer, without taking into account the risk of cultivating a sense of impunity for the perpetrators of racist crime.

Azerbaijani society follows its leaders and heroes, such as Ramil Safarov, whose warmongering and hate speech and aggressive military actions leave no doubt as to the genocidal intent of Azerbaijan. The country's leaders bear full responsibility for the consequences of the use of force, violence, destruction, war crimes and crimes against humanity committed during and in the aftermath of its aggression in the fall of last year.

**Mr. Aliyev (Azerbaijan):** Instead of replying to the specific points in our statement, as is customary, the representative of Armenia preferred to rely on a set of standard fabrications and distortions. As a result, we have heard irrelevant and out-of-context comments that apparently fail to respond to our arguments.

Attacks against a State Member of the United Nations demonstrate not only the ill-breeding of the authors and perpetrators of such acts, but also their

Government's irresponsibility and inadequacy vis-à-vis commonly agreed norms and values. Indeed, it would be unrealistic to expect the adherence to these norms and values by Armenia, whose leaders, without any remorse, have declared Armenians and Azerbaijanis ethnically incompatible and repeatedly ordered the brutal killings of thousands of Azerbaijani civilians, including children, women and the elderly.

The representative of Armenia said that the protection of national minorities is a priority for Armenia. But I want to quote a portion of the Government of Armenia's fourth periodic report under the International Convention on the Elimination of All Forms of Racial Discrimination, in which it stated that “Armenia is a monoethnic State”. The question in this regard is how Armenia protects minorities if they are non-existent in the country. It is of course ironic that Armenia — a country that unleashed aggression against Azerbaijan, committed heinous crimes during the conflict, carried out ethnic cleansing on a massive scale and methodically and systematically pursued a policy of destroying any traces of other cultures in the territories under its control, and a country where international terrorists, war criminals and even Nazi collaborators are national heroes — tries to portray itself as a staunch defender of human rights and a fighter against discrimination.

In conclusion, I would like once again to express the hope that, instead of sowing dissension and instilling enmity, Armenia will seize the historic opportunity to normalize its relations with neighbouring countries, finally realize that diversity, dialogue and mutual understanding and respect are an enrichment, not a threat, and join the participants at the next World Forum on Intercultural Dialogue in Baku.

**The President:** The General Assembly has thus concluded this stage of its consideration of agenda item 16.

## **Agenda item 35**

### **Prevention of armed conflict**

#### **(a) Prevention of armed conflict**

##### **Draft resolution (A/76.L.22)**

**The President:** I would like to remind members that the debate on this sub-item will be scheduled during the resumed part of the session on a date to be announced.

I now give the floor to the representative of Ukraine.

**Mr. Kyslytsya (Ukraine):** We have just adopted resolution 76/68, on the culture of peace, and agreed to promote a culture of peace at the national, regional and international levels and to ensure that peace and non-violence are fostered at all levels. And now, almost immediately, we have the chance to prove the worth of that resolution.

I have the honour to introduce draft resolution A/76/L.22, which focuses on the progressive militarization by the Russian Federation of the temporarily occupied territory of Ukraine, the Autonomous Republic of Crimea and the city of Sevastopol, as well as parts of the Black Sea and the Sea of Azov. By occupying the peninsula and transforming it into a powerful military base in the region, the Russian Federation has violated fundamental norms and principles of international law, primarily the United Nations Charter.

As of today, the territory of Crimea continues to be the host of a disproportionate number of weapons. Russia is conducting regular military exercises combined with intensive “snap” exercises in the territory that destabilize the military-political situation in the region. Today, Ukraine faces an even greater threat than before, since Russia’s military build-up near the State borders with Ukraine has reached at least 40 battalion tactical groups standing by to be deployed as part of a potential offensive operation.

On 5 December, we commemorated the twenty-seventh anniversary of the signing of the Budapest Memorandum on security assurances in connection with Ukraine’s accession to the Treaty on the Non-Proliferation of Nuclear Weapons, by three nuclear-weapon States, including Russia. Two decades later, my country has had to confront aggression launched by a nuclear-weapon State that had provided assurances of Ukraine’s sovereignty and territorial integrity. It is alarming that Russia has seized former Soviet-era nuclear-weapon storage sites in Crimea and deploys carriers and other means of delivering nuclear weapons in the peninsula.

Since the beginning of the occupation of Crimea, Russia has engaged in numerous flagrant violations of Ukraine’s rights under the United Nations Convention on the Law of the Sea and other relevant rules of international law. It has unlawfully excluded Ukraine from exercising its maritime rights in the Black Sea, the

Sea of Azov and the Kerch Strait. Russia also continues to disrupt international navigation in the Black Sea and the Sea of Azov by blocking the passage of ships through the Kerch Strait. A closure of unprecedented duration took place between the end of April and the end of October 2021. All of these challenges bear witness to the need for the establishment of the International Crimea Platform, the inaugural summit of which was held on 23 August 2021, in Kyiv, and which concluded its work by adopting the Joint Declaration of the International Crimea Platform Participants.

Given the current volatile situation, Ukraine, together with Albania, Australia, Belgium, Bulgaria, Canada, Costa Rica, Croatia, the Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Montenegro, the Netherlands, North Macedonia, Norway, Poland, Portugal, the Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Turkey, the United Kingdom, the United States of America, the Federated States of Micronesia and Palau, has submitted the updated draft resolution entitled “Problem of the militarization of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, as well as parts of the Black Sea and the Sea of Azov”.

This year’s draft resolution contains a number of important elements, including those focusing on the unprovoked build-up of forces in and around Ukraine; the ongoing inflow of weapons; the support of efforts within the Crimea Platform to address challenges stemming from the progressive militarization of the peninsula and parts of the Black Sea and the Sea of Azov; the need for Russia to ensure transparency as to its military activity in occupied Crimea, which undermines stability, military predictability and trust in the region; the interference and blocking of navigation of both commercial vessels and Government ships sailing under various flags; the expansion of naval bases for the Russian Federation’s Black Sea fleet; and the seizure of Ukraine’s oil platforms. The main purpose of the draft resolution remains unchanged: to ensure that Russia withdraws its military forces from Crimea and ends the temporary occupation of Ukraine’s territory.

One day, but not today, delegations may come to this Hall and cast their votes to amend the Charter, pursuant to its Article 108. Today is not that day, nor, in fact, has it been the day at any point over the last 30 years in which the Russian Federation has bedevilled its neighbours

and the countries beyond, kept its unwelcome troops on foreign territories, subsequently occupied and tried to illegally annex them, waged military aggressions, shot down civilian aircraft, committed gross human rights violations on the occupied territories and killed thousands of foreign military and civilians — starting with wars against its own people, in Chechnya, and moving outwards towards neighbouring countries. Indeed, through all these long and bloody decades, Russia has never dared to legitimize its presence in the Security Council.

Not by accident, Article 23 of the Charter continues to read that it is the Soviet Union, not the Russian Federation, that is a permanent member of the Security Council. Being a legitimate member of the Security Council does not mean asking the Secretariat to put a piece of plastic with your name on it in front of you; it means much more than that. In fact, it means undertaking obligations, respecting them and behaving accordingly. It means stopping aggressive militaristic policies, the occupation of foreign territories and the killing of foreign citizens. It means waging no wars. Then, and only then, the United Nations may gather in this Hall and cast the two-thirds majority vote to make the *de facto* presence of Russia in the Security Council a *de jure* membership. Only if that happens, I say to the members of the Russian delegation, will their grandchildren be able to go to the United Nations bookstore and buy a little blue book, open it and read in Article 23 that it is the Russian Federation, not the Soviet Union, that is a permanent member of the Security Council.

That is not the case today. Today we are voting to stop the Russian delegation from doing exactly the opposite of what a permanent member — or any member of the United Nations Organization — pledges to do. To vote in favour of draft resolution A/76/L.22 means to make an effort to stop the madness of bloodthirsty warmongering. To vote in favour means to respect the Charter. In its essence, today's vote is about the purposes and principles of the United Nations. It is about being on the right side of history. It is the General Assembly's choice, and the Assembly's choice alone.

**The President:** We shall proceed to consider draft resolution A/76/L.22. Before giving the floor for explanations of vote before the voting, may I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

**Ms. Mustafa** (Syrian Arab Republic) (*spoke in Arabic*): My country's delegation wishes to explain our vote before the voting with respect to the draft resolution contained in document A/76/L.22, entitled "Problem of the militarization of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, as well as parts of the Black Sea and the Sea of Azov".

My country's delegation continues to note the negative practices carried out by some States Members of the United Nations. These are practices that misuse and undermine sub-agenda item (a) of agenda item 34, entitled, "Prevention of armed conflict", by putting forward politicized and non-consensual draft resolutions that follow an approach based on exclusion and unilateralism. The draft resolution before us today clearly reflects the practices of political and financial polarization. It is a direct cause of spreading a policy of division and disagreement among States. It therefore cannot be considered an attempt by its sponsors and supporters to achieve security, peace and development.

The position of the Syrian Arab Republic with respect to the situation in Crimea is based on the results of the referendum held there on 16 March 2014, in which the people of Crimea reaffirmed their willingness to remain an integral part of the territory of the Russian Federation. We call upon Western Governments, which exploit the slogans of democracy and human rights so as to interfere in the affairs of other Member States and destabilize their security and stability, to end such policies and respect the will of the people of Crimea, which was expressed by more than 82 per cent of the participants in the popular referendum, who voted for self-determination, in line with international law, their right to self-determination and democratic practices. The results of the referendum, where more than 99.6 per cent voted in favour of reintegration into the Russian Federation, are clear and unequivocal.

Our position today is that we oppose politicization in the work of the General Assembly. This proceeds from our respect for the United Nations Charter and international treaties. We are committed to maintaining the rules and procedures of the General Assembly, and we are eager not to involve the Assembly in politicized issues or overwhelm its agenda with non-consensual draft resolutions, especially when such draft resolutions do not help resolve international disputes or maintain security and peace in a region or throughout the world. My country's delegation therefore will vote against the draft resolution contained in document A/76/L.22.

We encourage all States to vote against it or to abstain from voting.

**Mr. Chumakov** (Russian Federation) (*spoke in Russian*): In document A/76/L.22, the Russian delegation is seeing the General Assembly putting to a vote a politicized Ukrainian draft resolution. We call upon all reasonable and constructively minded delegations to join us in voting against it.

I will not speak at length because I see no point in doing so. Everything is crystal clear. For the fourth consecutive year, Ukraine, with support from a well-known group of States, has been forcing the General Assembly to consider a patently politicized and completely unrealistic draft document that in no way helps to resolve the internal conflict in that country. Furthermore, it merely sets us back in terms of settling the conflict insofar as it fuels the sick fantasies spread by the Maidan regime about the situation in Russian Crimea. The patently false nature of this is clear to any visitor to this completely open and prosperous Russian region.

Every year our Ukrainian colleagues rely on the objectionable and non-persuasive results of a vote, in an attempt to, contrary to facts and common sense, make it appear as if Kyiv's strategies and approaches enjoy broad international support. We are relatively unmoved in the face of these false narratives. Ultimately, this near self-hypnosis or self-persuasion might keep the Kyiv authorities from unleashing new military misadventures against the civilian population, but, putting it succinctly, the Assembly would be, to rephrase a Russian aphorism, giving the baby what he wants so that it keeps him away from the machine gun.

Appealing to the hopelessly blinded and reckless Maidan madness of the Ukrainian authorities is something that we have long viewed as pointless. Based on the completely unsubstantiated statement of the Ukrainian representative today, the paranoia that has seized his country is completely obvious. For this reason, I turn to our European and American colleagues and ask them to finally bring their heedless progeny to reason before he ignites yet another war in Europe. I say to them:

“Bring up this child. Teach him good manners. Take away his matches. Matches are not a toy for children.”

They must compel him to resolve the issues that have amassed in Ukraine instead of shifting responsibility for all of the country's woes on external factors. Blaming Russia for all of Ukraine's misfortunes is clearly becoming increasingly difficult for them. So egregious are the failures of the grotesque, nationalistic, oligarchical anarchy that has taken shape in our neighbour with their help.

I ask those of my colleagues who are not bound by *esprit de corps*, as well as those who do not wish to indulge Ukrainian madness, to be courageous and join us in reject the phantasmagorical text that is being put to the vote. Those Ukrainians who love their country and who strive to see it that it once again may become a normal State will thank them for it.

In conclusion, I wish once again, as is now customary, to very genuinely invite members to visit Russian Crimea, which became the way it is now by throwing off the shackles of the nationalistic licentiousness of the Maidan authorities following the referendum in March 2014. Upon arrival they will realize our Ukrainian colleagues' worst nightmare, in that they will see with their own eyes how shamelessly they are misleading the international community by concocting tales and chilling myths about Russian Crimea. I invite members to come visit — they will not regret it — for they will relax, like millions of tourists, including those from Ukraine, do every year. Meanwhile, I ask my colleagues to press the red button and help facilitate an end to this exceedingly protracted theatre of the absurd into which the Kyiv authorities are yet again attempting to drag us all.

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

The Assembly will now take a decision on draft resolution A/76/L.22, entitled “Problem of the militarization of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, as well as parts of the Black Sea and the Sea of Azov”. Before proceeding further, I would like to inform the Assembly that draft amendment A/76/L.22 has closed for e-sponsorship.

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

**Ms. Ochalik** (Department for General Assembly and Conference Management): I would like to announce that since the submission of the draft resolution, and in addition to the delegations already listed in

document A/76/L.22, the following countries have also become sponsors: Costa Rica, the Federated States of Micronesia, New Zealand and Palau.

**The President:** A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Albania, Andorra, Australia, Austria, Barbados, Belgium, Belize, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Poland, Portugal, Republic of Moldova, Romania, San Marino, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, United States, Vanuatu

*Against:*

Armenia, Belarus, Bolivia (Plurinational State of), Cambodia, China, Cuba, Democratic People's Republic of Korea, Eritrea, Ethiopia, Iran (Islamic Republic of), Kyrgyzstan, Lao People's Democratic Republic, Mali, Myanmar, Nicaragua, Philippines, Russian Federation, Serbia, Sri Lanka, Syrian Arab Republic, Venezuela (Bolivarian Republic of), Zimbabwe

*Abstaining:*

Algeria, Angola, Argentina, Bahrain, Bangladesh, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Chad, Chile, Colombia, Djibouti, Ecuador, Egypt, El Salvador, Guinea, India, Indonesia, Iraq, Jamaica, Jordan, Kazakhstan, Kiribati, Kuwait, Lebanon, Libya, Madagascar, Malaysia, Maldives, Mexico, Mongolia, Namibia, Nepal, Nigeria, Oman, Pakistan, Paraguay, Peru, Qatar, Republic of Korea, Sao Tome and Principe, Saudi Arabia, Senegal, Somalia, Suriname, Thailand, Togo, Trinidad and Tobago, Tunisia, United Arab Emirates, Uruguay, Viet Nam, Yemen

*Draft resolution A/76/L.22 was adopted by 62 votes to 22, with 55 abstentions (resolution 76/70).*

[Subsequently, the delegations of Guinea-Bissau and Mozambique informed the Secretariat that they had intended to abstain; the delegation of Japan informed the Secretariat that it had intended to vote in favour.]

**The President:** Before giving the floor to those wishing to speak in explanation of vote after the voting, I would like to remind delegations that explanations are limited to 10 minutes and should be made by delegations from their seats.

**Ms. Chua** (Singapore): I am taking the floor to explain my delegation's vote in favour of resolution 76/70, which was just adopted. Singapore is a small country. As such, we are deeply committed to multilateralism firmly grounded in respect for international law. We have always supported the principles of respect for territorial integrity, non-interference in the domestic affairs of sovereign States, respect for sovereignty and the rule of law. Singapore has taken a consistent position in opposing the annexation of any country or territory, as that is a clear violation of the principles of international law. For this reason, we continue to vote in favour of this resolution.

**Mr. Situmorang** (Indonesia): Allow me to take this opportunity to deliver Indonesia's explanation of vote on the resolution entitled "Problem of the militarization of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, as well as parts of the Black Sea and the Sea of Azov" (resolution 76/70), which was just adopted.

Indonesia's principled position remains unchanged. We opposed annexation and illegal territorial occupation of any sovereign country or territory, which is a flagrant violation of the august principles of United Nations Charter and international law. Indonesia attaches the greatest importance to upholding and respecting the principles of non-interference and the sovereignty and territorial integrity of all countries within their internationally recognized borders, including those of Ukraine.

There is no military solution to this issue. We are of the view that dialogue and diplomacy among concerned States remain the best avenues for resolving this issue. In this regard, we abstained from the voting on resolution 76/70, as some of the elements contained in the draft document may undermine the environment for dialogue. Indonesia's commitment to multilateralism and international peace remains unchanged.

Finally, Indonesia encourages concerned States to take any measures necessary to de-escalate tensions in order to open the way for negotiations. We call on all parties and the international community to support diplomatic efforts that would contribute positively towards the political settlement of this issue. Furthermore, we reiterate the importance of respecting constitutional processes and the principles of democracy in paving the way towards lasting peace.

**Mr. Assadi** (Islamic Republic of Iran): I take the floor to explain my delegation's vote on resolution 76/70 and to reiterate its position on the Russian-Ukrainian dispute.

We are of the view that the parties concerned should pursue the peaceful resolution of disputes through direct political dialogue to further efforts aimed at achieving a workable solution to the issue, on which agreements were reached in Minsk in 2015 and endorsed by the Security Council in resolution 2202 (2015). My delegation strongly opposes the politicization of United Nations mechanisms and the unconstructive interference of third parties in bilateral issues. While there is an accurate international mechanism in place that is supported by the Security Council, referring the issue to the General Assembly could bring out existing differences and sow division among the Member States rather than achieve a solution. As a prestigious representative organ, the General Assembly should not prematurely engage itself in a debate that has been on the Security Council agenda since the occurrence of the events that prompted it. Addressing such multifaceted issues of a highly political and controversial nature within the setting of the General Assembly will have little, if any, utility in furthering efforts to achieve a workable solution in this conflict.

Once again, my delegation emphasizes the importance of dialogue and diplomacy between the States concerned and strongly supports achieving a peaceful solution to the ongoing problem. Our principled position is to support a peaceful solution to the Ukraine-Russia dispute. We firmly believe that the issue must be resolved by the States concerned; any solution outside of that framework will not work unless endorsed by both the Russians and the Ukrainians.

**Ms. Jáquez Huacuja** (Mexico) (*spoke in Spanish*): I am taking the floor today to explain the Mexican delegation's decision to abstain from the voting on resolution 76/70.

We believe that a resolution of this nature could benefit from the contributions of the members of the Organization, but at the end of the day, the General Assembly had to vote on the draft presented to us by the delegation of Ukraine. We regret that this resolution was not subject to wide consultation, nor was it open to comments from the General Assembly that would urge, above all, that a peaceful solution to this conflict be found.

Mexico will always promote diplomatic dialogue as the only means to resolve conflicts and, in strict adherence to the United Nations Charter, rejects the use or threat of use of force. In this regard, we reiterate our call to all parties involved to respect the territorial unity of Ukraine, in accordance with resolution 68/262.

**Mr. Evseenko** (Belarus) (*spoke in Russian*): The Republic of Belarus voted against resolution 76/70. It continues to have a consistent position vis-à-vis the inadmissibility of bringing before the General Assembly and its subsidiary organs country-specific draft resolutions that are used exclusively as tools for political accusations. As has been repeatedly noted, the adoption of such documents backfires and only escalates confrontation. By no means does it help to resolve contentious issues.

Resolution 76/70 is one-sided and politicized in nature, merely cherry-picking issues from a whole gamut of destabilizing factors in the region. Additionally, the resolution undermines opportunities to seek a peaceful solution to the situation. It does not refer to the key, in our view, Minsk agreements, which play a crucial role in the peaceful resolution of the crisis within Ukraine.

We believe that the negotiations process under the Trilateral Contact Group and the full implementation of the agreements in the conflict area will help to put the peace process in Ukraine on a sustained positive trajectory. We stand ready to continue to do everything possible to help facilitate a resolution to the conflict in Ukraine, including by creating acceptable conditions for the activities of the Trilateral Contact group and negotiations in any other format. We are eager to promptly resolve this crisis on the sole basis of dialogue and mutual respect, which remain the critical conditions for that to be achieved.

**Ms. Pyo Jisu** (Republic of Korea): My delegation would like to note that our abstaining from the voting on resolution 76/70 does not constitute a departure from our position adopted in 2014, when we voted in favour of

resolution 68/262 and draft Security Council resolution S/2014/189. The Republic of Korea reaffirms its commitment to the sovereignty, political independence, unity and territorial integrity of Ukraine within its internationally recognized borders. In addition, we hope that the situation in the Russia-Ukraine border region does not escalate further.

**The President:** We have heard the last speaker in explanation of vote after the voting. We will now hear statements after the adoption of the resolution.

**Mr. Mills** (United States of America): The United States welcomes the adoption of resolution 76/70, entitled, “Problem of the militarization of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, as well as parts of the Black Sea and the Sea of Azov”.

We thank all of the States Members of the United Nations that joined us in voting in favour of this resolution. By adopting this resolution, the international community has once again affirmed its commitment to the sovereignty, political independence, unity and territorial integrity of Ukraine within its internationally recognized borders, in the face of continued Russian aggression.

Nearly eight years into its occupation of Ukraine’s Crimean peninsula, Russia’s increasing militarization continues to pose a serious and growing threat to our common security. The United States is gravely concerned by evidence that Russia has developed plans to make further and more significantly aggressive moves against Ukraine. The plans include efforts to destabilize Ukraine from within, as well as large-scale military operations.

We have also observed an intensification of Russia’s disinformation campaign against Ukraine. Make no mistake: Russian media is currently pushing a false narrative alleging that it is Ukraine that is seeking to provoke a conflict with Russia. Over the past several weeks, we have observed a massive spike — more than tenfold — in social media activity pushing anti-Ukrainian propaganda, approaching the levels last seen in the lead-up to Russia’s invasion of Ukraine in 2014. And this, of course, is a well-worn Russian tactic. Moscow falsely paints a target country as the aggressor in order to justify preplanned military action against that target.

The United States remains unwavering in support of Ukraine’s sovereignty, independence and territorial integrity. We support Ukraine’s efforts to use the Crimea Platform to focus international attention and action on the humanitarian and security costs of Russia’s occupation of Crimea, with the aim of peacefully restoring Ukraine’s control over this territory in accordance with international law.

Let me conclude by affirming that the United States does not and will not ever recognize Russia’s purported annexation of Crimea. Crimea is Ukraine.

**Mr. Paulauskas** (Lithuania): I have the honour to speak on behalf of eight Nordic and Baltic countries: Denmark, Estonia, Finland, Iceland, Latvia, Norway, Sweden and my own country, Lithuania.

Let me reiterate our support for the sovereignty and territorial integrity of Ukraine within its internationally recognized borders. We continue to condemn in the strongest possible terms Russia’s aggression against Ukraine and the illegal annexation of Crimea.

Our policy of non-recognition remains firm. We support the diplomatic efforts aimed at restoring Ukraine’s sovereignty and territorial integrity within its internationally recognized borders. We welcome the establishment of the International Crimea Platform launched at the inaugural summit that took place on 23 August and support its aim to peacefully end Russia’s temporary occupation and restore control of Ukraine over Crimea in full accordance with international law.

As stated in resolution 76/70, we are deeply concerned about the increased militarization of the Crimean peninsula by the Russian Federation, which includes in particular the transfers of highly destabilizing weapons systems and military personnel to Crimea, multiple military exercises, the construction of vessels, closure of parts of the Black Sea to non-Russian military and government ships, and restrictions on international shipping in the Kerch Strait, including interfering and blocking navigation both for commercial vessels going to and from ports of Ukraine and for government ships sailing under various flags. All this exacerbates tensions in the region and beyond. We urge the Russian Federation to stop such activity and to refrain from impeding the lawful exercise of navigational rights and freedoms in accordance with international law.

In addition, the escalatory nature of Russia’s military build-up around the Ukrainian borders — with

over 100,000 troops, military equipment, air and naval units — is deeply worrying. We urge the Russian Federation to de-escalate tensions by withdrawing forces. We also call on the international community to stay focused on this issue.

Furthermore, we are concerned about the human rights violations in Crimea, primarily targeting the Crimean Tatars. We condemn the continuing persecution by the Russian Federation of the Crimean Tatars and their leaders and call for the immediate release of those illegally detained and imprisoned.

We repeat the calls of the international community for unhindered access to the areas currently not under Ukraine's control, including the Crimean peninsula, for international organizations and human rights monitoring bodies.

As we have stated on numerous occasions, Russia must withdraw its military forces from Crimea and end its illegal annexation of Crimea without delay. We do not and will not recognize the illegal annexation of Crimea by Russia. It has detrimental consequences and constitutes a direct challenge to international security with grave implications for multilateralism and the global order that protects the territorial integrity, unity and sovereignty of all States.

**The President:** I now give the floor to the representative of the European Union, in its capacity as observer.

**Mr. Gonzato** (European Union): I have the honour to speak on behalf of the European Union (EU) and its member States. The candidate countries the Republic of North Macedonia, Montenegro and Albania, and the European Free Trade Association country Liechtenstein, member of the European Economic Area, as well as Ukraine, the Republic of Moldova and Georgia, align themselves with this statement.

As reaffirmed by its endorsement of the International Crimea Platform Declaration adopted in Kyiv on 23 August 2021, the EU does not and will not recognize the illegal annexation of the Autonomous Republic of Crimea and the city of Sevastopol by the Russian Federation. The European Union remains steadfast in its commitment to Ukraine's sovereignty and territorial integrity within its internationally recognized borders. Furthermore, the European Union and its member States reaffirm the universal and unified character of the United Nations Convention on

the Law of the Sea, which sets out the legal framework within which all activities in the oceans and seas must be carried out.

Russia's actions are in blatant breach of international law and key principles of international order. They are a violation of the United Nations Charter, which prohibits the use of force against the sovereignty, territorial integrity or political independence of any State. Moreover, Russia's actions violate the country's international and bilateral commitments and the principles of regional European security and stability enshrined in the Helsinki Final Act and the Charter of Paris for a New Europe — foundations of the Organization for Security and Cooperation in Europe (OSCE) — as well as the Budapest Memorandum of 1994.

As stated in the resolution 68/262, which was supported by the vast majority of the General Assembly, the so-called referendum organized by Russia on the peninsula in March 2014 has no legal validity, as it was a breach of Ukraine's Constitution and therefore cannot form the basis for alteration of the status of Crimea and Sevastopol. The European Union calls on all States Members of the United Nations to remain steadfast in their policy of non-recognition of Russia's illegal annexation, in line with resolution 68/262. For the same reason, the European Union does not recognize the Russian presidential decree, which entered into force on 20 March 2021, adding most of Crimea and Sevastopol to the list of border territories of the Russian Federation that prohibit non-Russian citizens from owning land.

Since the illegal annexation, the militarization of the peninsula by Russia has had a negative impact on the security situation in the Black Sea region as a whole. The building of the Kerch Strait bridge without Ukraine's consent and the subsequent arbitrary inspection regime at the Kerch Strait limits the navigation to and from Ukrainian ports, with negative economic consequences for Ukraine's economy and ports in the Azov Sea as well as for third countries.

We are seriously concerned about transfers by the Russian Federation of highly destabilizing weapons systems and military personnel to the peninsula since March 2014. Multiple military exercises of Russian armed forces have been held in Crimea. These exercises undermine regional security and entail considerable long-term negative environmental consequences in the region.

As documented in the reports by the United Nations High Commissioner for Human Rights, Russian citizenship and conscription in the armed forces of the Russian Federation have been imposed on Crimean residents in violation of international humanitarian law. Russian legislative elections have been illegally held in the illegally annexed Crimea, and a population census was conducted in an attempt to legitimize the illegal annexation of Crimea and to further undermine the sovereignty and territorial integrity of Ukraine within its internationally recognized borders.

As the EU has repeatedly urged, and as stated in the previous General Assembly resolutions on this topic, it is crucial that Russia withdraw its military forces from Crimea and end its illegal annexation of Crimea without delay. We call upon all Member States to cooperate with the United Nations to encourage and support efforts to that end and to refrain from any dealings with the Russian Federation in relation to Crimea that are inconsistent with this aim or could be seen as an implicit approval of its violation of international law. In this regard, we urge the Russian Federation to ensure safe, secure, unconditional and unimpeded access of all international monitoring mechanisms, including the OSCE Special Monitoring Mission, to the illegally annexed Autonomous Republic of Crimea and the city of Sevastopol.

The European Union remains committed to fully implementing its policy of non-recognition of the illegal annexation of Crimea and Sevastopol, which is based on the obligation not to recognize as lawful a situation created by a serious breach of international law, including through sanctions.

**Mr. Dvali** (Georgia) My delegation aligns itself with the statement made on behalf of the European Union and its member States. I would like to add few remarks in my national capacity.

Georgia strongly condemns the illegal annexation of Crimea and the city of Sevastopol by Russia and the continuous violation of sovereignty and territorial integrity of Ukraine, including the instigation of conflict in eastern Ukraine. Russia's massive military build-up in Crimea and the Black and Azov Seas and at the borders of Ukraine significantly undermines the security of the wider Black Sea region and has serious global implications.

Russia's overall illegal and provocative actions in Ukraine are a great challenge to the international

community. Its actions to change borders of sovereign nations by force directly contradict international law and the rules-based order, as well as the United Nations Charter and the Helsinki Final Act. In addition, the continuous occupation and militarization of sovereign territories in my country, Georgia, is yet another example of Russia's illegal and reckless behaviour in the Black Sea region.

We call on the international community to take prompt and resolute action to make Russia abide by the principles and norms of international law and to deter its further aggressions. With resolution 76/70, adopted today, the international community once again sends a strong message to Russia that the annexation of Crimea, and its illegal actions in the occupied territories of Ukraine, including massive militarization, will never be accepted.

**Mr. Roberts** (United Kingdom): I am taking the floor to reaffirm the United Kingdom's unwavering support for the independence, sovereignty and territorial integrity of Ukraine within its internationally recognized borders. Russia's illegal annexation of Crimea in March 2014 was a flagrant violation of Russia's international commitments and demonstrated a clear disregard for the Charter of the United Nations, international law and the rules-based international order. Since then, Russia's actions in Crimea have remained a direct challenge to international security, with grave implications for the international legal order that protects the unity and sovereignty of all States. We reiterate that we do not and will not recognize Russia's illegal annexation of Crimea, which remains an integral part of Ukraine.

The United Kingdom condemns Russia's ongoing militarization of Crimea, which includes the transfer of weapons systems into the territory of Ukraine, including nuclear-capable aircraft missiles, weapons, ammunition and military support. The extension of Russia's Black Sea fleet's naval bases and the strengthening of its coastal missile brigades are a concern for all countries in the Black Sea region, as are the seizure of former nuclear-weapon storage sites in Crimea, the conscription of over 31,000 Crimean residents into the Russian armed forces since 2014, including assignment to military bases in the Russian Federation, and Russian education policies in Crimea, which aim to indoctrinate children into joining the Russian military forces. We must stand together and respond robustly to such actions. We welcome the establishment of the

International Crimea Platform as a mechanism through which we can work with Ukraine and the international community to address the aforementioned challenges.

The United Kingdom is also deeply concerned about Russia's continued pattern of destabilizing action and military build-ups on Ukraine's border and in the illegally annexed Crimea. These pose a threat to the entire international community. We urge Russia to uphold the principles and commitments of the Organization for Security and Cooperation in Europe (OSCE) that it freely signed up to and which it continues to violate through its ongoing aggression against Ukraine.

The adoption of resolution 76/70 today sends a strong signal that the international community finds Russia's threatening and destabilizing behaviour unacceptable and that it must cease its troubling campaign of aggression towards Ukraine and its militarization of the illegally annexed peninsula and the region.

**Mr. Szczerski (Poland):** Poland aligns itself with the statement of the European Union, and I now wish to deliver a statement in my national capacity.

Poland unwaveringly condemns the illegal annexation of Crimea by the Russian Federation. We continue to deem it contrary to the key principles of the rules-based international order and illegal in the light of international law. We would like to take this opportunity to reiterate our strong support for Ukraine's sovereignty and territorial integrity within its internationally recognized borders.

Russia's aggression against our eastern neighbour constitutes a part of a much bigger problem, and today we wish to draw the General Assembly's attention once again to the very upsetting reality of the series of frozen conflicts in the post-Soviet space. The continuing and recurrent stand-offs in Ukraine, the Republic of Moldova and Georgia — just to name a few, and together with the situation in Belarus — make it one of the most problematic regions in the world. It should be noted that behind all of them stands a hegemon that, unrestricted in its actions by any sort of democratic scrutiny, never came to terms with the long-overdue collapse of the Soviet Union.

Poland deeply believes in the power of law and completely discards the law of power in international relations. Leaving cases of violations of international

law, including interference with the sovereignty and territorial integrity of States, without a firm response from the international community will always be a factor that encourages the replication of such negative behaviour. This is what we have indeed witnessed time and time again, with thousands of victims and a dramatic deterioration of humanitarian situation.

In this context, we are very concerned with the ongoing Russian military build-up along the Ukrainian border. Twice this year, thousands of Russian military personnel with hundreds of tanks, artillery systems and other advanced weaponry have gathered there. A realistic de-escalation of the situation can be achieved only after the Russian troops have been withdrawn. In the light of insufficient transparency and predictability on the aggressor's side, most countries of the region have no choice but to enhance their resiliency and deterrence. Along with our partners in the region, Poland is fully convinced that peace should be protected by law, but the law needs to be supported by effective resilience and deterrence capabilities.

Poland believes that efforts to resolve the Russian-Ukrainian conflict need to include all stakeholders. On the eve of assuming the Chairmanship in the Organization of Security and Cooperation in Europe (OSCE), we commit ourselves to being open to all initiatives that could lead to reaching a solution to the conflict, including through the activities of the OSCE Special Monitoring Mission. But a solution can only be achieved based upon the rule of international law.

**The President:** We have heard the last speaker on this agenda item.

The General Assembly has thus concluded this stage of its consideration of sub-item (a) of agenda item 35.

#### **Agenda item 78 (continued)**

##### **Oceans and the law of the sea**

###### **(a) Oceans and the law of the sea**

###### **Report of the Secretary-General (A/76/311 and A/76/311/Add.1)**

###### **Report on the work of the United Nations Open-ended Informal Consultative Process on**

**Oceans and the Law of the Sea at its twenty-first meeting (A/76/171)**

**Report on work of the Ad Hoc Working Group of the Whole on the Regular Process (A/76/391)**

**Draft resolution (A/76/L.20), as orally revised.**

**(b) Sustainable fisheries, including through the 1995 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, and related instruments;**

**Draft resolution (A/76/L.18)**

**Mr. Blanco Conde** (Dominican Republic) (*spoke in Spanish*): First of all, I would like to thank Singapore and Norway for successfully facilitating the negotiating process to underscore our shared mandate to care for and protect the oceans.

As we stand on the threshold of the fortieth anniversary of the United Nations Convention on the Law of the Sea, we congratulate ourselves for having understood at that time that the ocean must be protected and that, despite mistakes made along the way, our actions had to be aimed at safeguarding the ocean and the entire planet. We must admit, however, that, despite the many agreements, declarations and efforts made, the sea and all that it contains remain fragile and still in need of our commitment. Accordingly, to effectively defend them, we must recognize some sad truths, such as the fact that our coral reefs and their biodiversity are dying as a consequence of ocean acidification derived from global warming and pollution produced by maritime transport. Likewise, hundreds of millions of fish, including sharks, are fished every year, mostly illegally.

The Dominican Republic appreciates the importance of the report of the Secretary-General (S/2021/311 and S/2021/311/Add.1) and the efforts made through the United Nations Convention on the Law of the Sea (UNCLOS) in terms of the Commission on the Limits of the Continental Shelf, the International Seabed Authority and the International Tribunal for the Law of the Sea.

Of particular importance for our country will be the United Nations Ocean Conference, organized by the Governments of Kenya and Portugal, which

will take place in Lisbon in June 2022. We are confident that the Conference will create momentum to promote solutions and achieve the implementation of Sustainable Development Goal 14 by 2030, while proposing science-based solutions in favour of new global initiatives. We are hopeful that the fourth session of the Conference on Biodiversity Beyond National Jurisdiction will finally achieve a legally binding instrument for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction.

In spite of all the difficulties, we are pleased to have understood that this is a time for action and not words. It is a time for peace with nature, where we must make every effort to live with nature and enjoy all the benefits it offers. We therefore welcome the imminent adoption of the two important draft resolutions before us — on oceans and the law of the sea (A/76/L.20, as orally revised) and on sustainable fisheries (A/76/L.18).

**Ms. Ioannou** (Cyprus): We fully subscribe to the statement delivered by the representative of the European Union earlier in this debate (see A/76/PV.46). We thank Singapore and Norway for their hard work facilitating the draft resolutions before us (A/76/L.20, as orally revised, and A/76/L.18, respectively), and we look forward to resuming regular negotiations thereon in the next session.

Cyprus has co-sponsored both draft resolutions, and we look forward to their unanimous adoption. Draft resolutions of this kind should not be questioned by being subjected to a vote, in a futile attempt to question the United Nations Convention on the Law of the Sea (UNCLOS) as the Constitution of the Oceans and the indisputable legal framework for all activities in our oceans and seas. The Convention represents a carefully crafted balance among the rights and interests of all States irrespective of their specific characteristics. It reflects customary international law, enforceable by and against nations that are not a party to the Convention. This entails, *inter alia*, a responsibility on the part of all States to ensure that all inter-State arrangements they enter into, including maritime delimitations, are in line with general international law.

Given the opportunity of this debate, my delegation wishes to underline the following. First, no State should demand special treatment or encroach on the rights of other States or engage in practices that aim to deconstruct the clear legal regime established by the

Convention, including in respect of island States and States comprising islands.

Secondly, no State should disrespect the sovereignty and sovereign rights of other littoral States by conducting unlawful activities in the maritime zones of adjacent coastal States and by preventing Member States from exercising their sovereignty and sovereign rights in their maritime zones.

Thirdly, no State should attempt to create faits accomplis based on outlandish maritime claims, irredentist and expansionist strategies or a distorted perception of international law simply because its might allows it to, and no State should endanger peace and security in the pursuit of gunboat diplomacy.

Fourthly, no State should enter into dubious bilateral arrangements that contravene the Convention. Such arrangements have no legal effect, nor do they affect the status of UNCLOS as the sole pertinent universal legal framework on the delimitation of maritime zones, codifying international law. Upholding the integrity of the Convention is the collective responsibility of all of us.

Fifthly, the principles of good-neighbourly relations and the sovereignty and sovereign rights over the maritime zones of all neighbouring coastal States need to be respected in delimiting maritime zones, along with the primacy of the peaceful settlement of disputes in international relations.

Sixthly, UNCLOS provides the stability, predictability and security we all sought when concluding the Convention after long and difficult negotiations. It is now up to all of us to comply with the rules-based order at sea, as that is well established by UNCLOS.

Before concluding, I wish to add a word on sea-level rise, as one of the urgent climate-change-induced consequences that particularly affects island States like mine. The existential nature of this threat requires us not only to curb emissions and take practical remedial measures, but also to seek legal clarification as to the possible effects of rising sea levels. My delegation cannot overstate the indispensability of fully complying with UNCLOS — and fully respecting its letter and spirit — in the clarification of any legal aspect of sea-level rise and its consequences, taking into account the customary nature of the Convention and, in particular, Article 121, on the regime of islands.

**The President:** I now call on His Excellency Mr. Albert Hoffmann, President of the International Tribunal for the Law of the Sea.

**Mr. Hoffmann** (International Tribunal for the Law of the Sea): I am grateful for the opportunity to make this statement to the General Assembly on behalf of the International Tribunal for the Law of the Sea as part of the Assembly's consideration of the agenda item "Oceans and the law of the sea".

As a result of the coronavirus disease (COVID-19) pandemic, I was prevented from addressing the Assembly last year. I therefore wish to report on some organizational and judicial developments at the Tribunal during the last two sessions of the General Assembly. These developments have taken place against the backdrop of COVID-19, and I will also outline how the Tribunal has responded to the challenges created by the pandemic.

The Tribunal, like all other international organizations, has felt the impact of the COVID-19 pandemic. Therefore, the fiftieth session of the Tribunal, in autumn 2020, and the fifty-first session, last spring, were held in hybrid format, with some judges present in Hamburg and those unable to travel attending via video link from their places of residence. In the light of the experience of the pandemic, on 25 September 2020, the Tribunal amended its rules of procedure to provide that, as an exceptional measure, for public health, security or other compelling reasons, hearings, readings of judgments or meetings of the Tribunal can be held entirely or in part by video link. Subsequently, from 13 to 19 October 2020, the Special Chamber of the Tribunal dealing with the *Dispute concerning delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean* held a hearing in hybrid format, combining physical and virtual participation of members of the Special Chamber and representatives of the Parties. Let me add that, at its fifty-first session, on 25 March 2021, the Tribunal also decided to amend its rules, which were initially adopted on 28 October 1997, with a view to rendering them gender neutral.

With the Assembly's permission, I will now turn to the judicial work of the Tribunal. I am happy to report that, despite the impact of the pandemic, the Tribunal has continued to carry out its judicial mandate throughout the years 2020 and 2021, dealing with the two cases currently on its docket. Let me first address the Dispute

concerning delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean, to which I have already referred. Members may recall that, in relation to this dispute, Mauritius had initially, in June 2019, instituted annex VII arbitral proceedings against the Maldives and that the parties later, in September 2019, had agreed to transfer the dispute to a special chamber of the Tribunal. On 18 December 2019, the Maldives filed written preliminary objections to the jurisdiction of the Special Chamber and the admissibility of Mauritius' claims. On 28 January 2021, the Special Chamber delivered its judgment on the preliminary objections. Let me briefly highlight some important aspects of the Special Chamber's findings.

The Maldives presented five preliminary objections. As its first preliminary objection, the Maldives contended that the United Kingdom was an indispensable third party to the proceedings, but as the United Kingdom was not a party to those proceedings, the Special Chamber lacked jurisdiction over the alleged dispute. In its second preliminary objection, the Maldives submitted that the Special Chamber had no jurisdiction to determine the disputed issue of sovereignty over the Chagos Archipelago, which it would necessarily have to do if it were to determine Mauritius' claims in these proceedings.

The Special Chamber, which examined these two objections together, first addressed the relevance of an award that had been rendered on 18 March 2015 by an arbitral tribunal in the *Chagos Marine Protected Area Arbitration (Mauritius v. United Kingdom)*. In the view of the Special Chamber, this award demonstrated that,

“aside from the question of sovereignty, the Chagos Archipelago has been subject to a special regime, according to which Mauritius is entitled to certain maritime rights”.

It may be of particular interest to the General Assembly that the Special Chamber, in its considerations, also dealt with an advisory opinion of the International Court of Justice rendered in response to questions submitted by the General Assembly and with a resolution subsequently adopted by the Assembly. I refer here to the advisory opinion of the International Court of Justice of 25 February 2019 on the *Legal Consequences of the Separation of the Chagos Archipelago from Mauritius* in 1965 and to resolution 73/295 of the General Assembly of 22 May 2019.

As to the *Chagos* advisory opinion, the Special Chamber found that

“[t]he determinations made by the [International Court of Justice] with respect to the issues of the decolonization of Mauritius in the Chagos advisory opinion have legal effect and clear implications for the legal status of the Chagos Archipelago”

and that

“[t]he United Kingdom's continued claim to sovereignty over the Chagos Archipelago is contrary to those determinations”.

The Special Chamber also found that,

“while the process of decolonization has yet to be completed, Mauritius' sovereignty over the Chagos Archipelago can be inferred from the [Court's] determinations”.

With respect to resolution 73/295, the Special Chamber noted that this resolution demanded that the United Kingdom withdraw its administration over the Chagos Archipelago within six months of its adoption. In the view of the Special Chamber,

“[t]he fact that the time limit set by the General Assembly has passed without the United Kingdom complying with this demand further strengthens the Special Chamber's finding that its claim to sovereignty over the Chagos Archipelago is contrary to the authoritative determinations made in the advisory opinion”.

On this basis, the Special Chamber rejected both the first and the second preliminary objections of the Maldives. It found that,

“whatever interests the United Kingdom may still have with respect to the Chagos Archipelago, they would not render the United Kingdom a State with sufficient legal interests, let alone an indispensable third party, that would be affected by the delimitation of the maritime boundary around the Chagos Archipelago”.

The Special Chamber also considered that its findings as a whole provide it with sufficient basis to conclude that Mauritius can be regarded as the coastal State in respect of the Chagos Archipelago for the purpose of the delimitation of a maritime boundary even before the process of the decolonization of Mauritius is completed.

Time does not permit me to go into detail with regard to the Maldives' other objections. Let me just say that the Special Chamber also rejected these objections, after it had found that the parties' obligation under article 74, paragraph 1, and article 83, paragraph 1, of the United Nations Convention on the Law of the Sea ("the Convention") "to effect the delimitation of the exclusive economic zone and the continental shelf by agreement" had been fulfilled, that "a dispute existed between the parties concerning the delimitation of their maritime boundary" at the time of filing of the notification, and that Mauritius' claims did not constitute an abuse of process.

The Special Chamber concluded that it had jurisdiction to adjudicate upon the dispute concerning the delimitation of the maritime boundary between the parties in the Indian Ocean and that the claim submitted by Mauritius in this regard was admissible. The Special Chamber found it appropriate, however, to defer some matters on the proceedings to the merits phase.

After the judgment on preliminary objections, the merits phase of the case, which had previously been suspended, resumed. Meanwhile, the parties had filed a memorial and a counter-memorial, respectively, in accordance with time limits fixed by an order of the President of the Special Chamber dated 3 February 2021.

The second case on the docket of the Tribunal is the *M/T "San Padre Pio" (No. 2) Case (Switzerland/Nigeria)*. On 6 May 2019, Switzerland instituted arbitral proceedings under annex VII to the Convention against Nigeria in a dispute concerning the arrest and detention of the *M/T "San Padre Pio"*, its crew and cargo. On 17 December 2019, the parties agreed to transfer the dispute to the Tribunal. On 7 January 2020, the President adopted an order fixing 6 July 2020 as the time limit for the filing of the memorial of Switzerland and 6 January 2021 as the time limit for the filing of the counter-memorial of Nigeria. Switzerland filed the memorial within the time limit. By order of 5 January 2021, the time limit for the submission of the counter-memorial of Nigeria was extended to 6 April 2021. No counter-memorial was filed by Nigeria within the extended time limit.

By order of 18 June 2021, having ascertained the views of the parties, the President fixed 9 September 2021 as the date for the opening of the hearing. However, by letter of 30 July 2021, Switzerland requested that the opening of the oral proceedings

be postponed until a later date towards the end of fall 2021 and referred in this respect to the ongoing implementation of a memorandum of understanding concluded by Switzerland and Nigeria on 20 May 2021 with regard to the issue of the *M/T "San Padre Pio"*. By order of 10 August 2021, with regard to the special circumstances of the case and having sought the views of the parties, the President decided to postpone the opening of the oral proceedings until a later date to be fixed after consultations with the parties.

Earlier this year, on 1 October, the Tribunal celebrated its twenty-fifth anniversary. To mark the event, I gave a live address, which was broadcast on the Tribunal's website. In addition, a reception was held at the premises of the Tribunal, which was attended by the judges, the First Mayor of the Free and Hanseatic City of Hamburg, and members of the diplomatic and consular corps. The Tribunal also released an anniversary film and published a fully updated version of its Digest of Jurisprudence, both of which are available on the Tribunal's website.

During the 25 years of its history, the Tribunal has established itself as the primary judicial body to which States parties to the Convention turn when seeking peaceful settlement of their disputes concerning the interpretation or application of the Convention. At this juncture, allow me to add some more general remarks about the Tribunal's work as well as about the future prospects of dispute settlement in the law of the sea.

One of the reasons for its privileged role in dispute settlement is the availability of efficient and fair procedures before the Tribunal that respond to the needs of States parties. By way of example, let me draw the Assembly's attention to a procedure that is unique to the Tribunal and has been used frequently, in particular during the Tribunal's initial years.

I am referring in this regard to applications pursuant to article 292 of the Convention by a flag State or an entity acting on its behalf for the prompt release of a vessel or its crew detained by the authorities of a State on account of fisheries or marine pollution offences. The arrest and detention of a vessel and its crew raise humanitarian and economic concerns, which worsen the longer detention continues. In such situations, prompt release proceedings offer an efficient means to secure the release of a vessel or its crew upon the posting of a reasonable bond or other financial guarantee without prejudice to the consideration of the merits of the case.

The Tribunal has entertained a number of applications pursuant to article 292 of the Convention and has demonstrated its capacity to render judgments in such cases in a remarkably efficient and expeditious manner, within a time frame of not more than 30 days from the receipt of the application. Those cases have also provided the Tribunal with the opportunity to develop well-established jurisprudence, with regard to, among other matters, the reasonableness of a bond or other financial security.

The arrest of vessels and crews continues to be a frequent occurrence in international navigation. The Tribunal remains available to entertain future applications for prompt release, thereby ensuring that the delicate balance between the rights and obligations of coastal and flag States, as enshrined in the Convention, is upheld.

As confident as I am that the Tribunal will continue to resolve disputes in areas for which it has an established track record, I am equally optimistic about its prospects for handling new challenges in the law of the sea. The future of ocean governance is currently high on the agenda. The international community is becoming increasingly aware of the harmful effects of climate change on the sea, including ocean warming, ocean acidification and sea-level rise. Other challenges, such as the guarantee of basic human rights at sea, add to the complexity.

The question has therefore been raised whether the Convention is still fit for purpose in the contemporary era. I am confident to say that this question can be answered in the affirmative. In this regard, it is worth recalling the Convention's preamble, which specifies that the States parties were

“[p]rompted by the desire to settle, in a spirit of mutual understanding and cooperation, all issues relating to the law of the sea”.

This aspiration culminated in a comprehensive treaty text dealing with a vast array of subject matter.

Of course, the drafters of the Convention could not predict all future uses of the oceans or ocean-specific risks. Nonetheless, they made the Convention “future-proof”. Its resilient quality is plain to see in its many “rules of reference”, which require States parties to observe provisions contained in other treaties or standards adopted by competent international organizations. The Convention is therefore often referred

to as a “framework convention”, a characteristic that allows it to stay up to date in accordance with evolving international standards while maintaining its status as the central legal framework for ocean governance.

The adaptability of the Convention is also achieved through the work of international courts and tribunals. With some regularity, they are required to interpret broadly phrased terms or address matters not expressly stipulated in the Convention and thereby promote the progressive development of international law.

The Tribunal's contributions in this respect are notable and date back to its earliest jurisprudence. The case law of the Tribunal has also left a lasting mark on how marine environmental considerations are to be factored into the application and interpretation of the Convention. In this regard, the Tribunal and a special chamber of the Tribunal have confirmed the duty of States to protect and preserve the marine environment enshrined in articles 192 and 193 of the Convention. The Tribunal also linked that duty to the conservation of the living resources of the sea, which it considered to be an element in the protection and preservation of the marine environment.

Moreover, the Seabed Disputes Chamber, in its 2011 advisory opinion on the *Responsibilities and obligations of States with respect to activities in the Area*, referred to the obligations relating to the preservation of the environment of the high seas and in the Area as having an *erga omnes* character. In several cases dealing with matters relating to the marine environment, the Tribunal also emphasized that States should act with prudence and caution.

Building on this notion, in its 2011 advisory opinion, the Seabed Disputes Chamber made a significant contribution to strengthening the status of the precautionary approach in international law. The Chamber, inter alia, held that the precautionary approach is an integral part of the general obligation of due diligence of sponsoring States under the Convention's regime for the exploitation of the resources of the Area. The Chamber also recognized that a trend had been initiated towards making the precautionary approach part of customary international law.

I am confident that this brief jurisprudential survey makes apparent that the Tribunal, whether in the exercise of its contentious or of its advisory jurisdiction, has the ability and willingness to retain its leading role in ensuring the harmonious application of the Convention

as the law of the sea faces new conundrums in the future.

Before I conclude, let me give the General Assembly a brief update on the Tribunal's activities in the field of capacity-building. Unfortunately, some of these activities have also been affected by the COVID-19 pandemic. For example, the Tribunal could not continue its established practice of holding regional workshops on the settlement of disputes related to the law of the sea. I would nevertheless wish to thank the Government of Cyprus for its financial support towards the organization of a future regional workshop in the Mediterranean. Similarly, the Summer Academy, which is normally organized annually by the International Foundation for the Law of the Sea on the premises of the Tribunal, could not take place in 2020 or 2021. Instead, a compact online course on the law of the sea and maritime law was organized by the Foundation.

However, I am pleased to report that the Tribunal continued to host interns in its internship programme throughout this period. I also wish to recall that the trust fund set up by the Tribunal is available to support interns from developing countries, and several grants have been made to this fund over the years. In this regard, I wish to express my sincere gratitude to the Korea Maritime Institute and the Ministry for Foreign Affairs of the People's Republic of China for their support.

The Tribunal also continued its capacity-building and training programme in international dispute settlement in the law of the sea, which has been organized annually since 2007. Since its establishment, this programme has been run with the financial support of the Nippon Foundation. I wish to take this opportunity to express my sincere gratitude to the Nippon Foundation for its enduring commitment to the programme.

The Tribunal has also taken steps to expand its capacity-building activities. Accordingly, in 2020, the Tribunal received a grant from the Republic of Korea to fund a workshop aimed at legal advisers, in particular from developing countries, to familiarize them with the Convention's dispute-settlement mechanisms. I wish to thank the Republic of Korea for this generous grant. Unfortunately, the workshop could not take place this year owing to the prevailing restrictions. However, we are confident that we will be able to organize the workshop in the coming year.

Finally, I wish to draw the Assembly's attention to the Tribunal's new Junior Professional Officer Programme, which was established on 30 September 2021. It is designed for young professionals to serve in the Legal Office or in other departments of the Tribunal's Registry. States parties were informed of the new programme by note verbale, and information has also been made available on the website of the Tribunal.

Having come to the end of my statement, I would like to underscore that the Tribunal benefits from the excellent cooperation of the United Nations. In this respect, I wish to express our gratitude to the Secretary-General, the Legal Counsel and the Director of the Division for Ocean Affairs and the Law of the Sea for their support and cooperation.

**The President:** I give the floor to the representative of the Observer for the International Seabed Authority.

**Ms. Navoti** (International Seabed Authority): It is my honour to deliver this statement on behalf of His Excellency Mr. Michael W. Lodge, Secretary-General of the International Seabed Authority. Regrettably, the Secretary-General cannot be in this Hall in person today because the Council of the Authority is meeting in person in Kingston this week.

"Today, the General Assembly will reaffirm once again that the United Nations Convention on the Law of the Sea (UNCLOS) and its two implementing agreements set out the legal framework within which all activities in the oceans and seas must be carried out. The International Seabed Authority plays a crucial role within that framework. As the international organization assigned to organize and control activities in the area, protect the marine environment and promote and encourage marine scientific research for the benefit of all, the Authority is a critical part of the governance architecture for the global ocean.

"I wish to thank the General Assembly for the many positive references to the work of the Authority contained in the draft resolution before the Assembly (A/76/L.20, as orally revised). In these difficult times, the ongoing support of States Members of the United Nations for the work of the Authority is very much appreciated. As always, I also wish to acknowledge the extraordinary support and cooperation we have received from the Office of the Legal Counsel and the Division of Ocean Affairs and the Law of the Sea. We continue

to work closely together in a spirit of cooperation to respond to and support the needs of Member States, including in the context of UN-Oceans.

“I am particularly encouraged by the overwhelming support of Member States for the swift resumption of in-person meetings of the Authority after almost two years. While all the organs of the Authority worked creatively and relentlessly throughout that period, the resumption of in-person meetings will allow us to conclude the business of the twenty-sixth session, which began in 2020, and lay the groundwork for the twenty-seventh session.

“The regime for the deep seabed under UNCLOS is one of the few international governance regimes that has been designed in such a way that the interests and needs of developing States are fully integrated into the regime. I wish to take this opportunity to highlight three ways in which the Authority has responded to this mandate over the past year.

“First, the secretariat had recently issued a series of three publications on the relevance of UNCLOS and the 1994 Agreement for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States. We were pleased to launch these reports with the support of the Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States. The objective is to assist these groups of States to ensure ownership through informed decision-making processes that can support the development of new opportunities for socioeconomic development. In this spirit, I would take this opportunity to reiterate the importance for these States and particularly the landlocked developing States, to join UNCLOS and take full advantage of the legal regime for the oceans.

“Secondly, we have focused on revitalizing capacity-development programmes and initiatives to address the needs that were identified by developing States themselves through the survey circulated by the secretariat in 2020. We are proud to say that in only a year and despite significant challenges due to travel restrictions, more than 600 individuals from developing States have benefited from at least one of the capacity-building

initiatives implemented by the Authority, including through workshops. An increasing number of these individuals are women.

“Thirdly, the efforts of the Authority have also been directed to expand tangible and meaningful capacity-building and capacity-development opportunities for nationals of developing States in marine scientific research. We are particularly proud of our collective action towards the empowerment and leadership of women scientists from least developed countries, landlocked developing countries and small island developing States. The overwhelming support received from members, partner organizations, contractors, research institutions and international and regional organizations and non-governmental organizations in the implementation of our Women in Deep-Sea Research project has been and still is decisive in this regard.

“Another key priority for the Authority has been to implement the action plan in support of the United Nations Decade of Ocean Science for Sustainable Development that was unanimously adopted by the Assembly of the Authority in December 2020. Significant progress has been made this year, and a report detailing the progress made will be discussed by the Assembly of the Authority next week in Jamaica. It is my hope that through this action plan, the international momentum towards advancing the scientific knowledge and understanding of deep-sea ecosystems, including biodiversity and ecosystems of the Area, will be further reinforced.

“The plan also emphasizes the need to promote the dissemination and sharing of scientific data and the outputs of research with a view to better-informed decision-making processes and increased deep-sea literacy to support inclusive participation. The full implementation of the action plan is essential to the effective application of the precautionary approach that already governs all aspects of the work of the Authority as it serves to advance the scientific basis for continuous, improved assessment of the impacts and risks related to deep-seabed exploration and future exploitation activities.

“In 2022, we will mark the fortieth anniversary of the adoption of the Convention. This will be an occasion for celebration, but also an opportunity to

renew our collective commitment to UNCLOS as an instrument for peace, security and equity.

“I am pleased to announce that in 2022, as part of the global celebration of the Convention, the secretariat of the Authority will organize the first-ever conference on women in the law of the sea. This conference is intended to celebrate the contribution of women to the development of the law of the sea, their participation in the institutions created by UNCLOS and related regional and subregional organizations, and the pathways to enhancing the potential for women to contribute to the law of the sea in future.

“We have recently issued a call for expressions of interest from potential speakers. Responses from women from developing States — and in particular least developed countries, landlocked developing countries and small island developing States — are especially encouraged.

“The legal regime for the Area reflects a vision of a fairer and more equal society. The unique mandate assigned to the Authority is to give life to this ideal of equity and economic and social solidarity in access to and sustainable management of the mineral wealth of the deep seabed for the benefit of all humankind. Through the Authority, access to these resources is assured to both developed and developing States, rich and poor, large and small. At the same time, strict regulation ensures that we use these resources sustainably and in a way that provides long-term benefits for all.

“However, the achievement of this vision requires international cooperation and the commitment of all States. The urgent need for this level of cooperation and commitment has recently been highlighted by the Secretary-General in his report entitled *Our Common Agenda*. In that report, the Secretary-General emphasized the need to strengthen and accelerate multilateral cooperation to achieve the goals and targets of the 2030 Agenda for Sustainable Development and make a tangible difference in people’s lives. That is why it is encouraging that an independent report on the contribution of the Authority to the 2030 Agenda, commissioned by the secretariat of the Authority and released last week concluded that the work of the Authority already contributes to 12 of the 17 Sustainable Development Goals.

“I wish to take this opportunity to commend the recommendations of the report to the General Assembly and encourage all Member States to continue to work collaboratively within the framework of the Convention to achieve our common objective, namely, to strengthen global governance for the sake of present and future generations.”

**The President:** We have heard the last speaker in the debate on agenda item 78 and its sub-items (a) and (b).

The Assembly will now take a decision on draft resolutions A/76/L.18 and A/74/L.20, as orally revised.

We turn first to draft resolution A/76/L.18, entitled “Sustainable fisheries, including through the 1995 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, and related instruments”.

I give the floor to the representative of the Secretariat to make an oral statement.

**Ms. Ochalik** (Department for General Assembly and Conference Management): This oral statement is made in accordance with rule 153 of the rules of procedure of the General Assembly. Under the terms of paragraphs 57, 58 and 60 of draft resolution A/76/L.18, the General Assembly would take the following actions.

Pursuant to operative paragraph 57, the Assembly would recall that the resumed Review Conference agreed to keep the Agreement under review through the resumption of the Review Conference at a date not earlier than 2020, and note the agreement at the fourteenth round of informal consultations of States parties to the Agreement that the Review Conference should be resumed in 2021, take note of the decision of States parties to the Agreement through a consultation by correspondence among States parties to the Agreement to postpone the resumption of the Review Conference on the Agreement to 2023, invite the General Assembly to take note of the decision and take any appropriate subsequent steps.

Pursuant to paragraph 58, the Assembly would request the Secretary-General to resume the Review Conference, convened pursuant to article 36 of the Agreement, in New York for one week in the first part of 2023, with a view to assessing the effectiveness of the Agreement in securing the conservation and management of straddling fish stocks and highly

migratory fish stocks, to render the necessary assistance and provide such services as may be required for the resumption of the Review Conference, and to recall its request in paragraph 60 of resolution 74/18 that the Secretary-General submit to the resumed Review Conference an updated report prepared in cooperation with the Food and Agriculture Organization of the United Nations and with the assistance of an expert consultant to be hired by the Division to provide information and analysis on relevant technical and scientific issues to be covered in the report, to assist the Review Conference in discharging its mandate under article 36, paragraph 2, of the Agreement, and also in this regard reiterate its request to the Secretary-General to develop and circulate to States and to regional fisheries management organizations and arrangements in a timely manner a voluntary questionnaire regarding the recommendations made by the Review Conference in 2016, taking into account the specific guidance to be proposed at the fifteenth round of informal consultations of States parties to the Agreement in 2022.

It should be recalled that in operative paragraphs 57 and 58 of its resolution 75/89, the General Assembly took note of the decision of States parties to the Agreement through a consultation by correspondence conducted by the Chair of the fifteenth round of informal consultations of States parties to the Agreement to postpone the resumption of the Review Conference on the Agreement to 2022 and requested the Secretary-General to resume the Review Conference convened pursuant to article 36 of the Agreement in New York for one week in the first part of 2022. Accordingly, additional resource requirements in the amount of \$316,600 were included in the proposed programme budget for 2022, under section 2, "General Assembly and Economic and Social Council Affairs and Conference Management", and section 8, "Legal Affairs".

Pursuant to the request contained in operative paragraphs 57 and 58 of the draft resolution, it is now envisaged that the Review Conference would resume in New York for one week in the first part of 2023 comprising 10 meetings, one in the morning and one in the afternoon for five days, with interpretation in all six languages. This would constitute an addition to the meetings workload for the Department for General Assembly and Conference Management in 2023 and entail additional, non-recurrent resource requirements in the amount of \$78,000 in 2023, under section 2, "General Assembly and Economic and Social Council

Affairs and Conference Management". The date for the Conference would be determined in consultation with the Department for General Assembly and Conference Management.

Furthermore, the implementation of the mandate would entail an addition to the documentation workload of the Department for General Assembly and Conference Management in New York of seven pre-session documents with a total word count of 44,300 words, three in-session documents with a total word count of 2,200 words, and one post-session document with a word count of 21,000 words, in all six languages, in 2023. Additional non-recurrent requirements for documentation would arise in 2023 in the amount of \$216,600, under section 2, "General Assembly and Economic and Social Council Affairs and Conference Management".

In addition, pursuant to the request contained in operative paragraph 60, it is estimated that a non-recurrent amount of \$22,000 for consultancy services would be required under section 8, "Legal Affairs", in 2023. The expert consultant would assist in the preparation of the report to the resumed Review Conference, in particular by providing information and analysis on the relevant scientific and technical issues to be covered in the report.

Should the General Assembly adopt draft resolution A/76/L.18, additional resource requirements estimated in the amount of \$316,600, comprising \$294,600 under section 2, "General Assembly and Economic and Social Council Affairs and Conference Management", and \$22,000, under section 8, "Legal Affairs", would be included in the proposed programme budget for 2023 for the consideration of the General Assembly at its seventy-seventh session.

Additional resource requirements in the amount of \$35,400 would be included in the proposed programme budget for 2023 under section 36, "Staff Assessment", which would be offset by an equivalent increase of \$35,400 under income section 1, "Income from Staff Assessment". Provisions included in the budget as approved for 2022 will be surrendered in the context of the financial performance report for 2022, to be presented at the main part of the seventy-eighth session of the General Assembly.

**The President:** Before proceeding further, I would like to inform the Assembly that draft resolution A/76/L.18 has closed for e-sponsorship.

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

**Ms. Ochalik** (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/76/L.18, the following countries have become sponsors of the draft resolution: Angola, Belgium, Belize, Bolivia (Plurinational State of), Cuba, Denmark, Fiji, France, Georgia, Indonesia, Italy, Kiribati, Latvia, Malawi, Maldives, Marshall Islands, Federated States of Micronesia, Montenegro, Nauru, Netherlands, Norway, Panama, Papua New Guinea, Poland, Romania, Thailand, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America.

**The President:** May I take it that the Assembly decides to adopt draft resolution A/76/L.18?

*Draft resolution A/76/L.18 was adopted (resolution 76/71).*

**The President:** We now turn to draft resolution A/74/L.20, as orally revised, entitled "Oceans and the law of the sea".

I would like to inform the Assembly that draft resolution A/76/L.20, as orally revised, has closed for e-sponsorship.

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

**Ms. Ochalik** (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/76/L.20, as orally revised, the following countries have become sponsors of the draft resolution: Albania, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bolivia (Plurinational State of), Bosnia and Herzegovina, Cameroon, Cuba, Dominican Republic, France, Georgia, Guyana, Indonesia, Italy, Jamaica, Latvia, Lebanon, Malawi, Maldives, Marshall Islands, Mauritius, Federated States of Micronesia, Montenegro, Morocco, Namibia, Nauru, North Macedonia, Norway, Oman, Poland, Saint Lucia, Samoa, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Solomon Islands, Timor-Leste, Tunisia, Tuvalu, Ukraine, United States of America and Zimbabwe.

**The President:** A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Bahrain, Bangladesh, Belarus, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cambodia, Cameroon, Canada, Chad, Chile, China, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kiribati, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, North Macedonia, Norway, Oman, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Somalia, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Viet Nam, Yemen, Zimbabwe

*Against:*

Turkey

*Abstaining:*

Colombia, El Salvador, Nigeria, Venezuela (Bolivarian Republic of)

*Draft resolution A/76/L.20, as orally revised, was adopted by 131 votes to 1, with 4 abstentions (resolution 76/72).*

[Subsequently, the delegations of India, Nigeria, Pakistan and Seychelles informed the Secretariat that they had intended to vote in favour.]

**The President:** Before giving the floor for explanations of vote after the voting, I would remind

delegations that explanations of vote about are limited to 10 minutes and should be made by delegations from their seats.

**Mr. Mainero** (Argentina) (*spoke in Spanish*): Although Argentina joined the consensus on resolution 76/71, on sustainable fisheries, it wishes to once again stress that no recommendations in the resolution can be interpreted as signifying that the provisions contained in the 1995 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 and related instruments can be considered to be obligatory by those States that have yet to explicitly express their consent to being bound under this Agreement. The resolution that we have just adopted contains paragraphs related to the implementation of the recommendations of the Review Conference on the Agreement. Argentina reiterates that those recommendations cannot be considered to be enforceable, even as recommendations for States that are not parties to the Agreement.

At the same time, Argentina reaffirms that existing international law does not empower regional fisheries management organizations or their member States to adopt measures of any kind against vessels whose flag States are not members of those organizations or party to those arrangements or have not explicitly consented to such measures being applicable to vessels flying their flags. Nothing in the General Assembly's resolutions, including resolution 76/71, can be interpreted as running contrary to this conclusion.

On the other hand, I would like to recall once again that the application of conservation measures, the conduct of scientific research or any other activity recommended in General Assembly resolutions, in particular, resolution 61/105 and its successors, come necessarily under the legal framework of the international law of the sea in force, as reflected in the United Nations Convention on the Law of the Sea, including its article 77.

Consequently, compliance with these resolutions cannot be construed as justification for ignoring or denying the rights established in the Convention, and nothing in the resolutions of the General Assembly provides for curtailment of the sovereign rights of coastal States over the continental shelf or the exercise

of jurisdiction of coastal States with respect to their continental shelf in accordance with international law.

Finally, I wish to point out that paragraph 196 of the resolution we have just adopted contains a highly relevant reminder in this regard, as reflected in resolution 64/72 and subsequent resolutions. Accordingly, and as at previous sessions, paragraph 197 notes the adoption by coastal States, including Argentina, of measures relating to the impact of bottom fishing on vulnerable marine ecosystems in the entire area of their continental shelf, as well as their efforts to ensure compliance with those measures.

**Mr. Yakut** (Turkey): My country asked for a vote and voted against resolution 76/72, entitled "Oceans and the law of the sea" under sub-item (a) of agenda item 78.

Turkey agrees in principle with the general content of the resolution, whose scope has expanded significantly over the years to include a wide range of developments and issues relating to the oceans and the seas. Many of these issues are tackled in a more holistic manner in the related annual reports of the Secretary-General, the latest one of which addresses topics such as the human dimension of migration by sea, maritime safety and security, and the ocean-climate nexus (A/76/311 and A/76/311/Add.1). We appreciate that this resolution recognizes the importance of the conservation and sustainable use of the oceans, seas and their resources in achieving the goals set forth in the 2030 Agenda for Sustainable Development.

In line with the foregoing, we would like to thank the coordinator, the Division of Ocean Affairs and the Law of the Sea of the United Nations Secretariat, and the Member States for their efforts in updating selected parts of the resolution, as agreed upon this year in view of the continuing challenges related to the coronavirus disease pandemic. However, owing to the nature of the references to UNCLOS in the resolution, Turkey was obliged once again to call for a vote on it.

Turkey is not a party to UNCLOS and has consistently expressed that it does not agree with the view that the Convention has a universal and unified character. We also maintain that UNCLOS is not the only legal framework that regulates all activities in the oceans and seas. Those concerns and objections have been raised by a number of other States throughout the years. Turkey remains ready and willing to continue working with Member States to ensure that the

resolution is adopted by consensus in the future. Until then, the UNCLOS-related language in the resolution cannot and should not set a precedent for other United Nations resolutions.

We would also like to take this opportunity to note that the reasons that have prevented Turkey from being a party to UNCLOS remain valid. Turkey supports international efforts to establish a regime for the seas that is based on the principle of equity and is acceptable to all States. However, in our opinion, the Convention does not provide sufficient safeguards for particular geographical situations and, as a consequence, does not take into consideration conflicting interests and sensitivities resulting from special circumstances. Furthermore, the Convention does not allow States to register reservations to its articles. As a result, although we agree with the Convention in its general intent and with most of its provisions, we are unable to become a party to it, owing to those prominent shortcomings.

In that regard, Turkey also wishes to draw attention to the risks posed by one-sided interpretations of international law and the invocation of UNCLOS to justify maximalist claims, especially with regard to the delimitation of maritime jurisdiction areas. Although Turkey is not a party to the Convention, we support the resolution of maritime disputes on the basis of equity and in accordance with international law, as applicable.

We hope that all relevant actors will adopt a similar approach in order to promote regional and international peace and stability.

Turkey joined the consensus on resolution 76/71, on sustainable fisheries, under sub-item (b) of agenda item 78, as it is fully committed to the conservation, management and sustainable use of marine resources and attaches great importance to regional cooperation to that end. However, Turkey disassociates itself from references to UNCLOS and the Agreement for the Implementation of the UNCLOS provisions relating to the conservation and management of straddling fish stocks and highly migratory fish stocks, to which it is not party. Those references therefore should not be interpreted to imply any change in the legal position of Turkey with regard to the instruments mentioned.

**The President:** We have heard the last speaker in explanation of vote after the voting at this meeting. We will hear the remaining speakers this afternoon in this Hall after the consideration of the reports of the Special Political and Decolonization Committee (Fourth Committee) and of the Sixth Committee, respectively.

The General Assembly has thus concluded this stage of its consideration of agenda item 78.

*The meeting rose at 1.15 p.m.*