



# General Assembly

Sixty-third session

**64**<sup>th</sup> plenary meeting

Friday, 5 December 2008, 10 a.m.

New York

Official Records

*President:* Mr. D'Escoto Brockmann . . . . . (Nicaragua)

*In the absence of the President, Mr. Cujba (Republic of Moldova), Vice-President, took the Chair.*

*The meeting was called to order at 10.15 a.m.*

## Reports of the Special Political and Decolonization Committee (Fourth Committee)

**The Acting President:** The General Assembly will now take up the reports of the Special Political and Decolonization Committee (Fourth Committee) on agenda items 27 to 37, 110 and 119.

I now request Ms. Paulá Parviainen of Finland, Rapporteur of the Special Political and Decolonization Committee (Fourth Committee), to introduce the reports of the Committee in one intervention.

**Ms. Parviainen** (Finland), Rapporteur of the Special Political and Decolonization Committee (Fourth Committee): It is a great privilege and honour for me to introduce to the General Assembly the reports of the Special Political and Decolonization Committee (Fourth Committee), submitted under agenda items 27 through 37 and 110 and 119. These reports, contained in documents A/63/398 through A/63/409 and A/63/449, include the texts of draft resolutions and decisions recommended to the General Assembly for adoption.

For the convenience of delegations, a checklist prepared by the Secretariat of voting in the Special Political and Decolonization Committee is contained in A/C.4/63/INF/3.

During this first part of the sixty-third session of the General Assembly, the Fourth Committee held a total of 24 formal meetings. The Committee continued its practice of having informal interactive meetings under the following agenda items: item 27, "Effects of atomic radiation", agenda item 28, "International cooperation in the peaceful uses of outer space", agenda item 29, "United Nations Relief and Works Agency for Palestine Refugees in the Near East", agenda item 31, "Comprehensive review of the whole question of peacekeeping operations in all their aspects" and agenda item 32, "Questions relating to information".

An open-ended working group established by the Committee under item 28, "International cooperation in the peaceful uses of outer space", also held several informal meetings.

The Special Political and Decolonization Committee adopted 23 draft resolutions and four draft decisions, of which nine draft resolutions and all four draft decisions were adopted without a vote.

The first report, submitted under agenda item 27, "Effects of atomic radiation", is contained in document A/63/398. The Fourth Committee considered the report of the United Nations Scientific Committee on the Effects of Atomic Radiation, as contained in document A/63/46. The draft resolution submitted under this agenda item is contained in paragraph 9 of the report of the Fourth Committee.

In the draft resolution, the General Assembly would, among other things, request the Committee to

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continue holding its regular annual sessions to review the important questions in the field of ionizing radiation. In order to be able to fulfil the responsibilities and mandate entrusted to it by the General Assembly, the United Nations Environment Programme is urged to review and strengthen present funding of UNSCEAR.

In addition, in the draft resolution, the Secretary-General is requested, when formulating his proposed programme budget for the 2010-2011 biennium, to consider all options to provide the Scientific Committee with the additional resources outlined in his report so that it can consider a potential change in its membership.

The draft resolution requests the Scientific Committee to continue its reflection on the issue of a revised membership and to provide a report before the end of the sixty-third session of the General Assembly. On behalf of the Fourth Committee, I recommend that the General Assembly adopt this draft resolution.

The second report, submitted under agenda item 28, "International cooperation in the peaceful uses of outer space", is contained in document A/63/399. During its consideration of the item, the Fourth Committee held a number of informal meetings in the format of an open-ending working group chaired by the delegation of Colombia. The working group formulated the draft resolution contained in paragraph 11 of the report.

In the draft resolution, the Committee is requested to continue to consider ways and means of maintaining outer space for peaceful purposes and to report thereon to the General Assembly at its sixty-fourth session. The General Assembly would, among other things, endorse the report of the Committee on the Peaceful Uses of Outer Space and urge States that have not yet done so to become parties to the treaties governing the uses of outer space.

The third report, submitted under agenda item 29, "United Nations Relief and Works Agency for Palestine Refugees in the Near East", is contained in document A/63/400. The Fourth Committee considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) contained in document A/63/13 as well as the report of the Working Group on the Financing of UNRWA and other relevant reports by the Secretary-General.

Under this item, the Committee adopted four draft resolutions relating to various aspects of the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East. Their adoption would have the General Assembly reaffirm that the Agency's functioning remains essential in all fields of operation. It would also have the Assembly commemorate UNRWA's work on the occasion of the sixtieth anniversary of its establishment, at a high-level meeting on 1 October 2009, during the sixty-fourth session.

Furthermore, the Assembly would invite Finland and Ireland to become members of UNRWA's Advisory Commission. These draft resolutions also call for donor support for UNRWA's tireless efforts in increasingly difficult conditions. The Fourth Committee recommends to the General Assembly the adoption of these draft resolutions.

The fourth report, submitted under agenda item 30, "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories", is contained in document A/63/401. The Fourth Committee considered the report of the Special Committee concerning the protection and promotion of the human rights of the Palestinian people and other Arab inhabitants of the occupied territories as well as other reports by the Secretary-General submitted under this item.

Under this item, the Fourth Committee adopted five draft resolutions, which can be found in paragraph 16 of its report. These resolutions would reaffirm the illegality of Israeli settlements in the occupied Palestinian territories and demand that Israel comply with its obligations under international law as mentioned in the advisory opinion of the International Court of Justice of July 2004. The draft resolutions further urge the parties to take the necessary measures to improve the situation on the ground, including by implementing their commitments under the Annapolis peace process. The Fourth Committee recommends these draft resolutions to the General Assembly for adoption.

The fifth report, relating to agenda item 31, "Comprehensive review of the whole question of peacekeeping operations in all their aspects", is contained in document A/63/402. The Fourth Committee heard comprehensive introductory statements by the

Under-Secretary-General for Peacekeeping Operations and the Under-Secretary-General for Field Support and held a general debate under this item. It also held informal interactive discussions with the Under-Secretaries-General for Peacekeeping Operations and for Field Support. Many of the issues raised during the general debate and the interactive discussions will be further considered by the Special Committee on Peacekeeping Operations at its upcoming session, early next year.

The sixth report, submitted under agenda item 32, “Questions relating to information”, is contained in document A/63/403. The Fourth Committee considered the report submitted by the Committee on Information (A/63/21) and the report of the Secretary-General (A/63/258) and heard from the Under-Secretary-General for Communications and Public Information about the innovative efforts being made by his department to meet challenges that have arisen in the past year in promoting the United Nations message around the world.

In his response to the general debate the Fourth Committee held on this item, the Under-Secretary-General addressed questions raised by delegations, including on the impact of the budget cuts on the Organization’s public information work. The Fourth Committee adopted, without a vote, two draft resolutions and one draft decision, which are contained in paragraphs 14 and 15 of the present report.

In draft resolution A, the Assembly would be asked, *inter alia*, to enhance regional efforts and cooperation among developing countries, as well as cooperation between developed and developing countries, to strengthen communication capacities and to improve media infrastructure and communication technology in developing countries, especially in the areas of training and dissemination of information.

In draft resolution B, the Assembly would, among other things, request the Department of Public Information, in carrying out its activities, to pay particular attention to peace and security, development and human rights, and to major issues such as the eradication of poverty and the internationally agreed development goals, including those contained in the Millennium Declaration and the outcomes of the major related United Nations summits and conferences. In addition, the Assembly would request the Department

of Public Information and its network of information centres to raise public awareness of climate change.

The draft decision would appoint Antigua and Barbuda and Zambia as members of the Committee on Information, increasing the Committee’s membership to 112.

The Special Political and Decolonization Committee recommends that the General Assembly adopt both draft resolutions and the draft decision.

With regard to the cluster of items on non-self-governing territories and the Declaration on the Granting of Independence to Colonial Countries and Peoples — agenda items 33, 34, 35, 36, and 37 — the Fourth Committee considered these items together. The Committee had one single general debate on the cluster of items and heard 62 speakers on the various non-self-governing territories. Under these items, the General Assembly has before it five reports.

The report submitted under agenda item 33, “Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations”, is contained in document A/63/404. The draft resolution submitted under this item appears in paragraph 7 of the report. The Fourth Committee recommends it to the General Assembly for adoption.

The report relating to agenda item 34, “Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories”, is contained in document A/63/405. Under this item, the Fourth Committee adopted a draft resolution entitled “Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories”, contained in paragraph 7 of the report. The Fourth Committee recommends this draft resolution to the General Assembly for adoption.

The report relating to agenda item 35, “Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations”, is contained in document A/63/406. In paragraph 7 of the report, the Fourth Committee recommends a draft resolution to the General Assembly for adoption.

The report relating to agenda item 36, “Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories”, is contained in document A/63/407. Under that item, the

Fourth Committee recommends a draft resolution, which is contained in paragraph 6 of the report, for adoption by the General Assembly.

The report submitted under agenda item 37, "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples", is contained in document A/63/408. The Fourth Committee adopted six draft resolutions and two draft decisions. The draft resolutions on the "Question of New Caledonia" and "Question of Tokelau", the consolidated omnibus draft resolution concerning the 11 territories and the draft resolution on the "Question of Western Sahara", as well as both draft decisions, were all adopted without a vote by the Fourth Committee. In connection with the draft resolution on the "Question of Western Sahara", I would like to mention that the French version correctly reflects the changes proposed by the Chairman of the Committee before the adoption in the Committee. The draft resolution on the "Dissemination of information on decolonization" and the resolution on the "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples" were adopted by recorded vote.

The Committee also adopted a second draft decision to increase the membership of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples from 27 to 28 and to appoint Ecuador as a member of the Committee.

The six draft resolutions are contained in paragraph 40 of the report and the two draft decisions are contained in paragraph 41. The Fourth Committee recommends that the General Assembly adopt those draft resolutions and draft decisions.

In the report submitted under agenda item 110, entitled "Revitalization of the work of the General Assembly" (A/63/409), the Committee adopted a draft decision on the "Proposed programme of work and timetable of the Special Political and Decolonization Committee (Fourth Committee) for the sixty-fourth session of the General Assembly". The draft programme of work is contained in the annex to the report.

Under agenda item 119, entitled "Programme planning", the need did not arise for the Committee to

consider that item; the relevant report is contained in document A/63/449.

Before concluding, I should like to recall the high level of cooperation prevailing in the Special Political and Decolonization Committee. The Committee was able to fulfil the mandate entrusted to it by the Assembly and to complete its work effectively and constructively according to the original timetable.

I should like to express, on behalf of the Bureau of the Fourth Committee, our profound appreciation to those delegations that coordinated the efforts on the adoption of draft resolutions by the Committee. I should also like to thank all delegations that participated in our efforts to reach consensus on many draft resolutions and decisions.

I should like to pay particular tribute here to the Chairman of the Fourth Committee, Mr. Jorge Argüello of Argentina, whose knowledge and experience in multilateral forums, enhanced by his excellent diplomatic skills, enabled the Committee to consider in depth all the agenda items allocated to it by the General Assembly and whose focus and determination greatly facilitated our deliberations on a number of sensitive issues. That was particularly important given the wide-ranging and often difficult issues assigned to the Committee. Other members of the Bureau, namely, Mr. Amr Elsherbini of Egypt, Mr. Alexandru Cujba, Permanent Representative of the Republic of Moldova, and Mr. Elmer Cato of the Philippines, with whom I had the pleasure to work, also contributed greatly to the successful conclusion of the work of the Fourth Committee.

I should also like to express our appreciation for the excellent assistance provided by Mr. Saijin Zhang, the Secretary of the Committee, and his very able team from the Secretariat. Through their efforts the work of the Committee always proceeded smoothly and efficiently. We are indeed grateful to them for ensuring that we completed our work successfully.

I now have the honour to submit to the General Assembly for its consideration and adoption the recommendations of the Special Political and Decolonization Committee contained in the reports in documents A/63/398 to A/63/409 and A/63/449.

**The Acting President:** If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the

reports of the Special Political and Decolonization Committee that are before the Assembly today.

*It was so decided.*

**The Acting President:** Statements will therefore be limited to explanations of vote. The positions of delegations regarding the recommendations of the Special Political and Decolonization Committee have been made clear in the Committee and are reflected in the relevant official records. May I remind members that, under paragraph 7 of decision 34/401, the General Assembly agreed that when the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, that is, either in the Committee or in plenary meeting, unless that delegation's vote in plenary meeting is different from its vote in the Committee.

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

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

Before proceeding further, I would like to draw the attention of members to a note by the Secretariat, entitled "Checklist of reports of the Special Political and Decolonization Committee (Fourth Committee) to the General Assembly on agenda items 27 to 37, 110 and 119", which has been circulated as document A/C.4/63/INF/3. This note has been distributed desk to desk in the General Assembly Hall as a reference guide for action on draft resolutions and decisions recommended by the Special Political and Decolonization Committee in its reports.

In that connection, members will find, in column 2 of the note, the numbers of the draft resolutions or decisions of the Special Political and Decolonization

Committee, with the corresponding symbols of the reports for action in plenary meeting in column 5 of the same note.

#### **Agenda item 27**

##### **Effects of atomic radiation**

##### **Report of the Special Political and Decolonization Committee (Fourth Committee) (A/63/398)**

**The Acting President:** The Assembly has before it a draft resolution recommended by the Special Political and Decolonization Committee in paragraph 9 of its report. We will now take a decision on the draft resolution. The Special Political and Decolonization Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

*The draft resolution was adopted (resolution 63/89).*

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

*It was so decided.*

#### **Agenda item 28**

##### **International cooperation in the peaceful uses of outer space**

##### **Report of the Special Political and Decolonization Committee (Fourth Committee) (A/63/399)**

**The Acting President:** The Assembly has before it a draft resolution recommended by the Special Political and Decolonization Committee in paragraph 11 of its report. We will now take a decision on the draft resolution. The Special Political and Decolonization Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

*The draft resolution was adopted (resolution 63/90).*

**The Acting President:** May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 28?

*It was so decided.*

**Agenda item 29****United Nations Relief and Works Agency for Palestine Refugees in the Near East****Report of the Special Political and Decolonization Committee (Fourth Committee) (A/63/400)**

**The Acting President:** The Assembly has before it four draft resolutions recommended by the Special Political and Decolonization Committee in paragraph 16 of its report. We will now take a decision on draft resolutions I to IV, one by one. After all the decisions have been taken, the representatives will again have the opportunity to explain their vote.

We turn first to draft resolution I, entitled "Assistance to Palestine refugees". A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay,

Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

*Against:*

Israel

*Abstaining:*

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

*Draft resolution I was adopted by 173 votes to 1, with 6 abstentions (resolution 63/91).*

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

**The Acting President:** Draft resolution II is entitled "Persons displaced as a result of the June 1967 and subsequent hostilities". A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea,

Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

*Against:*

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

*Abstaining:*

Cameroon, Canada

*Draft resolution II was adopted by 172 votes to 6, with 2 abstentions (resolution 63/92).*

**The Acting President:** Draft resolution III is entitled "Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East". A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

*Against:*

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

*Abstaining:*

Cameroon

*Draft resolution III was adopted by 172 votes to 6, with 1 abstention (resolution 63/93).*

**The Acting President:** Draft resolution IV is entitled “Palestine refugees’ properties and their revenues”. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

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

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

*Against:*

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

*Abstaining:*

Cameroon, Vanuatu

*Draft resolution IV was adopted by 173 votes to 6, with 2 abstentions (resolution 63/94).*

**The Acting President:** May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 29?

*It was so decided.*

**Agenda item 30**

**Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories**

**Report of the Special Political and Decolonization Committee (Fourth Committee) (A/63/401)**

**The Acting President:** The Assembly has before it five draft resolutions recommended by the Special Political and Decolonization Committee in paragraph 16 of its report. We will now take a decision on draft resolutions I to V, one by one. After all the decisions have been taken, representatives will again have the opportunity to explain their votes.

We turn first to draft resolution I, entitled “Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories”. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Algeria, Angola, Antigua and Barbuda, Armenia, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Cambodia, Central African Republic, Chile, China, Comoros, Congo, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Oman, Pakistan, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

*Against:*

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

*Abstaining:*

Albania, Andorra, Argentina, Austria, Bahamas, Belgium, Bosnia and Herzegovina, Botswana, Bulgaria, Burundi, Cameroon, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Mongolia, Montenegro, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia,

Timor-Leste, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay

*Draft resolution I was adopted by 94 votes to 8, with 73 abstentions (resolution 63/95).*

**The Acting President:** Draft resolution II is entitled "Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories". A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

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

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

*Against:*

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

*Abstaining:*

Cameroon

*Draft resolution II was adopted by 173 votes to 6, with 1 abstention (resolution 63/96).*

**The Acting President:** Draft resolution III is entitled "Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan". A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi,

Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

*Against:*

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

*Abstaining:*

Cameroon, Côte d'Ivoire

*Draft resolution III was adopted by 171 votes to 6, with 2 abstentions (resolution 63/97).*

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

**The Acting President:** Draft resolution IV is entitled "Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem". A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cambodia, Cape Verde, Central African

Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

*Against:*

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

*Abstaining:*

Cameroon, Côte d'Ivoire, El Salvador, Honduras

*Draft resolution IV was adopted by 165 votes to 8, with 4 abstentions (resolution 63/98).*

**The Acting President:** Draft resolution V is entitled "The occupied Syrian Golan". A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

*Against:*

Israel

*Abstaining:*

Cameroon, Côte d'Ivoire, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

*Draft resolution V was adopted by 171 votes to 1, with 7 abstentions (resolution 63/99).*

**The Acting President:** I call on the representative of the Islamic Republic of Iran, who wishes to speak in explanation of vote on the resolutions just adopted.

**Mr. Hosseini** (Islamic Republic of Iran): My delegation voted in favour of all draft resolutions under agenda items 29 and 30 in order to join the other members of the General Assembly in showing our solidarity and sympathy with the Palestinian people. However, my delegation wishes to re-emphasize that it will continue to maintain its long-standing position on the resolutions relating to the Palestinian issue. In the same vein, we would like to explain our position concerning certain paragraphs of the aforementioned resolutions.

As everyone knows, Iran has always been unwavering in its support for the Palestinian people in their endeavours to attain their national goals and aspirations, and has genuinely supported the legal and democratic Government of Palestine. The Islamic Republic of Iran continues to emphasize the inalienable rights of the Palestinian people, who have been suffering from occupation and suppression for decades, and stresses the importance of the recognition by the international community of the Palestinians' inalienable right to self-determination vis-à-vis foreign occupation and aggression. The Islamic Republic of Iran believes that a settlement of the Palestinian crisis will be achievable only if the inalienable rights of the people of occupied Palestine are fully recognized, restored and maintained.

We believe that a durable peace in Palestine will be possible through justice, an end to discrimination, an end to the occupation of all Palestinian territories, the return of all Palestinian refugees, resort to democratic means to determine the wishes of the people and the establishment of a democratic Palestinian State with Al-Quds Al-Sharif as its capital.

**The Acting President:** May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 30?

*It was so decided.*

**Agenda item 31 (continued)****Comprehensive review of the whole question of peacekeeping operations in all their aspects****Report of the Special Political and Decolonization Committee (Fourth Committee) (A/63/402)**

**The Acting President:** May I take it that the General Assembly wishes to take note of the report of the Special Political and Decolonization Committee (Fourth Committee) contained in document A/63/402?

*It was so decided.*

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

**Agenda item 32****Questions relating to information****Report of the Special Political and Decolonization Committee (Fourth Committee) (A/63/403)**

**The Acting President:** The Assembly has before it a draft resolution recommended by the Special Political and Decolonization Committee in paragraph 14 of its report and a draft decision recommended by the Committee in paragraph 15 of the same report. We will now take a decision on the draft resolution and the draft decision.

The draft resolution, entitled "Questions relating to information", is in two parts: part A is entitled "Information in the service of humanity"; part B is entitled "United Nations public information policies and activities". The Special Political and Decolonization Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do likewise?

*The draft resolution was adopted (resolution 63/100).*

**The Acting President:** We turn now to the draft decision, entitled "Increase in the membership of the Committee on Information". The Special Political and Decolonization Committee adopted the draft decision without a vote. May I take it that it is the wish of the General Assembly to do the same?

*The draft decision was adopted.*

**The Acting President:** May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 32?

*It was so decided.*

### **Agenda item 33**

#### **Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations**

##### **Report of the Special Political and Decolonization Committee (Fourth Committee) (A/63/404)**

**The Acting President:** The Assembly has before it a draft resolution recommended by the Special Political and Decolonization Committee in paragraph 7 of its report. We will now take a decision on the draft resolution. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Montenegro, Morocco, Mozambique,

Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

*Against:*

None

*Abstaining:*

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

*The draft resolution was adopted by 177 votes to none, with 4 abstentions (resolution 63/101).*

**The Acting President:** May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 33?

*It was so decided.*

### **Agenda item 34**

#### **Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories**

##### **Report of the Special Political and Decolonization Committee (Fourth Committee) (A/63/405)**

**The Acting President:** The Assembly has before it a draft resolution recommended by the Special Political and Decolonization Committee in paragraph 7 of its report. We will now take a decision on the draft resolution. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

*Against:*

Israel, United States of America

*Abstaining:*

France, United Kingdom of Great Britain and Northern Ireland

*The draft resolution was adopted by 179 votes to 2, with 2 abstentions (resolution 63/102).*

**The Acting President:** May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 34?

*It was so decided.*

**Agenda item 35**

**Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations**

**Report of the Special Political and Decolonization Committee (Fourth Committee) (A/63/406)**

**The Acting President:** The Assembly has before it a draft resolution recommended by the Special Political and Decolonization Committee in paragraph 7 of its report. We will now take a decision on the draft resolution. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Algeria, Angola, Antigua and Barbuda, Australia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Japan, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman,

Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

*Against:*

None

*Abstaining:*

Albania, Andorra, Argentina, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia, Slovakia, Slovenia, Spain, Suriname, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

*The draft resolution was adopted by 125 votes to none, with 55 abstentions (resolution 63/103).*

[Subsequently, the delegation of Japan advised the Secretariat that it had intended to abstain.]

**The Acting President:** May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 35?

*It was so decided.*

#### **Agenda item 36**

##### **Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories**

#### **Report of the Special Political and Decolonization Committee (Fourth Committee) (A/63/407)**

**The Acting President:** The General Assembly has before it a draft resolution recommended by the Special Political and Decolonization Committee in paragraph 6 of its report. We will now take a decision on the draft resolution. The Special Political and Decolonization Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do likewise?

*The draft resolution was adopted (resolution 63/104).*

**The Acting President:** May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 36?

*It was so decided.*

#### **Agenda item 37**

##### **Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples**

#### **Report of the Special Political and Decolonization Committee (Fourth Committee) (A/63/408)**

**The Acting President:** The General Assembly has before it six draft resolutions recommended by the Special Political and Decolonization Committee in paragraph 37 of its report and two draft decisions recommended by the Committee in paragraph 38 of the same report. We will now take a decision on draft resolutions I to VI and on draft decisions I and II, one by one. After all the decisions have been taken, representatives will again have the opportunity to explain their vote.

We turn first to draft resolution I, entitled "Question of Western Sahara". The Special Political and Decolonization Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

*Draft resolution I was adopted (resolution 63/105).*

**The Acting President:** Draft resolution II is entitled "Question of New Caledonia". The Special Political and Decolonization Committee adopted it

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

*Draft resolution II was adopted* (resolution 63/106).

**The Acting President:** Draft resolution III is entitled “Question of Tokelau”. The Special Political and Decolonization Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

*Draft resolution III was adopted* (resolution 63/107).

**The Acting President:** Draft resolution IV is entitled “Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands”. This draft resolution is in two parts. Part A is entitled “General”; part B is entitled “Individual Territories”. The Special Political and Decolonization Committee adopted draft resolution IV without a vote. May I take it that the Assembly wishes to do likewise?

*Draft resolution IV was adopted* (resolution 63/108).

**The Acting President:** Draft resolution V is entitled “Dissemination of information on decolonization”. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq,

Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

*Against:*

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

*Abstaining:*

France

*Draft resolution V was adopted by 177 votes to 3, with 1 abstention* (resolution 63/109).

**The Acting President:** Draft resolution VI is entitled “Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples”. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina,

Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

*Against:*

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

*Abstaining:*

France

*Draft resolution VI was adopted by 177 votes to 3, with 1 abstention (resolution 63/110).*

[Subsequently, the delegation of Belgium advised the Secretariat that it had intended to abstain.]

**The Acting President:** We now turn to draft decision I, entitled "Question of Gibraltar". The Special Political and Decolonization Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

*Draft decision I was adopted.*

**The Acting President:** We turn next to draft decision II, entitled "Increase in the membership of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples". The Special Political and Decolonization Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

*Draft decision II was adopted.*

**The Acting President:** May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 37?

*It was so decided.*

**Agenda item 110 (continued)**

**Revitalization of the work of the General Assembly**

**Report of the Special Political and Decolonization Committee (Fourth Committee) (A/63/409)**

**The Acting President:** The Assembly has before it a draft decision recommended by the Special Political and Decolonization Committee in paragraph 5 of its report.

We will now take action on the draft decision, entitled "Proposed programme of work and timetable of the Special Political and Decolonization Committee (Fourth Committee) for the sixty-fourth session of the General Assembly". The Special Political and Decolonization Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

*The draft decision was adopted.*

**The Acting President:** The General Assembly has thus concluded this stage of its consideration of agenda item 110.

**Agenda item 119 (continued)****Programme planning****Report of the Special Political and Decolonization Committee (Fourth Committee) (A/63/449)**

**The Acting President:** May I take it that the General Assembly wishes to take note of the report of the Special Political and Decolonization Committee?

*It was so decided.*

**The Acting President:** The Assembly has thus concluded this stage of its consideration of agenda item 119.

I would like to thank His Excellency Mr. Jorge Argüello, Permanent Representative of Argentina to the United Nations and Chairman of the Special Political and Decolonization Committee (Fourth Committee), the members of the Bureau and all delegations for a job well done.

The General Assembly has thus concluded its consideration of all the reports of the Special Political and Decolonization Committee (Fourth Committee) before it.

**Agenda item 70 (continued)****Oceans and the law of the sea****(a) Oceans and the law of the sea****Reports of the Secretary-General (A/63/63 and Add.1)****Report of the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction (A/63/79 and Corr.1)****Report on the work of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea at its ninth meeting (A/63/174 and Corr.1)****Study prepared by the Secretariat (A/63/342)****Draft resolution (A/63/L.42)****(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****Report of the Secretary-General (A/63/128)****Draft resolution (A/63/L.43)**

**The Acting President:** In accordance with General Assembly resolution 51/204 of 17 December 1996, I now call on His Excellency Mr. José Luis Jesus, President of the International Tribunal for the Law of the Sea.

**Mr. Jesus** (International Tribunal for the Law of the Sea): It is an honour for me, in my capacity as President of the International Tribunal for the Law of the Sea, to address the General Assembly on the occasion of its consideration of the item "Oceans and the law of the sea". On behalf of the Tribunal, I would like to express to Mr. Miguel d'Escoto Brockmann our congratulations on his election as President of the General Assembly at its sixty-third session. I wish him every success in the discharge of his functions.

I have the sad duty to inform the Assembly of the death, on 12 November 2008, of Judge Park Choon-Ho of the Republic of Korea. Judge Park had been a member of the Tribunal since its inauguration in October 1996 and made an important contribution to its work. We will miss a dear friend and colleague. Judge Park's term of office was due to expire in September 2014. A vacancy has therefore occurred in the Tribunal for the remainder of his term. Steps are being taken, in consultation with the States parties, to fill the vacancy created by his death in accordance with article 6 of the statute of the Tribunal.

I would like to take this opportunity to report to the General Assembly on the developments regarding the Tribunal that have taken place since the previous debate on this agenda item. I will add a few observations on the jurisdiction and the work of the Tribunal. Before doing so, I should like to welcome Liberia and Congo as the States parties having most recently joined the United Nations Convention on the Law of the Sea.

I would like to inform the Assembly that, on 13 June 2008, the eighteenth Meeting of States Parties

elected seven judges for a term of nine years. Of those judges, five were re-elected: Judge Vicente Marotta Rangel of Brazil, Judge P. Chandrasekhara Rao of India, Judge Joseph Akl of Lebanon, Judge Rüdiger Wolfrum of Germany and myself, from Cape Verde. Two judges were elected. They are Mr. Boualem Bouguetaia of Algeria and Mr. Vladimir Vladimirovich Golitsyn of the Russian Federation, who were sworn in as members of the Tribunal at a public sitting held on 1 October 2008. They, as well as the five re-elected judges, will serve until 30 September 2017.

Earlier this year, at a Special Meeting of States Parties, held on 30 January 2008, Mr. Zhiguo Gao of China was elected as a new judge of the Tribunal to replace Judge Guangjian Xu, who had resigned from office on 15 August 2007. Judge Gao was sworn in as a member of the Tribunal at a public sitting that took place on 3 March 2008. He will serve for the remainder of his predecessor's nine-year term, which will expire on 30 September 2011.

In 2008, the Tribunal held its twenty-fifth and twenty-sixth sessions, which were devoted to legal and judicial matters of relevance to the Tribunal's work, as well as to organizational and administrative matters. On 30 September 2008, my predecessor, Judge Wolfrum, completed his three-year term as President of the Tribunal. During the session, on 1 October 2008, I was elected as President of the Tribunal for a three-year term. On 2 October 2008, Judge Helmut Türk was elected as Vice-President of the Tribunal and Judge Tullio Treves was elected as President of the Seabed Disputes Chamber.

It might be of interest to draw the attention of States to a number of special procedures that are unique to the Tribunal. The Tribunal has a core competence to deal with all disputes and applications submitted to it in accordance with the Convention. Some aspects of the Tribunal's jurisdiction are indeed unique — a feature that distinguishes it from the other courts and tribunals referred to in article 287 of the Convention. Allow me to highlight some aspects of those procedures.

I should first refer to the Tribunal's advisory competence, which is twofold. On the one hand, the Seabed Disputes Chamber has exclusive competence to give advisory opinions, either, at the request of the Council and the Assembly of the International Seabed Authority, on legal questions arising within the scope

of their activities, under article 191 of the Convention, or, at the request of the Assembly, on the conformity with the Convention of a proposal before the Assembly on any matter, under article 159, paragraph 10, of the Convention. It is likely that some of those questions may arise, and the Council or the Assembly, as the case may be, may make use of the advisory procedure of the Chamber.

Apart from the advisory role of the Seabed Disputes Chamber, the Tribunal, acting as a full court, may give an advisory opinion on a legal question if an international agreement related to the purposes of the Convention specifically provides for the submission to the Tribunal of a request for such an opinion, as provided for in article 138 of the Rules of the Tribunal. That article further indicates that the request for an advisory opinion is to be transmitted to the Tribunal by whatever body is authorized under such an agreement to do so. As the international community faces new challenges in ocean activities, such as piracy and armed robbery, advisory proceedings before the Tribunal on legal questions concerning the application and interpretation of the Convention may prove to be a useful tool to States.

Another unique procedure relates to article 290, paragraph 5, of the Convention, which confers on the Tribunal compulsory jurisdiction to prescribe provisional measures where a dispute on the merits has been submitted to an arbitral tribunal under annex VII of the Convention. Under that provision, the Tribunal is empowered to prescribe provisional measures pending the constitution of an arbitral tribunal to which a dispute is being submitted if it considers that *prima facie* the tribunal that is to be constituted would have jurisdiction and that the urgency of the situation so requires.

Since the provisional measures under article 290, paragraph 5, of the Convention are a compulsory procedure, any one State alone can submit an application to the Tribunal for the prescription of such measures. The Tribunal may prescribe provisional measures not only to preserve the respective rights of the parties to the dispute, but also to prevent serious harm to the marine environment. The protection of the respective rights of the parties to the dispute is a common feature in the rules of procedure of courts and tribunals. The prevention of serious harm to the environment is a specific feature that underlines the importance placed by the Convention on the marine

environment. In fact, the Tribunal has entertained a few cases relating to the protection of the environment under article 290, paragraph 5, of the Convention, whereby it has prescribed provisional measures that were intended to prevent further damage being caused to a particular fish stock or to the marine environment, while, at the same time, protecting the rights of the parties.

An additional instance in which the Tribunal may exercise compulsory jurisdiction concerns article 292 of the Convention, which deals with the prompt release of vessels and crews. That provision enables the flag State, or an entity acting on its behalf, to submit an application to the Tribunal for the prompt release of vessels, or their crews, detained by the authorities of a State party on account of fisheries or marine pollution offences. The Tribunal has entertained a number of applications for the prompt release of fishing vessels and crews detained for alleged violations of fishing laws in the exclusive economic zone of a coastal State, the last two such cases having been dealt with by the Tribunal last year, as already reported to the Assembly. Those applications, made on the basis of article 73 of the Convention, have provided the Tribunal with the opportunity to develop what is now a well-established jurisprudence.

Prompt release proceedings, as well as the proceedings of provisional measures under article 290, paragraph 5, are indeed an illustration of the positive role that the Tribunal, by acting swiftly, may play in maritime matters. The cases handled so far by the Tribunal have not exceeded 30 days.

The Tribunal is well placed to play a major role on issues pertaining to the law of the sea. While the Tribunal has already made a positive contribution to the peaceful settlement of disputes, States have yet to make extensive use of the Tribunal. In that regard, I wish to convey our gratitude to the sponsors of draft resolution A/63/L.42 for noting the continued and significant contribution of the Tribunal to the peaceful settlement of disputes in accordance with part XV of the Convention, and for underlining the Tribunal's important role and authority concerning the interpretation or application of the Convention and the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea.

I should also like to mention that of the 39 States parties to the Convention that have made declarations

under article 287 of the Convention, 24 of them have chosen the Tribunal as the means, or one of the means, for the settlement of disputes concerning the interpretation or application of the Convention. I am pleased to note that the draft resolution encourages States parties to the Convention to consider making a written declaration in accordance with article 287 of the Convention.

The Tribunal has undertaken a number of steps with a view to promoting knowledge about the Convention's dispute-settlement system as it relates to the procedures and proceedings before it. In cooperation with the International Foundation for the Law of the Sea, the Tribunal has organized a number of regional workshops intended to provide Government experts working on the law of the sea, or in other legal areas, with insight into the procedures before the Tribunal. In 2008, workshops were held in Bahrain and Buenos Aires. In 2006 and 2007, workshops took place in Dakar, Libreville, Kingston and Singapore. On behalf of the Tribunal, I would like to express our appreciation to the host countries of those workshops for their valuable cooperation and assistance.

Moreover, the Tribunal established in 2007, with the support of the Nippon Foundation, an annual capacity-building and training programme on dispute settlement under the Convention. During the current cycle, five Government officials and researchers, from China, Gabon, Indonesia, Kenya and Romania, are benefiting from the programme, which is taking place from July 2008 to March 2009. That capacity-building programme complements the Tribunal's internship programme, which began as long ago as 1997. In 2008, 16 participants, each from a different country, have participated in the programme. Nine of those interns benefited from the grant made available by the Korea International Cooperation Agency (KOICA) to enable candidates from developing countries to participate. On behalf of the Tribunal, I would like to convey our gratitude to KOICA and to the Nippon Foundation for their financial assistance to and sponsorship of that and other programmes.

Furthermore, I am glad to report that the second Summer Academy of the International Foundation for the Law of the Sea, on "Uses and protection of the sea: legal, economic and natural science perspectives", was held at the premises of the Tribunal from 3 to 31 August 2008. I am grateful to the International Foundation for the Law of the Sea for organizing that

event, during which 32 participants from 26 different countries received a comprehensive overview of matters relating to both the law of the sea and maritime law.

I should like to express my appreciation for the opportunity given to the International Tribunal for the Law of the Sea to address the Assembly. I would also like to thank the Secretary-General, the Legal Counsel and the Director of the Division for Ocean Affairs and the Law of the Sea for their assistance.

**The Acting President:** In accordance with General Assembly resolution 35/2 of 13 October 1980, I now call on the observer of the Asian-African Legal Consultative Organization.

**Mr. Bhagwat-Singh** (Asian-African Legal Consultative Organization): The Asian-African Legal Consultative Organization (AALCO) has for decades been involved in the development and codification of the law of the sea and has served to foster international cooperation on ocean matters. The AALCO views the oceans as a critical element in the global ecosystem, providing humanity with countless vital resources and serving as a key element in the stable regulation of the climate. Additionally, we have been involved in the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, whose subject matter has grown in scope and importance to our member States. In our endeavours on this issue we have been helped by our affiliated non-governmental organizations and expert groups, particularly the Shipping and Ocean Foundation in Tokyo.

While the United Nations Convention on the Law of the Sea has addressed many difficulties and challenges over the past 25 years, today the oceans are confronted with one of the greatest challenges we have yet had to face; the disruption of the global climate on an unprecedented scale. As nations adapt to climate change, States should observe their duty to protect and preserve the marine ecosystem. If the effects of climate change are left unaddressed, the damage done to the marine ecosystem will be irreversible.

The AALCO supports operative paragraph 100 of draft resolution A/63/L.42 and stresses the need, indicated in that paragraph, for

“collaboration with relevant international organizations and bodies, to enhance their scientific activity to better understand the effects

of climate change on the marine environment and marine biodiversity and develop ways and means of adaptation”.

While every State will have to deal with the effects of climate change, those States that are particularly vulnerable, small island developing States, are those which are least equipped to deal with the negative effects. That should serve as a reminder to the world that the preservation, protection and ultimately the sustainable use of oceans cannot be done in a vacuum within national jurisdictions.

Because of both the interconnectivity of the oceans systems and the modern world’s operations, States should act responsibly to ensure the protection of the whole marine environment and not merely isolated regions. That involves a responsibility on the part of developed States to assist those developing States in increasing the mechanisms, whether financial or otherwise, to ensure marine protection. This should be done with increasing efforts towards cooperation and coordination at all levels: the agency, subregional, regional and global levels.

While existing assessments on the world’s oceans are appreciated, they do not provide a global view of the present state of the oceans. In that regard, the AALCO appreciates the work being done by the Group of Experts conducting the “assessments of assessments” and looks forward to the report on the state of the marine environment, including socio-economic aspects.

The AALCO membership is a mixture of coastal, port and flag States, and as a result, many play important roles in regional efforts to enforce compliance with regulations concerning marine safety and security. The waters of the Asian-African region are a major means of international trade, invaluable marine environments, sources of major fish stocks and unfortunately, also major incidents of piracy.

The Malacca-Singapore Straits can provide a positive example to the world for how coastal States can make a difference in addressing piracy. Information-sharing and capacity-building are key elements of ensuring a safe and secure maritime environment. Information-sharing should be conducted among law enforcement agencies and capacity-building should be aimed to strengthen those agencies which have limited capabilities.

The Regional Cooperation Agreement on Combating Piracy and Armed Robbery against ships in Asia (RECAAP), which provides a venue for information-sharing and capacity-building is a positive anti-piracy model. An African version of RECAAP is currently being considered, and we hope it will be supported. In addition, the RECAAP model can be applied to other regions and other maritime security issues, such as terrorism and drug and human trafficking, and even issues such as illegal, unreported and unregulated fishing activities and marine pollution.

We would like to take this opportunity to reiterate the calls by other States regarding the critical importance of intergovernmental cooperation and information-sharing in order to combat the very serious issues of piracy, armed robbery and transnational organized crime.

The AALCO reiterates the need for additional discussions on maritime safety and security, especially pertaining to the protection of the marine environment, overfishing and illegal, unreported and unregulated fishing. My delegation feels that it is important that those issues receive further attention in the future.

Today, States have ample opportunities to further the sustainable stewardship and protection of the oceans. The changing situation in the Arctic and the considerable new importance which marine genetic resources are beginning to have at the international level bring into question the effectiveness of the current provisions of the Convention. States might want to consider whether the Convention needs to be strengthened or adapted to meet the new and emerging realities. The Asian-African Legal Consultative Organization will assist in furthering those goals and looks forward to the adoption of the two draft resolutions now before the Assembly in documents A/63/L.42 and A/63/L.43.

Finally, I wish to commend the Secretariat, in particular the Office of Legal Affairs and its Division for Ocean Affairs and the Law of the Sea, for having provided the Assembly with reports that are both comprehensive and admirably analytical.

**The Acting President:** We have heard the last speaker in the debate on agenda item 70 and its sub-items (a) and (b).

We shall now proceed to consider draft resolutions A/63/L.42 and A/63/L.43. Before giving the

floor to the representative of the Bolivarian Republic of Venezuela, who wishes to speak in explanation of vote before the voting, may I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

**Mrs. Cabello de Daboin** (Bolivarian Republic of Venezuela) (*spoke in Spanish*): My delegation wishes to explain its vote on draft resolution A/63/L.42, under agenda item 70 (a), entitled “Oceans and the law of the sea”, on which the Assembly will soon be voting. Specifically, the delegation of the Bolivarian Republic of Venezuela wishes to reaffirm its commitment to cooperate with efforts to promote coordination on matters of the oceans and the law of the sea, in conformity with international law. We wish also to state once again our commitment to cooperating in the conservation, comprehensive management and sustainable use of oceans and seas, keeping in mind their importance for the development and well-being of peoples.

We reaffirm that the reasons that have kept the Bolivarian Republic of Venezuela from becoming party to the United Nations Convention on the Law of the Sea (UNCLOS) are still in existence. That is why my delegation is not in a position to vote in favour of the draft resolution, as we are not a party to the 1982 United Nations Convention on the Law of the Sea; nor are its norms applicable to us under customary international law, unless the Venezuelan State has expressly recognized or will recognize in the future these norms by incorporating them into our domestic legislation.

Thus, my delegation would like to reaffirm its historic position on the United Nations Convention on the Law of the Sea, whereby some aspects of the document before the Assembly today lead my delegation to abstain in the vote to be taken.

**The Acting President:** We have heard the only speaker in explanation of vote before the voting. The Assembly will now take a decision on draft resolutions A/63/L.42 and A/63/L.43.

We turn first to draft resolution A/63/L.42, entitled “Oceans and the law of the sea”. I now give the floor to the representative of the Secretariat.

**Mr. Botnaru** (Department for General Assembly and Conference Management): In connection with draft resolution A/63/L.42, entitled “Oceans and the law of

the sea”, I wish to put on record the following statement of financial implications on behalf of the Secretary-General.

By operative paragraphs 28, 49, 127, 160 and 162 of the draft resolution, the General Assembly would request the Secretary-General to convene the nineteenth Meeting of States Parties [to the Convention,] in New York from 22 to 26 June 2009, and to provide the services required; approve the convening by the Secretary-General of the twenty-third and twenty-fourth sessions of the Commission on the Limits of the Continental Shelf, in New York from 2 March to 9 April 2009 and from 10 August to 11 September 2009, respectively, on the understanding that the following periods will be used for the technical examination of submissions at the Geographical Information System laboratories and other technical facilities of the Division: 2 to 20 March 2009, 6 to 9 April 2009, 10 to 21 August 2009 and 8 to 11 September 2009; take note of the joint statement of the Co-Chairpersons of the Ad Hoc Open-ended Informal Working Group (A/63/79), and request the Secretary-General to convene, in accordance with paragraph 73 of resolution 59/24 and paragraphs 79 and 80 of resolution 60/30, with full conference services, a meeting of the Working Group in 2010 to provide recommendations to the Assembly; welcome the work of the Consultative Process over the past nine years and the contribution of the Consultative Process to improving coordination and cooperation between States and strengthening the annual debate of the General Assembly on oceans and the law of the sea, further welcome the attempts to improve and focus the work of the Consultative Process, and decide to continue the Consultative Process for the next two years, in accordance with resolution 54/33, with a further review of its effectiveness and utility by the Assembly at its sixty-fifth session; and request the Secretary-General to convene, in accordance with paragraphs 2 and 3 of resolution 54/33, the tenth meeting of the Consultative Process in New York from 17 to 19 June 2009, to provide it with the necessary facilities for the performance of its work and to arrange for support to be provided by the Division for Ocean Affairs and the Law of the Sea in cooperation with other relevant parts of the Secretariat, as appropriate.

Pursuant to operative paragraphs 28, 160 and 162, the meetings of the States Parties to the United Nations Convention on the Law of the Sea and the

Open-ended Informal Consultative Process on Oceans and the Law of the Sea, have already been included in the 2009 calendar of meetings and conferences and do not constitute an addition.

Pursuant to operative paragraph 49 of the draft resolution, it is envisaged that the Commission would require 10 additional days of meetings with interpretation for the twenty-third and the twenty-fourth sessions, that is, from 30 March to 3 April 2009 and from 31 August to 4 September 2009. Based on the entitlements and previous pattern of meetings, the 2009 calendar of conference and meetings already includes 10 days of meetings for the nineteenth Meeting of States Parties, five days of meetings for the Consultative Process, and five days of meetings for the Ad Hoc Open-ended Working Group on marine biological diversity. The latter two meetings fall under the list of bodies to be remanded at the sixty-third session of the General Assembly (see A/63/32, annex II, part B).

However, operative paragraphs 28, 162 and 127 envision only five days of meetings for the States Parties, three days of meetings for the Consultative Process, and the convening of meetings of the Ad Hoc Open-ended Working Group on marine biological diversity in 2010 instead of 2009. Therefore, resources from the remaining days of meetings planned for those three bodies would be more than enough to compensate for the additional 10 days of meetings of the Commission on the Limits of the Continental Shelf that would require meetings services.

In the light of the foregoing, no additional resources would be required for the biennium 2008-2009.

Pursuant to operative paragraph 127, it is envisaged that the Working Group would meet five days, for a total of 10 meetings with interpretation in six languages, in the early part of 2010. Documentation requirements would be 50 pages of pre-session documents, 15 pages of in-session documents and 10 pages of post-session documents, to be issued in all six languages. It is estimated that, at current rates, the conference-servicing requirements for the meetings of the Working Group would cost \$266,742. It should be noted that the conference services for those meetings would be considered in the context of the preparation of the proposed programme budget for the biennium 2010-2011.

Accordingly, should the General Assembly adopt draft resolution A/63/L.42, no financial implications would arise under the programme budget for the biennium 2008-2009.

**The Acting President:** Before we proceed to take action on draft resolution A/63/L.42, I should like to announce that, since its introduction, the following countries have become sponsors: Antigua and Barbuda, Australia, Austria, Belgium, Belize, Bulgaria, Cape Verde, Croatia, Cyprus, Fiji, Finland, Greece, Honduras, Japan, Latvia, Malaysia, Malta, Micronesia (Federated States of), New Zealand, Norway, Palau, Saint Lucia, Samoa, Spain, Sri Lanka and Tunisia. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia,

Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:*

Turkey.

*Abstaining:*

Colombia, El Salvador, Libyan Arab Jamahiriya, Venezuela (Bolivarian Republic of).

*Draft resolution A/63/L.42 was adopted by 155 votes to 1, with 4 abstentions (resolution 63/111).*

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

**The Acting President:** We turn next to draft resolution A/63/L.43, 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.

**Mr. Botnaru** (Department for General Assembly and Conference Management): In connection with draft resolution A/63/L.43, 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 wish to place on record the following statement of financial implications on behalf of the Secretary-General.

By operative paragraphs 31 and 33 of the draft resolution, the General Assembly would: recall paragraph 16 of resolution 59/25 and 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 2010, 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,

and to render the necessary assistance and provide such services as may be required for the resumption of the Review Conference; and recall paragraph 6 of resolution 56/13 and request the Secretary-General to convene in 2009, in accordance with past practice, an eighth round of informal consultations of States parties to the Agreement for a duration of at least four days to consider, *inter alia*, promoting wider participation in the Agreement through continuing dialogue, in particular with developing States, and initial preparatory work for the resumption of the Review Conference, and to make any appropriate recommendations to the General Assembly.

Pursuant to operative paragraph 31 of the draft resolution, it is envisaged that the Review Conference would be held in New York from 24 to 28 May 2010, for a total of 10 meetings with interpretation in six languages. Documentation requirements would be 200 pages of pre-session documents, 50 pages of in-session documents and 75 pages of post-session documents, to be issued in all six languages. The conference-servicing requirements for the Review Conference are, at current rates, estimated to be \$767,664. It should be noted that the conference services for this meeting would be considered in the context of the preparation of the proposed programme budget for the biennium 2010-2011.

Pursuant to operative paragraph 33 of the draft resolution, the eighth round of informal consultations of States parties to the Agreement would not be a calendar meeting and would be provided with interpretation only on an as-available basis.

In the light of the foregoing, no additional resources would be required for the biennium 2008-2009.

Accordingly, should the General Assembly adopt draft resolution A/63/L.43, no financial implications would arise under the programme budget for the biennium 2008-2009.

**The Acting President:** Before we proceed to take action on draft resolution A/63/L.43, I should like to announce that since the submission of the draft resolution, the following countries have become sponsors: Belgium, Belize, Cape Verde, Cyprus, Honduras, Malta, the Federated States of Micronesia, New Zealand, Palau, Saint Lucia, Samoa and the United Kingdom of Great Britain and Northern Ireland.

May I take it that the Assembly decides to adopt draft resolution A/63/L.43?

*Draft resolution A/63/L.43 was adopted (resolution 63/112).*

**The Acting President:** Before giving the floor to the speakers in explanation of vote on the resolutions just adopted, may I remind delegations that explanations of vote or position are limited to 10 minutes and should be made by delegations from their seats.

**Ms. Millicay** (Argentina) (*spoke in Spanish*): Argentina joined consensus on draft resolution A/63/L.43, on fisheries. However, we wish to indicate once again that none of the recommendations of that resolution can be interpreted as meaning that the provisions of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, adopted in New York in 1995, can be considered as binding for those States that have not expressly indicated their consent to be governed by that Treaty.

**Mrs. Tansu-Seçkin** (Turkey): Turkey voted against the draft resolution contained in document A/63/L.42, entitled "Oceans and law of the sea", under sub-item (a) of agenda item 70. I would like to stress that the reasons that have prevented Turkey from becoming party to the United Nations Convention on the Law of the Sea remain valid. Turkey supports the international efforts to establish a sea regime based on the principle of equity and which can be acceptable to all States. However, in our opinion, the Convention does not make adequate provision for special geographical situations and, as a consequence, is not able to establish an acceptable balance between conflicted interests. Furthermore, the Convention makes no provision for registering reservations on specific clauses.

Although we agree with the Convention in its general intent and most of its provisions, we are unable to become party to it owing to those serious shortcomings. That being the case, we cannot support a resolution which calls upon States to become parties to the United Nations Convention on the Law of the Sea and to harmonize their legislation with its provisions.

As to the draft resolution on sustainable fisheries, contained in document A/63/L.43, under sub-item (b)

of agenda item 70, I would like to state that Turkey is fully committed to the conservation, management and sustainable use of marine living resources and attaches great importance to regional cooperation to that end. In this context, Turkey supports draft resolution A/63/L.43. Turkey, however, dissociates itself from references made in that text to international instruments to which it is not party. Those references, therefore, cannot be interpreted as a change in the legal position of Turkey with regard to the said instruments.

**Mrs. Cabello de Daboin** (Bolivarian Republic of Venezuela) (*spoke in Spanish*): The delegation of the Bolivarian Republic of Venezuela wishes to stress that the matter of sustainable fisheries is a priority for our country, on which we have undertaken major initiatives aimed at promoting and implementing programmes for the conservation, protection and management of aquatic biological resources in the framework of national regulations, specifically through the law on fisheries and agriculture.

In accordance with that law, the Bolivarian Republic of Venezuela has made efforts to harmonize its legislation with the relevant criteria applied by countries of the region, in particular as regards the management of highly migratory live marine organisms and aquatic biological resources that are found in aquatic zones in its sovereign area and under its jurisdiction, as well as in adjacent areas.

The Bolivarian Republic of Venezuela is not party to the United Nations Convention on the Law of the Sea of 10 December 1982, or to the Agreement for the Implementation of the Provisions of the Convention relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments. Nor are the norms of those international instruments as applicable to Venezuela as international common law unless Venezuela has expressly recognized or in the future recognizes those norms by incorporating them into its domestic legislation.

Although the reasons that have prevented the ratification of these instruments remain valid, my delegation did not block consensus regarding the draft resolution before the Assembly on sustainable fisheries. Nevertheless, we reaffirm our position as regards the United Nations Convention on the Law of the Sea and its related agreements, which causes us to

make an express reservation on the content of draft resolution A/63/L.43.

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

The representative of Singapore has requested the floor to speak in exercise of the right of reply. May 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 intervention, and should be made by delegations from their seats.

**Mr. Chow** (Singapore): Singapore would like to respond to the statement made by the representative of Australia yesterday, at the 63rd meeting. While we appreciate Australia's point of view on the Torres Strait, we would like to clarify certain points made regarding the compulsory pilotage regime in the Strait. As several other delegations mentioned in their statements yesterday, the issue at stake here is the sanctity of the regime of transit passage. This is a global issue with implications for international law, particularly the integrity of the United Nations Convention on the Law of the Sea. We should guard against any precedent that can affect the delicate balance in the Convention between the interests of coastal States and the interest of user States in straits used for international navigation.

Singapore shares Australia's concern for the environment and recognizes the economic importance of the Torres Strait, particularly to the littoral States. At the same time, the Torres Strait is also a strait used for international navigation, and, therefore, the right of transit passage applies and must be respected.

This is not a zero-sum game. It is not a choice between addressing environmental concerns and preserving the Convention. Singapore supports efforts to address these environmental concerns and has consistently been willing to work with Australia to find a solution that accommodates concerns about the marine environment, but in a way that also complies with the Convention.

A State bordering a strait used for international navigation may adopt a limited set of laws and regulations relating to transit passage through these straits. The laws and regulations that may be adopted are laid out exhaustively in article 42 of the Convention, and in article 42 alone. In addition, such

laws and regulations shall not in their application have the practical effect of denying, hampering or impairing the right of passage.

Australia is operating a system of compulsory pilotage in the Torres Strait. Under this system, all ships transiting the Strait are required to take a pilot on board, and this requirement is enforced through criminal prosecution under Australia's laws. That goes beyond what is permitted by article 42 of the Convention.

Singapore has also explained that the compulsory pilotage system in the Torres Strait does not have International Maritime Organization (IMO) approval. The relevant IMO resolution, which Australia has previously cited as the basis of approval for its pilotage system, was merely recommendatory in nature. At the twenty-fifth IMO Assembly, in London in 2007, an overwhelming majority of countries reaffirmed the view that the IMO resolution did not provide the legal basis to impose compulsory pilotage.

Singapore will continue working with all our friends, including Australia, to preserve the consensus reflected in article 42 of the Convention between the competing interests of States relating to transit passage.

**The Acting President:** May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 70 and its sub-items (a) and (b)?

*It was so decided.*

#### **Agenda item 45 (continued)**

##### **Culture of peace**

###### **Draft resolution (A/63/L.23)**

**The Acting President:** Members will recall that the Assembly held the debate on this agenda item at its 46th to 50th plenary meetings, on 12 and 13 November 2008. Members will also recall that the Assembly took action on draft resolution A/63/L.24/Rev.1 at the 50th plenary meeting.

The Assembly will now take action on draft resolution A/63/L.23, entitled "International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001-2010".

Before proceeding to take action on the draft resolution, I would like to announce that, since the introduction of draft resolution A/63/L.23, the following countries have become sponsors:

Afghanistan, Angola, Bahrain, Bosnia and Herzegovina, Brazil, Burkina Faso, Cameroon, Cape Verde, Chad, Comoros, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Dominica, the Dominican Republic, Egypt, El Salvador, Equatorial Guinea, Eritrea, Fiji, Gambia, Grenada, Guyana, Haiti, India, Jamaica, Japan, Kenya, the Lao People's Democratic Republic, Lesotho, Liberia, Madagascar, Malawi, Mauritania, Mexico, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Oman, Papua New Guinea, Paraguay, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Seychelles, Singapore, the Solomon Islands, Somalia, the Sudan, Suriname, Swaziland, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, the United Arab Emirates, the United Republic of Tanzania, Uruguay, Vanuatu, Zambia and Zimbabwe.

May I take it that the Assembly decides to adopt draft resolution A/63/L.23?

*Draft resolution A/63/L.23 was adopted (resolution 63/113).*

**The Acting President:** The General Assembly has thus concluded this stage of its consideration of agenda item 45.

#### **Agenda item 114 (continued)**

##### **Cooperation between the United Nations and regional and other organizations**

###### **(o) Cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons (A/63/L.46)**

###### **(r) Cooperation between the United Nations and the Organization of the Islamic Conference (A/63/L.44)**

**The Acting President:** Members will recall that the Assembly held the debate on agenda item 114 and its sub-items (a) to (u) at its 36th and 37th plenary meetings, on 3 November 2008.

I now call on the representative of Uganda, who will introduce draft resolution A/63/L.44.

**Mr. Ayebare** (Uganda): I have the honour of speaking on behalf of the 57 States members of the Organization of the Islamic Conference (OIC) group in New York and introducing draft resolution A/63/L.44, on "Cooperation between the United Nations and the

Organization of the Islamic Conference". The draft resolution is a consensus text, an outcome of consultations among the general United Nations membership.

I would like once again to reiterate our appreciation to the Secretary-General for the comprehensive and informative biennial report on "Cooperation between the United Nations and regional and other organizations" (A/63/228), which facilitated our consideration of this agenda item.

The draft resolution takes into account, inter alia, the desire of the United Nations and the OIC to continue to cooperate closely in the political, economic, social, humanitarian, cultural and scientific fields and in their common search for solutions to global problems. It also notes the progress made in the strengthening of the cooperation between the United Nations, its agencies and the OIC. The OIC attaches great importance to this cooperation and intends to intensify its collaboration with the United Nations and its agencies in order to enhance synergies between the two organizations.

Experience has shown that the joint activities which have arisen from closer collaboration have catalysed deeper and more reflective interactions and have opened up new avenues of cooperation. Closer coordination in fact reinforces the work of the United Nations.

For that reason, closer cooperation between the United Nations and the Organization of the Islamic Conference and other organizations is essential in the pursuit of our common goals and aspirations with respect to international peace and prosperity, including the Millennium Development Goals. The OIC is prepared to take a pragmatic approach to ensure that agreed activities between the two organizations are implemented, and to that end the OIC looks forward to the full support of all our partners.

**The Acting President:** I now call on the representative of the Netherlands, who will introduce draft resolution A/63/L.46.

**Mr. de Klerk (Netherlands):** It is my honour and pleasure to introduce to the General Assembly draft resolution A/63/L.46 on cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons (OPCW). I hope that the draft resolution will be adopted by consensus.

The primary objective of the biennial draft resolutions on this subject is to highlight the importance of the continued cooperation between the United Nations and the OPCW, an organization which is coming closer and closer to the universality of the United Nations, with a current membership of 185 countries, Lebanon and Guinea-Bissau having joined most recently. The task of completing full universalization still requires special efforts by all stakeholders. Adoption of this draft resolution will provide the basis for the General Assembly's continued consideration of cooperation between the United Nations and the OPCW at its sixty-fifth session.

There can be no doubt that one of the key objectives of the United Nations, namely a safer world for all, is greatly enhanced by the OPCW's activities in the areas of the destruction of chemical stockpiles, non-proliferation and international cooperation on the peaceful uses of chemistry. The OPCW's activities, which are often undertaken in cooperation with regional organizations, remain as valid today as when the organization was established 12 years ago.

The Netherlands, as initiator of the draft resolution and as host country of the OPCW, welcomes the successful conclusion of the second special session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention, held in The Hague from 7 to 18 April 2008, and its important outcome, including the consensus final report, which addressed all aspects of the Convention and made important recommendations on its continued implementation.

Let me close by warmly thanking all the Member States that have sponsored the draft resolution. Their support is most valuable and is highly appreciated. It is a pleasure to see that as with the membership of the OPCW, the number of sponsors has also continued to grow from some 60 sponsors two years ago to more than 80 today.

**The Acting President:** The Assembly will now take a decision on draft resolutions A/63/L.44 and A/63/L.46.

We turn first to draft resolution A/63/L.44, entitled "Cooperation between the United Nations and the Organization of the Islamic Conference". Before proceeding to take action on draft resolution A/63/L.44, I should like to announce that since the submission of the draft resolution, the following

countries have become sponsors: Belarus, Guyana and Thailand. May I take it that the Assembly decides to adopt draft resolution A/63/L.44?

*Draft resolution A/63/L.44 was adopted (resolution 63/114).*

**The Acting President:** The Assembly will now take a decision on draft resolution A/63/L.46, entitled "Cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons". Before proceeding to take action on draft resolution A/63/L.46, I should like to announce that since the submission of the draft resolution the following countries have become sponsors: Armenia, Belarus, El Salvador and Jordan. May I take it that the Assembly decides to adopt draft resolution A/63/L.46?

*Draft resolution A/63/L.46 was adopted (resolution 63/115).*

**The Acting President:** Before giving the floor to the representative of France, who wishes to speak in explanation of position on the resolutions just adopted, may I remind delegations that explanations of vote or position are limited to 10 minutes and should be made by delegations from their seats.

**Mr. Delacroix (France)** (*spoke in French*): I have the honour to speak on behalf of the European Union to explain our position on draft resolution A/63/L.44.

As it indicated in its statement of 3 November (see A/63/PV.36), the European Union welcomes the strengthening of ties between regional organizations and the United Nations, in a manner consistent with the Charter and decisions of the United Nations. That is why the European Union joined the consensus today on the draft resolution on cooperation between the United Nations and the Organization of the Islamic Conference (OIC).

At the same time, we would like to state our point of view on one important question. The European Union has been as a matter of principle consistently opposed to the inclusion in resolutions adopted by the United Nations of references to documents expressing political or other commitments of a purely internal nature which have been agreed within other organizations be they regional, transregional or religious. Such commitments have been subscribed to only by the members of those organizations; they have not been the object of a process of international negotiation within the United Nations and therefore have no place in United Nations resolutions.

Accordingly, the European Union expresses its reservations with regard to references to such documents in the resolution we have just adopted, for example, the reference in the sixteenth preambular paragraph to the OIC Ten-Year Programme of Action.

It is on this basis, and with the clear understanding that the content of this resolution does not set a precedent for the future, that the European Union was able to join consensus on this resolution.

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

May I take it that it is the wish of the General Assembly to conclude its consideration of sub-items (o) and (r) of agenda item 114?

*It was so decided.*

**The Acting President:** Before adjourning the meeting, I would like to appeal to those Member States intending to submit draft resolutions on the remaining sub-items to do so as soon as possible.

*The meeting rose at 12.45 p.m.*