



General Assembly

Distr.: General
14 January 2016

Original: English

Seventieth session

Agenda item 120

Revitalization of the work of the General Assembly

Letter dated 13 January 2016 from the Permanent Representative of Finland to the United Nations addressed to the Secretary-General

I have the honour to forward herewith the summary of a high-level retreat on strengthening the General Assembly, which brought together a group of Permanent Representatives to the United Nations on 16 June 2015 at the Union Club in New York (see annex). The meeting was organized by the Permanent Mission of Finland to the United Nations, in close cooperation with the Office of the President of the General Assembly and the Department for General Assembly and Conference Management.

The retreat, organized for the fifth year in a row, was attended by the Secretary-General, Ban Ki-moon, the President of the General Assembly at its sixty-ninth session, Sam Kahamba Kutesa, the President-elect of the General Assembly at its seventieth session, Mogens Lykketoft, and elected members of the General Committee of the seventieth session. Representatives of the sitting and incoming presidencies, the Co-Chairs of the Ad Hoc Working Group on the Revitalization of the Work of the General Assembly during the sixty-ninth session and the Chair of the intergovernmental negotiations on Security Council reform were also in attendance.

Participants discussed the role and the status of the General Assembly, current issues on the Assembly's agenda, trends concerning its working methods and overall efforts to revitalize its work, with the ultimate objective of defining elements for a stronger Assembly. Against the wider backdrop of ongoing United Nations reform initiatives — from the High-level Independent Panel on Peace Operations, the Peacebuilding Commission review and Security Council reform — the retreat was also intended to consider ways of strengthening the Assembly so as to make it fit for reform.

Specifically, participants considered tangible measures that could be taken towards this objective and agreed that these could be useful contributions to the ongoing discussions on the revitalization of the work of the General Assembly.



Furthermore, the retreat provided an opportunity for the President-elect and the incoming members of the General Committee to familiarize themselves with the working methods of the General Assembly and to benefit from lessons learned and best practices. In this sense, it is hoped that the retreat contributes to the smooth transition from one Assembly session to the next.

The attached report was prepared under the Chatham House Rule.

I would be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 120.

(Signed) Kai Jürgen Mikael **Sauer**
Ambassador
Permanent Representative of Finland to the United Nations

Annex to the letter dated 13 January 2016 from the Permanent Representative of Finland to the United Nations addressed to the Secretary-General

Towards a stronger General Assembly: high-level retreat, 16 June 2015, New York

Summary and programme of action

Introduction

On 16 June 2015, the Permanent Mission of Finland, for the fifth year in a row, organized a retreat entitled “Towards a stronger General Assembly”, held at the Union Club in New York, with the aim of contributing to the ongoing process of the revitalization of the work of the General Assembly. The high-level retreat began with welcoming remarks by the Permanent Representative of Finland, Kai Sauer, followed by a keynote address by the Secretary-General, who emphasized the importance of a strong relationship between the Office of the President of the General Assembly and the Secretary-General and highlighted various aspects of this dynamic relationship. This was followed by two thematic segments in the morning, entitled “Reflections on the work of the General Assembly” and “Selection and appointment of the Secretary-General of the United Nations”, and one thematic segment in the afternoon.

In the first thematic segment of the morning, the participants heard reflections by the President of the Assembly at its sixty-ninth session on the work carried out and the lessons learned during that session and a briefing from the President-elect on his priorities for the seventieth session. The Director of the General Assembly and Economic and Social Council Affairs Division of the Department for General Assembly and Conference Management briefed on the programme of work of the forthcoming session and some recent trends in the working methods and practices of the General Assembly. In the second segment, under the theme “Selection and appointment of the Secretary-General of the United Nations”, the Permanent Representative of Croatia and Co-Chair of the Ad Hoc Working Group on the Revitalization of the Work of the General Assembly during the sixty-ninth session, Vladimir Drobjnak, shared insights from the discussions in the Working Group on this item.

In the afternoon, under the heading “Practices and experiences of the intergovernmental negotiations”, the Permanent Representative of Namibia and Co-Chair of the Ad Hoc Working Group on the Revitalization of the Work of the General Assembly during the sixty-ninth session, Wilfred Emvula, updated the retreat on the wider debate on the revitalization of the work of the Assembly. This was followed by reflections by the Permanent Representative of Jamaica and Chair of the intergovernmental negotiations on Security Council reform. These presentations and briefings, both in the morning and in the afternoon, were each followed by an exchange of views. Concluding remarks were made by the Permanent Representative of Finland at the end of the high-level retreat. To stimulate the discussions, the participants also had before them a concept note as well as the annotated preliminary list of items for the seventieth session.

Keynote address

A keynote address was delivered by the Secretary-General, who underlined the great and fundamental importance he attached to a strong relationship between the General Assembly and the Secretary-General and the President of the Assembly. Noting that he might be the only Secretary-General who had also served as Chef de Cabinet in the Office of the President of the General Assembly, he stressed that he knew the inner workings of the Assembly, which really helped in his work as Secretary-General. Even then, he had felt that the Assembly did not receive the visibility it deserved. A heightened interest among the membership in the revitalization of the work of the Assembly had resulted as a consequence. Reminiscing about the infrequent meetings between the President of the Assembly and the Secretary-General at the time, and the difficulties in arranging such meetings, the Secretary-General had made it a rule to meet at least once a month with the respective Presidents during his time in office. The Assembly, he noted, had played an important role in many policy areas, including, most recently, in establishing the United Nations Mission for Ebola Emergency Response (UNMEER), adopting the Arms Trade Treaty, creating the United Nations Entity for Gender Equality and the Empowerment of Women and elaborating the draft sustainable development goals to be adopted in September 2015. The General Assembly also played an important function in providing a forum for Member States to air their grievances on neglected issues. Yet, much remained to be done to further strengthen its role, and this included addressing the Assembly's lengthy and unwieldy agenda. He recalled the mandate review exercise and other reform initiatives spearheaded under his leadership, such as mobility, which had resulted in a push-back from Member States. Overall, the Secretariat was overburdened with requests for reports arising from repetitive discussions, and the adoption of resolutions, in the General Assembly, and the fact that the Assembly, at times, made itself unnecessarily busy. The Secretary-General recalled his decision to give up on his initiative for a partnership facility, after lengthy and consistent opposition from Member States. Comparing the United Nations to a multinational company, he pointed out that no chief executive officer could survive if all the stakeholders made constant demands. In conclusion, the Secretary-General noted the forthcoming selection and appointment process of the Secretary-General and the wide interest it had garnered. In this regard, he recalled the various provisions and recommendations that had been issued in the past, and observed that the next session of the Assembly might also be involved in this process, which of course was a matter for Member States to decide. Stressing that the process that had led to his assuming his office had been more transparent than that which had gone before, he hoped that this trend would continue.

Work of the General Assembly

In opening the first thematic segment, the President of the General Assembly at its sixty-ninth session, Sam Kahamba Kutesa, reaffirmed the Assembly's central role as the chief deliberative, policymaking and representative organ of the United Nations and noted the continued evolution of its workload, which, in turn, had had a direct impact on the importance of the Office of the President of the General Assembly. During the sixty-ninth session alone, the Assembly had to date adopted some 288 resolutions and 80 decisions emanating from 94 formal meetings and hundreds of informal meetings. The focus had been on the formulation of a

transformative post-2015 development agenda, the outcome of the Third United Nations Conference on Financing for Development and on climate change, even as the Assembly's work covered a much wider range of issues ordered under the three main pillars of the Organization (peace and security, development, international law and human rights). The Assembly demonstrated its relevance right at the start of the sixty-ninth session by adopting a resolution establishing UNMEER in response to the Ebola outbreak in parts of West Africa at the time. Stressing the President's primary role as a bridge-builder, Mr. Kutesa recalled his periodic interaction with the regional groups, the General Committee and Vice-Presidents at the sixty-ninth session, the Presidents of the other principal organs and the Secretary-General. Throughout, the revitalization of the work of the Assembly had been an issue of greatest importance to the President. One related aspect was the working methods of the Fifth Committee. The President also recalled his efforts and initiatives undertaken on the question of Security Council reform. Another important aspect was the various thematic debates convened on different items of concern to the wider membership, in particular as they related to the post-2015 development agenda. In concluding, the President underlined the importance of the Office of the President being adequately resourced, while commending in particular the staff of the General Assembly and Economic and Social Affairs Division of the Department for General Assembly and Conference Management, without whose support and cooperation the work achieved so far would not have been possible.

This was followed by remarks by the President-elect of the General Assembly at its seventieth session, who welcomed the opportunity to engage with and learn from the discussions at the retreat, including from the wisdom and experience of the Secretary-General and the President of the Assembly at its sixty-ninth session, not least on how to strengthen the Assembly and the relationship between the President and the Secretary-General. Regarding the forthcoming presidency, the President-elect listed the planned high-level thematic debates in spring 2016, which, in April, would focus on how to sustain the Sustainable Development Goals, bearing in mind the outcomes of the Third United Nations Conference on Financing for Development, held in Addis Ababa, and the climate change conference, held in Paris; in May, on strengthening the role and coherence of the work of the United Nations on peace and security; and in June, on human rights, the rule of law, gender and institution-building. The President-elect underlined his intention to reach out to a broad audience, emphasizing that all were needed to ensure the implementation of the work of the Organization, including civil society, business and the wider United Nations system. Generally, the work of the Assembly should become more action-oriented. Reform of the United Nations, in fact, was an issue that had been pointed out as an interest by many, and in this regard, interest in the reform of the Security Council stood out. The current process aiming at text-based negotiations was very useful indeed and left the hope for progress in the future. In this regard, the President-elect would try to continue what would be left over from the current session. Concerning the forthcoming selection and appointment process of the Secretary-General, it was the President-elect's hope that hearings could be conducted with candidates for the post. Noting that the seventieth session coincided with a budget year, the President-elect recognized the potential need for late-night meetings, which, as a rule however, he stressed should better be avoided. In concluding his remarks, the President-elect underlined his commitment to be working closely with the Chairs of the Main Committees, his Vice-Presidents as

well as with other elected officials and the Secretariat, emphasizing once more that the forthcoming session would indeed be a historic one.

As the final speaker under this heading, the Director for General Assembly and Economic and Social Affairs, Department for General Assembly and Conference Management, briefed the retreat on the opening of the forthcoming session, which would be followed by the first meeting of the General Committee the next day to consider the draft agenda. Recalling the functions of the General Committee, he pointed out its mandate to make recommendations concerning the inclusion or rejection of each item. The report of the General Committee would be considered in plenary meeting on Friday, 18 September. As the 2015 high-level segment was of special importance owing to the convening of the United Nations summit to adopt the post-2015 development agenda and the seventieth anniversary generally, the Director explained in detail some of its relevant modalities and those for the general debate — pointing to, among other things, an address by His Holiness Pope Francis to the General Assembly immediately preceding the opening of the summit. The tentative programme of work would be followed during the main part of the session. During the resumed part, from January to September, the Assembly would meet as occasion required, with most of the thematic debates and informal consultations and intergovernmental negotiations also taking place. Turning to recent trends in the working methods of the Assembly, the convening of thematic debates had witnessed a noticeable increase in their number and duration, having become high-level events that frequently resembled regular plenary meetings with prepared statements being delivered. Moreover, panel presentations, a standard feature, often left little room for interventions by Member States. Secondly, an increase in the number and scope of mandates addressed directly to the Presidents of the Assembly, such as elaborating modalities for future high-level meetings, together with the organization of thematic debates, constituted a real and tangible addition to his or her workload. New subsidiary bodies established in recent years had reinforced this trend. Taken together, this could be interpreted to underline the vibrancy of the Assembly, but it also placed a burden on Permanent Missions, the Office of the President and the Secretariat alike. Similarly, the sanctity of the general debate, while frequently reaffirmed by the General Assembly, was now regularly punctuated. This was something the General Committee might wish to address during the seventieth session. Member States might also wish to review the Assembly's rules of procedure as to their compatibility with the evolution of Assembly practices over the years. Regarding the Assembly's agenda, although its length has been lamented intermittently, the Secretariat stood ready to provide its fullest assistance, even as any efforts at streamlining the agenda was expected to be a delicate process. In conclusion, the Director commented on the work undertaken by the Department, whose staff, oftentimes working behind the scenes, was making an essential contribution to the work of the United Nations by facilitating Member States' intergovernmental processes. The Division, based on its substantial institutional memory, also provided a wide range of support to the Office of the President of the General Assembly. Generally speaking, the Division served as the repository of all information on the history and work of the Assembly and on its procedures and practice and those of many of its subsidiary bodies.

Discussion

In the ensuing interactive discussion, it was widely emphasized that the seventieth session would be one of implementation, including of the outcomes of the United Nations summit to adopt the post-2015 development agenda. Others saw it as an opportunity to ask real questions about the state of the Organization. Generally, the need for a strong General Assembly was reaffirmed and emphasized. In this regard, some participants seized upon the observation of the previous presenters concerning the Assembly's overwhelming agenda — it was noted, for example, that some resolutions were nearly identical year after year. Problems arising from the scheduling of oftentimes overlapping meetings were also noted. Others pointed to the Assembly's important role in reforming the Organization and the need for it to play a more active role, including, for instance, by participating more assertively in the selection and appointment process of the next Secretary-General.

The benefits deriving from greater accessibility and the desirability for greater interaction with civil society were also highlighted. One participant particularly singled out the important role of youth and immediately proposed creating a dedicated entity to be entitled United Nations Youth. Another participant suggested that the Organization could benefit from a comparative analysis with other intergovernmental organizations, in particular with regard to working methods and procedures. The practice of strictly observing time limits for speeches was particularly singled out, and the practice of cutting off the microphone, proven effective elsewhere, was cited as a positive example. Others pointed out that the recent practice of convening informal thematic debates in the General Assembly had become yet another forum for high-level visitors from capitals, noting that their average attendance of such meetings was more or less limited to their own intervention. It was underlined as desirable that the consideration of important issues by the Assembly should become more truly interactive. It was also argued that the work of the Assembly should become more focused on outcomes, which some participants emphasized, however, was a direct consequence of the required political will demonstrated by Member States.

Last but not least, the important role of the Presidents of the General Assembly was highlighted, not only in their function as organizers of the Assembly's calendar of work, but also as leaders with a vision. A few participants were of the view that the Office required additional resources, both budgetary and in personnel, and needed to be provided with the adequate level of institutional memory from the Secretariat. Some even raised the possibility of considering a two-year term to allow the office holders to benefit from their experiences acquired during the first year in office. Another participant instead raised the possibility of reforming the term of office by moving ahead the election date to avoid the current situation in which the President started the opening of the session by focusing considerable energy on establishing his team, even as this coincided with the busiest moment in the presidency, namely, the general debate.

Selection and appointment of the Secretary-General

During the second thematic segment in the morning, the Permanent Representative of Croatia and Co-Chair of the Ad Hoc Working Group at the sixty-ninth session briefed the participants on the relevant rules and provisions

concerning the selection and appointment process of the Secretary-General, an issue high on the agenda of the Working Group, bearing in mind in particular that the next such process was expected to take place in 2016. The Charter, in fact, provided in its Article 97 that the Secretary-General be appointed by the General Assembly on the recommendation of the Security Council, the role of the Council being decisive, as the Assembly could turn down a recommendation, but not replace it with one of its own. Furthermore, as the appointments in the Assembly had been undertaken by acclamation starting in the early 1970s, this process seemed to be a formality for most Member States. In fact, the Ambassador argued, there were three phases: nomination, selection and appointment. Of these, appointment was clearly regulated by relevant rules and resolutions; selection, which took place in the Security Council, was governed by the Council's own informal guidelines; and nomination was de facto undefined. Hence, a considerable number were in favour of adding language, in the latest resolution on General Assembly revitalization, on the nomination process, with an emphasis on enhancing the involvement of the Assembly, and secondly, to ensure the full application of relevant rules concerning the actual appointment in the Assembly. The selection process was effectively guided by the "Wisnumurti guidelines", according to which any Member State could submit, both formally and informally, as appropriate, a candidate or candidates, to the President of the Security Council, who was to draw up a list, which could be updated as and when necessary. According to these guidelines, the President of the Council may inform and consult with the President of the General Assembly, also as and when necessary. In subsequent resolutions — resolutions 51/241 and 60/286 — the Assembly more specifically envisaged a role for the President of the General Assembly. The basis for the current negotiation process in the Ad Hoc Working Group was resolution 68/307, in which the Assembly reaffirmed these previous resolutions, and the process was now being updated by proposals from various groups of Member States that wished to ensure greater transparency and inclusivity in the selection process. Proposals included a joint launch of the process by the Presidents of the Council and the Assembly; publishing a consolidated list of candidates as an official document; inviting candidates to hearings with Member States; affirming the principles of geographical rotation and gender equality. Asking the Council to submit more than one candidate and providing a single term for the post of Secretary-General, however, were likely too ambitious at this stage. Generally, this entire section was politically divisive and long negotiations were to be expected.

Discussion

In the course of the ensuing question-and-answer segment, speakers generally concurred on the importance of the process and the desirability for a more transparent and predictable selection and appointment, even as most also noted that this was ultimately contingent on the political will of the membership as a whole. One participant noted that this process was closely observed by the public, media and civil society. Another seized upon the comparability of the process with the election of judges to the International Court of Justice, in which both the Security Council and the General Assembly, independently from each other, needed to arrive at the same determination. With regard to the forthcoming process, hearings and introducing structure and a timeline into the identification of candidates were singled out as the most likely improvements that could possibly be realized during the sixty-ninth session. Yet, another participant recommended modesty of

expectation, pointing out that relevant provisions already existed in previous resolutions, and that, in the past, the candidates most active in reaching out to the public and the wider membership rarely were the ones ultimately selected.

Practices and experiences of intergovernmental negotiations in the General Assembly

In the afternoon, during the second thematic segment, the Permanent Representative of Namibia and Co-Chair of the Ad Hoc Working Group at the sixty-ninth session briefed the participants of the retreat on the proceedings of the Ad Hoc Working Group during the sixty-ninth session. His briefing was followed by remarks from the Permanent Representative of Jamaica, E. Courtenay Rattray, on lessons learned from his experience as Co-Chair of the intergovernmental negotiations on Security Council reform.

In his overview, Mr. Emvula briefed the retreat on the current status of the negotiations on a draft resolution that would form the outcome of the work of the Working Group during the sixty-ninth session. Historically, it was noteworthy how far this annual resolution had been expanded over the years, even as a number of its provisions continued to lack implementation. This, however, was the responsibility of the membership itself. Noting the progress currently being made in the informal consultations, he anticipated that the section on the selection and appointment process of the Secretary-General would require most of the attention. The content of the zero draft provided by the Co-Chairs was based on the interventions by delegations during five thematic meetings that were convened during the first half of the year, which also provided its structure, as follows: the role and authority of the General Assembly; working methods; the selection and appointment process of the Secretary-General and other executive heads; and strengthening the institutional memory of the Office of the President of the General Assembly. Regarding the latter, the Co-Chair noted the staffing structure of the Office, which included the need for secondments from Permanent Missions that, he suggested, might undermine their legitimacy and independence. Furthermore, this could pose budgetary problems, especially for the least developed countries. The Co-Chair supported the Secretary-General's observation concerning the unwieldy agenda of the Assembly but once more observed that Member States, ultimately, had themselves to blame, citing as an example the desire of many delegations to organize their own side events during the high-level week of the General Assembly. In conclusion, he underlined the intention to adopt the current year's resolutions, as all the previous ones, by consensus.

Following the presentation, the Chair of the intergovernmental negotiations on Security Council reform provided a presentation on the ongoing work of the negotiations, which, he noted, was very much characterized by its technical and procedural nature. At the same time, however, the process was clearly and intrinsically of a political nature, which, he stated, accounted for its being affected by emotions that reflected the fears as well as the ambitions among the wider membership. This, in turn, required empathy and the ability to inspire the negotiating process. Having been appointed by the President of the General Assembly in November 2014, Ambassador Rattray recalled having been approached by many colleagues who commiserated with him in his new task, which, he recounted, some seemed to consider a fool's errand in the wilderness. This was understandable after 20 years of ongoing negotiations, which, he noted, had been

deeply frustrating to the membership and damaging to the Organization as a whole. With this experience in mind, and also in the light of the limited resources of many Permanent Missions, some delegations had disengaged from the exercise. Yet, this stasis in the reform process coincided with a multiplication of global crises unseen since the foundation of the United Nations, and an increasingly functionally impotent Council. It was against this background that the President had called upon Member States to move to text-based negotiations, and this, therefore was his mandate. It was his intention to create a negotiation document that could be passed on to the President at the seventieth session. He rejected, however, being pigeonholed, noting that there were many nuances among positions and that his task as Chair was to serve the membership as a whole. Recounting the proceedings during the sixty-ninth session so far, the Ambassador pointed to a framework document that had been drawn up on the basis of Member States' inputs and that would provide the basis for the negotiation document. To this end, the Chair required some degree of executive authority, a notion that had been, and continued to be, contested in the intergovernmental negotiations to date. Reiterating his intention to submit a passable document at the end of the sixty-ninth session to the President of the General Assembly, Ambassador Rattray underlined that the President's role was not just to be a bridge-leader but also a political actor. Furthermore, he highlighted that the momentum for the process, while dependent on Member States, took place in the wider context of civil society and public opinion.

Discussion

In the course of the ensuing question-and-answer segment, one of the participants highlighted the tangible outcomes that had been realized in previous resolutions on the revitalization of the General Assembly, including the early election of the Presidents of the Assembly three months before the opening of the session, setting a pattern for the election of the Chairs of the Main Committees as well as providing for the early election of the non-permanent members of the Security Council and the members of the Economic and Social Council, which proved that results were indeed possible. Another participant highlighted the pressing demand on the schedules of delegations, in particular of smaller ones, and the need to assist smaller missions in this regard. The Forum of Small States had undertaken valuable initiatives towards that end. The same participant also highlighted the decision by the General Assembly, in its resolution adopted in 2014, to encourage gender balance in the distribution of Chairs of the Main Committees and the Presidents of the General Assembly, and attached particular importance to retaining this provision in the current year's resolution as well. Yet another speaker noted that the general debate used to be considered as the main event during the high-level week in September, whereas currently most speakers could be seen moving through the General Assembly Hall from one meeting to the next. It was also worth considering new themes for the interactive thematic debates of the Assembly.

Summary and closing remarks

In his concluding remarks, the Permanent Representative of Finland summarized the retreat and thanked all attendants for their active participation in the discussions, which had once again highlighted the keen interest among Member States, and in particular the members of the General Committee-elect, in strengthening the work of the General Assembly.

Enclosure

List of participants

Ban Ki-moon
Secretary-General of the United Nations

Sam Kahamba Kutesa
President of the General Assembly at its sixty-ninth session

Mogens Lykketoft
President-elect of the General Assembly at its seventieth session

Arthur Kafeero
Ambassador
Chef de Cabinet of the Office of the President of the General Assembly at its sixty-ninth session

Tomas Anker Christensen
Chef de Cabinet of the Office of the President of the General Assembly at its seventieth session

Kairat Abdrakhmanov
Permanent Representative of Kazakhstan

Jamal Fares Alrowaiei
Permanent Representative of Bahrain

Durga Prasad Bhattarai
Permanent Representative of Nepal

Sofia Mesquita Borges
Permanent Representative of Timor-Leste

Vladimir Drobnjak
Permanent Representative of Croatia

Wilfred I. Emvula
Permanent Representative of Namibia

Federico Alberto González Franco
Permanent Representative of Paraguay

Omar Hilale
Permanent Representative of Morocco

Andrej Logar
Permanent Representative of Slovenia

María Emma Mejía Vélez
Permanent Representative of Colombia

Michel Tommo Monthe
Permanent Representative of Cameroon

Marlene Moses
Permanent Representative of Nauru

Ib Petersen
Permanent Representative of Denmark

E. Courtenay Rattray
Permanent Representative of Jamaica

František Ružička
Permanent Representative of Slovakia

Kai Sauer
Permanent Representative of Finland

Girma Asmerom Tesfay
Permanent Representative of Eritrea

Jean-Francis Régis Zinsou
Permanent Representative of Benin

Inigo Lambertini
Deputy Permanent Representative of Italy

Osama Abdelkhalek Mahmoud
Deputy Permanent Representative of Egypt

Paik Ji-ah
Deputy Permanent Representative of the Republic of Korea

Miguel Camilo Ruiz Blanco
Deputy Permanent Representative of Colombia

Janne Taalas
Deputy Permanent Representative of Finland

Cesare Morbelli
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Fabio Pedraza
Second Secretary
Permanent Mission of Colombia

Anna Salovaara
Counsellor
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Marcus Carter Mathiasen
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