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## Sixth Committee

### Summary record of the 14th meeting

Held at Headquarters, New York, on Monday, 15 October 2018, at 10 a.m.

*Chair:* Mr. Biang ..... (Gabon)  
*later:* Mr. Luna (Vice-Chair) ..... (Brazil)  
*later:* Mr. Biang (Chair) ..... (Gabon)

## Contents

Agenda item 85: Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (*continued*)

Agenda item 169: Observer status for the Cooperation Council of Turkic-speaking States in the General Assembly

Agenda item 170: Observer status for the Eurasian Economic Union in the General Assembly

Agenda item 171: Observer status for the Community of Democracies in the General Assembly

Agenda item 172: Observer status for the Ramsar Convention on Wetlands Secretariat in the General Assembly

Agenda item 173: Observer status for the Global Environment Facility in the General Assembly

Agenda item 174: Observer status for the New Development Bank in the General Assembly

Agenda item 175: Observer status for the International Council for the Exploration of the Sea in the General Assembly

Agenda item 176: Observer status for the European Public Law Organization in the General Assembly

Agenda item 177: Observer status for the Asian Infrastructure Investment Bank in the General Assembly

Agenda item 178: Observer status for the International Think Tank for Landlocked Developing Countries in the General Assembly

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*The meeting was called to order at 10.10 a.m.*

**Agenda item 85: Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization**  
(*continued*) (A/73/33 and A/73/190)

1. **Ms. Shareef** (Maldives) said that the important work of the Special Committee in clarifying and interpreting the Charter of the United Nations fed into the ongoing efforts to revitalize and reform the United Nations system and streamline the operation of the various organs of the Organization. The Special Committee must fully implement the 2006 decision on reforming its working methods.

2. Her delegation reiterated its support for the peaceful settlement of international disputes through negotiation and dialogue. In that connection, it welcomed the holding of the first annual thematic debate on the means for the settlement of disputes, on the subtopic “Exchange of information on State practices regarding the use of negotiation and enquiry”, and took note of the views expressed with regard to the importance of preventive diplomacy, conflict prevention and respect for human rights.

3. The current United Nations reform process should proceed in line with the principles and procedures set out in the Charter. In that connection, it was important to ensure respect for the mandate and authority of the General Assembly, the most universal body in the international system, and avoid any action that would compromise its functions. The Security Council should also be made more representative, including by ensuring that small island developing States, which were severely disadvantaged by the Council’s current structure and practice of electing members, were given sufficient opportunities to contribute to decision-making processes related to international peace and security.

4. Any sanctions imposed by the United Nations should be in conformity with the principles underpinning the Charter, meaning that they should be applied in an impartial, non-selective and transparent manner, taking into account their potential ramifications. The application of unilateral sanctions was a flagrant violation of international law.

5. **Ms. Pierce** (United States of America) said that her delegation welcomed the further positive developments that had taken place in the work of the Special Committee over the past year as a result of the positive spirit and momentum that had grown out of the 2016 and 2017 sessions. The first annual thematic debate on the peaceful settlement of disputes had been a useful platform for sharing views and State practice.

6. The withdrawal of the long-standing proposal to establish an open-ended working group to study the proper implementation of the Charter of the United Nations with respect to the functional relationship of its organs, which had failed to generate consensus, was a positive step towards the rationalization of the Special Committee’s work. With a view to making the best use of scarce Secretariat resources, the Committee should consider the withdrawal of additional proposals, such as the proposal to update the 1992 *Handbook on the Peaceful Settlement of Disputes between States* and establish a website on the peaceful settlement of disputes. The Special Committee should also seriously consider shortening its sessions or holding them on a biennial basis. Such steps were reasonable and long overdue, given the current environment of reform, with tighter budgets and an emphasis on enhanced efficiency.

7. The United States continued to believe that the Special Committee should not pursue activities in the area of international peace and security that would be duplicative of or inconsistent with the roles of the principal organs of the United Nations as set forth in the Charter. That included consideration of the proposal calling for a legal study of General Assembly functions and powers and the proposal concerning the reform of the Organization. Moreover, the United States had consistently stated that it did not support the proposal for the General Assembly to request an advisory opinion on the use of force from the International Court of Justice. Her delegation reiterated that if a proposal such as that submitted by Ghana on strengthening peacebuilding and related cooperation between the United Nations and regional organizations could add value by helping to fill gaps, then it should be seriously considered by the Committee. Her delegation encouraged Ghana to take on board suggestions from delegations to narrow the ideas presented in its revised working paper before the 2019 session of the Special Committee.

8. With regard to the question of assistance to third States affected by the application of sanctions, there had been positive developments elsewhere in the United Nations that were designed to ensure that targeted sanctions remained a robust tool for combating threats to international peace and security. Accordingly, the need to explore practical and effective measures of assistance to third States affected by sanctions had been reduced and the Special Committee should now decide that there was no further need for it to discuss the issue, even biennially.

9. Her delegation remained cautious about adding new items to the Special Committee’s agenda. While it was not opposed in principle to exploring new items,

they should be practical and non-political, should not duplicate efforts elsewhere in the United Nations and should respect the mandates of the principal organs of the Organization. The Special Committee was not the appropriate forum to assess the sufficiency of Member State communications submitted pursuant to Article 51 of the Charter. Lastly, her delegation commended the Secretary-General's ongoing efforts to reduce the backlog in preparing the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*.

10. **Mr. Dotta** (Uruguay) said that it was a worrying sign that so many delegations, including his own, felt the need to call for greater political will to enable the Special Committee to effectively fulfil its mandate and contribute to improving the operation of the United Nations. The Special Committee was responsible for considering proposals with a view to enhancing the ability of the United Nations to achieve its purposes and presenting suggestions for the more effective functioning of the United Nations that might not require amendments to the Charter. Its mandate was important to achieve greater balance in the functioning of the various organs of the United Nations and to address issues that sometimes could not be dealt with in other forums, owing to a lack of consensus. All necessary resources should therefore be dedicated to ensuring that it was able to continue functioning and to fulfil its crucial mandate.

11. It was expressly stated in the Charter that the General Assembly could make recommendations to the Security Council, except as provided in Article 12. Furthermore, the General Assembly was the only truly democratic and representative organ of the United Nations. Admittedly, the Security Council had a very important role to play in maintaining international peace and security, but so did the General Assembly. Enhancing the Special Committee would strengthen the General Assembly, while failing to properly support its work would mean handing over its powers to another, less representative body. His delegation therefore encouraged the Sixth Committee to identify specific, creative ways to enhance the effectiveness of the Special Committee in contributing to the mandate of the United Nations.

12. **Mr. Islam** (Bangladesh) said that the exchange of information on State practices regarding the use of negotiation and enquiry had been useful and would contribute to advancing the appropriate use of the various United Nations tools for preventing conflict and sustaining peace.

13. It was regrettable that a number of items had been on the Special Committee's agenda for years. Some of those issues were already being addressed sporadically in other forums, yet the Special Committee's potential to deal with them in a cohesive fashion remained largely untapped. That trend needed to be reversed through the demonstration of sufficient political will by all Member States.

14. The Special Committee had added value to the ongoing debate on the merits and demerits of sanctions regimes, especially when they hurt the interests of civilians or third parties. Sanctions regimes were often couched in legal and technical provisions that posed various compliance challenges, depending on the legal and administrative contexts at the national level. The Special Committee should continue to consider the legal grounds and effects of sanctions.

15. His delegation had taken note of the oral proposal by Mexico for the Special Committee to consider the issue of the right to self-defence under Article 51 of the Charter and looked forward to examining a written proposal in the future.

16. **Ms. Abd Kahar** (Malaysia) said that a number of the proposals and papers referred to in chapter II of the Special Committee's report (A/73/33) concerned issues that were no longer relevant or were being handled by other United Nations bodies. To avoid overburdening the Special Committee, it would be worth reviewing the list of proposals with a view to focusing on the consideration of new topics of greater relevance to the current situation.

17. **Ms. Ighil** (Algeria) said that her delegation reiterated its support for the work of the Special Committee, which played an important role in the maintenance and strengthening of international peace and security, the promotion of the principles of international law, and the peaceful settlement of international disputes. Her delegation also supported the efforts of Member States to consider ways and means to improve the efficiency of the Special Committee and its working methods and to encourage interaction and more substantive discussions on proposals before the Special Committee. All proposals before the Committee merited due consideration, but political will was needed to make progress, in particular in relation to a number of long-standing issues. Despite the lack of movement on the consideration of certain proposals, her delegation was encouraged by the reinvigoration of the work of the Special Committee.

18. Her delegation had concerns about the impact of sanctions, in particular in relation to the implementation of the provisions of the Charter concerning assistance to

third States affected by the application of sanctions. Sanctions must be applied in strict accordance with the Charter and the relevant principles of international law, only as a last resort, and within a clearly defined framework, in order to minimize any adverse consequences for vulnerable groups, civilian populations and other States. Thus, the objectives of and legal basis for sanctions, and the time frame for their implementation, must always be clearly defined.

19. Her delegation reiterated the importance of full respect for the provisions of the Charter concerning the functions and powers of the principal organs of the United Nations and the maintenance of an appropriate balance among those entities. The ongoing reform of the United Nations and the revitalization of the work of the General Assembly would benefit from the input of the Special Committee in that regard.

20. Her delegation encouraged the Special Committee to continue its in-depth consideration of all proposals related to the maintenance of international peace and security. It welcomed the support expressed for the revised working paper submitted by Ghana on strengthening the relationship and cooperation between the United Nations and regional arrangements or agencies in the peaceful settlement of disputes and looked forward to the future submission by Ghana of draft guidelines related to the topic.

21. Algeria was committed to the principles of the Charter concerning the peaceful settlement of disputes, and also recognized the vital role of the International Court of Justice in the prevention and settlement of disputes among States. Her delegation was pleased that a thematic debate on negotiation and enquiry had taken place, following the Special Committee's consideration of the proposal previously submitted on behalf of the Movement of Non-Aligned Countries entitled "Pacific settlement of disputes and its impact on the maintenance of peace". Her delegation also supported the ongoing efforts to update the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*. Eliminating the backlog in the preparation of those publications should be given a higher priority, and resources should be specifically allocated for that purpose.

22. **Mr. Khoshroo** (Islamic Republic of Iran) said that the Special Committee was the only enduring mechanism within the United Nations for the discussion of issues relating to the Charter and the strengthening of the role of the Organization. By unlawfully resorting to the threat or use of force, a few Member States had acted in defiance of peremptory norms of international law and, in violating the Charter, had called into question the

credibility of the United Nations. In that context, clarifying and reaffirming the provisions of the Charter concerning the use of force could help to strengthen the Organization. It was therefore regrettable that a few Member States opposed the proposal by Belarus and the Russian Federation recommending that the General Assembly request an advisory opinion from the International Court of Justice as to the legal consequences of the resort to the use of force by States without prior authorization by the Security Council, except in the exercise of the right to self-defence.

23. The Secretariat was not currently in a position to fully assess the short- and long-term socioeconomic and humanitarian consequences of United Nations sanctions regimes. Its expertise and capacity should be enhanced to enable it to properly assess the unintended consequences on civilian populations. Moreover, sanctions should be imposed by the Security Council only as a last resort, after determination of the existence of an actual threat to peace or a breach of peace, based on valid evidence and not mere speculation and misinformation. Sanctions imposed pursuant to the arbitrary and politically motivated determination of threats to peace and security should not be considered legitimate and lawful.

24. The new and surprising trend of States openly using threats against other States as a tool of foreign policy was also being manifested within the United Nations, for example in the form of threats to cut financial aid to countries that voted in favour of certain resolutions. The United States had also warned delegations about possible consequences of their votes in the General Assembly by stating that it was taking note of how States voted. Such actions ran counter to the principles of the United Nations and undermined the objectives of the Special Committee by weakening, rather than strengthening, the Organization.

25. It was also discouraging that a permanent member of the Security Council was not only violating Security Council resolution [2231 \(2015\)](#), concerning the Joint Comprehensive Plan of Action, but was also taking the unprecedented step of penalizing other States for abiding by that resolution. That country was addicted to sanctions, which it seemed to view as a tool for pursuing its national interests. Such morally wrong and ethically unjustified unilateral measures not only defied the rule of law at the international level but also infringed upon the right to development and led to violations of basic human rights.

26. His delegation welcomed the report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights ([A/73/175](#)) and supported the recommendations made therein, in

particular the Special Rapporteur's call for States to affirm and state clearly that unilateral sanctions, especially those of a comprehensive nature, in particular when aggravated by secondary sanctions seeking the "economic isolation" of the target country, amounted to discrimination against the innocent population of the country concerned, in violation of the prohibition of discrimination enshrined in the main international human rights instruments.

27. His delegation welcomed the decision of the Special Committee to hold an annual thematic debate on the means for the peaceful settlement of disputes. During the debate, the Islamic Republic of Iran had shared its positive experience of using negotiation and diplomacy in the development of the Joint Comprehensive Plan of Action, a process in which mutual respect, equality and the willingness to work on the basis of common interests and shared objectives, among other conditions, had led to a successful conclusion of the agreement. The Joint Comprehensive Plan of Action remained alive, even though the United States had withdrawn from the deal, exerted its political and economic influence with a view to undermining it entirely, and reimposed sanctions and restrictive measures targeting the Islamic Republic of Iran and also Iranian citizens and businesses.

28. Coercive measures often led to the collective punishment of innocent civilians and human rights violations. As stated by the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights in August 2018, the unjust and harmful sanctions were destroying the economy of Iran and making imported goods unaffordable, and the current system created doubt and ambiguity that made it all but impossible for Iran to import urgently needed humanitarian goods, which was likely to lead to silent deaths in hospitals as medicines ran out, while the international media failed to notice.

29. His delegation called on all States to give in-depth consideration to the valuable proposals that had been submitted by a number of delegations and to engage in constructive dialogue to improve the work of the Special Committee. Genuine political will was needed in order to make progress with regard to the long-standing matters on the agenda of the Special Committee.

30. **Mr. Luna** (Brazil), noting the increasing number of communications submitted to the Security Council under Article 51 of the Charter, in which Member States sought to justify resorting to military action in order to counter terrorism, said that there was ample room for improvement with regard to the content, timing and circulation of those communications and the follow-up

that was subsequently carried out. It was critical for States to provide sufficient information regarding the attack that was being invoked as grounds for the use of force in self-defence, so that their actions could be analysed in accordance with the principles of proportionality and necessity. Furthermore, significant delays in the reporting of measures taken in the exercise of self-defence under Article 51 were far too common, considering the stipulation in the Charter that such measures be reported immediately. It would therefore be useful to establish best practices concerning the content of communications and when and how often they should be submitted.

31. The flow of information to non-members of the Security Council must also be improved. To that end, Brazil had suggested that a dedicated section be added to the Security Council website listing all communications received under Article 51 or invoking the right to self-defence. The information currently available through the *Repertory of Practice of United Nations Organs* was very out-of-date; the most recent supplement covered the period from 1979 to 1984. Another contribution towards greater transparency would be to encourage the Security Council to automatically hold a debate following each submission of a communication under Article 51.

32. While communications under Article 51 were directed to the Security Council, they were of interest to the international community as a whole. His delegation would therefore welcome a debate in the Special Committee on the procedural aspects of the implementation of Article 51. Defining specific procedures would create better conditions for a related, but distinct and broader, debate in the Sixth Committee on the scope and application of the right to self-defence.

33. **Mr. Bukoree** (Mauritius) said that his delegation welcomed the commitment of the Secretary-General to rebalancing the Organization's approach to peace and security and promoting the use of Chapter VI rather than Chapter VII of the Charter, including by focusing on conciliation and dialogue rather than the application of sanctions. When sanctions were used, they must be imposed and implemented in full conformity with the provisions of the Charter and international law, as the legitimacy of sanctions was essential to their effectiveness. The General Assembly should be adequately informed and consulted on matters relating to sanctions, since questions concerning the application of sanctions by the Security Council, including due process, were of interest to all Member States. The obligation under the Charter to settle disputes peacefully had been reaffirmed and clarified in a number of resolutions and declarations, including the 1970 Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in

accordance with the Charter of the United Nations. Sanctions should therefore only be used as a last resort.

34. The Charter was the most important text on the rule of law at the international level. It had also helped to create a better world by recognizing the right of peoples to self-determination and independence, creating an Organization in which all States had equal voting rights, requiring disputes between countries to be settled peacefully and setting out conditions for the use of force. His delegation fully supported the Special Committee in its efforts to ensure full adherence to the Charter.

35. *Mr. Luna (Brazil), Vice-Chair, took the Chair.*

36. **Mr. Alazeezi** (United Arab Emirates), speaking in exercise of the right of reply, said that his Government categorically denied having violated the International Convention on the Elimination of All Forms of Racial Discrimination in any way. Regrettably, Qatar had misrepresented the Order rendered by the International Court of Justice on 23 July 2018 in *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*. The United Arab Emirates had in fact ensured that Qatari students could continue to study in the country. Surprisingly, the Government of Qatar appeared not to have kept track of its own citizens; there were in fact over 600 Qatari students in the United Arab Emirates. Thousands of Qataris resided in the country and were free to stay or leave. The measures taken by the United Arab Emirates merely meant that, as of 5 June 2017, Qatari nationals must give prior notice before entering the country.

37. When an arbitration process was under way, both parties should participate in good faith and refrain from abusing the proceedings for political gain. His Government was committed to complying with the Order. It had the highest regard for the Qatari people; the measures that it had taken were directed at the Government of Qatar, rather than its people. The United Arab Emirates was committed to complying with the Court's request that the parties refrain from any action which might aggravate or extend the dispute before the Court or make it more difficult to resolve.

38. **Mr. Park** Young-hyo (Republic of Korea), speaking in exercise of the right of reply, said that the Committee was not the appropriate forum to discuss the status of the United Nations Command. The position of the Republic of Korea in that regard had been made clear on many occasions at the Special Committee's sessions and in other relevant forums and did not need to be repeated at the current juncture.

#### **Agenda item 169: Observer status for the Cooperation Council of Turkic-speaking States in the General Assembly (A/66/141; A/C.6/73/L.2)**

39. **Ms. Guardia González** (Cuba), making a general statement on requests for observer status, said that the criteria for the granting of observer status in the General Assembly as set out in General Assembly decision 49/426 must be strictly applied. Such status must be granted solely to intergovernmental organizations whose activities covered matters of interest to the Assembly. There was consensus in the Committee that, in order for each request for observer status to be properly considered, a copy of the organization's constitutive instruments and information on its objectives and membership must be made available. Her delegation was grateful to the Secretariat for its efforts to facilitate the consideration of requests for observer status in a more coordinated and coherent manner.

*Draft resolution A/C.6/73/L.2: Observer status for the Cooperation Council of Turkic-speaking States in the General Assembly*

40. **The Chair** recalled that, at its sixty-sixth to seventy-second sessions, the General Assembly had decided to defer to the subsequent session a decision on the request for observer status for the Cooperation Council (General Assembly decisions 66/527, 67/525, 68/528, 69/527, 70/523, 71/524 and 72/523). If he heard no objection, he would take it that the Committee wished to recommend that the General Assembly defer to the seventy-fourth session a decision on the request.

41. *It was so decided.*

#### **Agenda item 170: Observer status for the Eurasian Economic Union in the General Assembly (A/70/141; A/C.6/73/L.3)**

*Draft resolution A/C.6/73/L.3: Observer status for the Eurasian Economic Union in the General Assembly*

42. **The Chair** recalled that, at its seventieth to seventy-second sessions, the General Assembly had decided to defer to the subsequent session a decision on the request for observer status for the Eurasian Economic Union in the General Assembly (General Assembly decisions 70/524, 71/525 and 72/524). If he heard no objection, he would take it that the Committee wished to recommend that the General Assembly defer to the seventy-fourth session a decision on the request.

43. *It was so decided.*

**Agenda item 171: Observer status for the Community of Democracies in the General Assembly (A/70/142; A/C.6/73/L.9)**

*Draft resolution A/C.6/73/L.9: Observer status for the Community of Democracies in the General Assembly*

44. **The Chair** recalled that, at its seventieth to seventy-second sessions, the General Assembly had decided to defer to the subsequent session a decision on the request for observer status for the Community of Democracies in the General Assembly (General Assembly decisions 70/525, 71/526 and 72/525).

45. **Ms. Dickson** (United Kingdom), introducing draft resolution [A/C.6/73/L.9](#), said that Canada, the Netherlands and Romania had joined the sponsors. Detailed information regarding the Community of Democracies, including its background, purpose and activities, could be found in the explanatory memorandum annexed to document [A/70/142](#). The Warsaw Declaration, which was the founding document of the Community of Democracies and had been signed by 106 States Members of the United Nations since 2000, had been placed on the edeleGATE portal and could be found on the Community's website. That document described the freedoms and rights that were essential for a nation to flourish as a democracy. Signatories pledged to uphold 19 core democratic principles and expressed their adherence to the Charter of the United Nations and the Universal Declaration of Human Rights.

46. The Community's activities were oriented towards enhanced collaboration among States on issues related to democracy and existing international and regional institutions. Its purpose was to promote democratic governance, taking into account cultural diversity, gender equality and the protection of human rights at the global and regional levels. The work of the Community was carried out by a Governing Council consisting of 29 States, which were represented at biennial ministerial meetings by a senior official or by ministers. The Governing Council was assisted by a permanent secretariat that was based in Warsaw under a host country agreement recognizing the Community as an international organization.

47. The objectives of the Community and those of the General Assembly were complementary and were conducive to upholding the fundamental democratic principles enshrined in article 21 of the Universal Declaration of Human Rights. In that connection, it should be recalled that the General Assembly was one of the world's largest providers of technical cooperation for democracy and good governance. Granting the Community observer status in the General Assembly

would further enhance a beneficial dialogue between the two organizations.

48. **Ms. Guardia González** (Cuba) said that the criteria for the granting of observer status in the General Assembly as set out in General Assembly decision 49/426 must be strictly applied. Such status must be granted solely to intergovernmental organizations whose activities covered matters of interest to the Assembly. The intergovernmental character of the Community of Democracies was open to question, as its membership included private sector, civil society and youth organizations. Moreover, there was consensus that the Committee should be provided with all of the documentation relating to organizations that were being considered for observer status.

49. With regard to the second requirement set out in General Assembly decision 49/426, that the organization's activities cover matters of interest to the Assembly, it should be noted that the Community of Democracies had taken a long list of politically motivated actions against sovereign States Members of the United Nations, and had imposed certain models of democracy in open disregard for the principles of sovereignty and non-intervention in the internal affairs of States. The Community had also funded projects in non-member States without the permission of their Governments. It was difficult to see how such activities could make a contribution to the work of the General Assembly. The organization did not meet the criteria set out in General Assembly decision 49/426, and the granting of observer status would set an unfortunate precedent. She therefore urged the sponsors to withdraw the request.

50. **Mr. Al Arsan** (Syrian Arab Republic) said that it was essential to comply with the criteria set out in General Assembly decision 49/426, according to which observer status must be granted solely to intergovernmental organizations whose activities covered matters of interest to the Assembly. Any serious consideration of the request should begin with the Community's founding document, which provided the primary means for the Committee to assess whether that organization was truly intergovernmental. However, the Committee was not in a position to examine the Community's policies, programmes, plans or objectives, as no official document had been provided for that purpose. Moreover, the Community's members included civil society and private sector organizations, something that belied its intergovernmental nature. Granting observer status under those circumstances would set a precedent inconsistent with the rules of the General Assembly.

51. The Community had endeavoured to impose certain models of democracy on sovereign Member States without regard for the rules of international law or the purposes and principles of the Charter of the United Nations. It had also funded projects in non-member States without the permission of their Governments. In one recent example of opaque and politicized practices, the Community had sought to submit indirectly to the Third Committee of the General Assembly a draft resolution on development and compliance with specific democratic standards. That approach was unacceptable and had been rejected by Member States.

52. Those facts made it doubtful whether the Community could make a positive contribution to the work of the General Assembly. His delegation therefore opposed the granting of observer status to the Community; it did not meet the criteria set out in General Assembly decision 49/426, and some of its activities amounted to covert intervention in the internal affairs of Member States.

53. **Ms. Zaworska-Furgala** (Poland) said that her country had been a staunch supporter of the Community of Democracies since its inception and valued its work as a prominent platform for the promotion of human rights and democratic values around the world. As a founding member and the host of the permanent secretariat of the Community, Poland was committed to the Warsaw Declaration and remained confident that there was added value in strengthening cooperation between the United Nations and the Community. She urged other delegations to join the sponsors of the draft resolution.

54. *Mr. Biang (Gabon) resumed the Chair.*

55. **Ms. Fernández Juárez** (Bolivarian Republic of Venezuela) said that the criteria set out in General Assembly decision 49/426 were clear: observer status could be granted only to intergovernmental organizations. However, it was unclear whether the Community of Democracies was truly an intergovernmental organization. It was essential to clarify whether the permanent secretariat was an intergovernmental organ, and whether it acted on behalf of an intergovernmental organization as opposed to a “coalition”, a term that appeared in several of the Community’s documents and on its own website. In the absence of any consensus on those questions, the request should be withdrawn.

56. **Ms. Argüello González** (Nicaragua) said that her delegation supported the points made by the representatives of Cuba, the Syrian Arab Republic and the Bolivarian Republic of Venezuela: the request did not enjoy the necessary consensus.

57. **Mr. Khng** (Singapore) said that he looked forward to working with interested delegations with a view to obtaining the necessary information and reaching a consensus. He would be interested in verifying that the Community of Democracies was intended to exercise, and did in fact exercise, rights, functions and capacities at the international level. Such information would make it possible to determine that the Community was an intergovernmental organization rather than a coalition.

58. **Mr. Zambrana Torrelio** (Plurinational State of Bolivia) said that the criteria set out in General Assembly decision 49/426 had not been met: there was no constitutive instrument demonstrating the intergovernmental nature of the Community of Democracies, and the activities of that organization had not been shown to be congruent with those of the General Assembly. In view of the lack of consensus, the request should be withdrawn.

**Agenda item 172: Observer status for the Ramsar Convention on Wetlands Secretariat in the General Assembly (A/72/194)**

59. **The Chair** recalled that, at its seventy-second session, the General Assembly had decided to defer to the current session a decision on the request for observer status for the Ramsar Convention on Wetlands Secretariat in the General Assembly (General Assembly decision 72/526). If he heard no objection, he would take it that the Committee wished to recommend that the General Assembly defer to the seventy-fourth session a decision on the request.

60. *It was so decided.*

**Agenda item 173: Observer status for the Global Environment Facility in the General Assembly (A/72/195)**

61. **The Chair** recalled that, at its seventy-second session, the General Assembly had decided to defer to the current session a decision on the request for observer status for the Global Environment Facility in the General Assembly (General Assembly decision 72/527). If he heard no objection, he would take it that the Committee wished to recommend that the General Assembly defer to the seventy-fourth session a decision on the request.

62. *It was so decided.*

**Agenda item 174: Observer status for the New Development Bank in the General Assembly**  
(A/73/142; A/C.6/73/L.4)

*Draft resolution A/C.6/73/L.4: Observer status for the New Development Bank in the General Assembly*

63. **Mr. Liu Yang** (China), introducing draft resolution A/C.6/73/L.4, said that the Netherlands and the Sudan had joined the sponsors. The New Development Bank fully met the requirements for observer status in the General Assembly as set out in General Assembly decision 49/426: it was an intergovernmental organization, established by the Governments of Brazil, the Russian Federation, India, China and South Africa (BRICS), and its activities covered matters of interest to the Assembly. The Bank had an initial authorized capital of US\$ 100 billion; membership in the Bank was open to all the States Members of the United Nations.

64. The Bank's purpose was to mobilize resources for infrastructure and sustainable development projects in BRICS and other countries with emerging economies and in developing countries. Its functions included support for public and private projects through loans, financial guarantees, equity participation and other financial instruments; cooperation with international organizations and other financial entities; and support for technical assistance projects. The activities of the Bank were consistent with the purposes and principles of the United Nations. The granting of observer status would encourage greater cooperation between the Bank and the United Nations and would contribute to the achievement of the Sustainable Development Goals.

65. **Mr. Luna** (Brazil) said that the agreement to establish the Bank had been signed in 2014 in Brazil, during the sixth BRICS summit. The Bank was the first development institution with global scope established exclusively by countries with emerging market economies and was a unique example of the contribution that developing countries could make to economic growth and sustainable development. The Bank complemented the activities of other multilateral development banks in that it could perform transactions without sovereign guarantee, enabling it to issue loans to the private sector and subnational entities. The Bank was planning to make loans available in the local currencies of its member States, thus bolstering the bond markets in those currencies. It was also developing financial instruments that would channel resources towards environmentally sustainable infrastructure projects. The Bank followed the model of international development banks, while respecting its members' priorities and assisting them in the achievement of the Sustainable Development Goals.

66. **Ms. Brammer** (South Africa) said that, in line with its strategy for the period 2017 to 2021, the Bank would direct two-thirds of the financing it provided in its first five years to support sustainable infrastructure development projects in such areas as clean energy, transport infrastructure, water resources management and sanitation, urban development, and economic cooperation and integration, thereby contributing to the achievement of the Sustainable Development Goals.

67. **Ms. Melikbekyan** (Russian Federation) said that the Bank was an independent international organization established on the basis of an international agreement and a subject of international law, which enjoyed the privileges and immunities of an autonomous institution.

68. **Mr. Yedla** (India) said that the Bank's activities contributed to the social and economic development of emerging economies and developing countries, and drove global growth and development. They were therefore consistent with the purposes and principles of the United Nations.

**Agenda item 175: Observer status for the International Council for the Exploration of the Sea in the General Assembly**  
(A/73/145; A/C.6/73/L.5)

*Draft resolution A/C.6/73/L.5: Observer status for the International Council for the Exploration of the Sea in the General Assembly*

69. **Ms. Johansen** (Norway), introducing draft resolution A/C.6/73/L.5 on behalf of the Nordic countries (Denmark, Finland, Iceland, Norway and Sweden), said that Belgium, Canada, France, the Netherlands, South Africa, Spain and the United States of America had joined the sponsors. The International Council for the Exploration of the Sea was an intergovernmental organization that fulfilled the requirements for the granting of observer status established by General Assembly decision 49/426. The Council coordinated and promoted marine research on oceanography, the marine environment, marine ecosystems and living marine resources from the Arctic Ocean to the North Atlantic, including the adjacent sea areas. The Council represented a global network of thousands of scientists from almost 700 marine institutes and their affiliates in close to 60 countries, including all the States bordering the North Atlantic and the Baltic Sea, and other States in Africa, South America and Oceania. The Council worked at the science-policy interface to provide transparent, auditable scientific research of regional and global relevance to serve as the foundation for the development of integrated and successful environmental marine policies.

70. The Council had already established formal cooperation agreements with the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization and with the Food and Agriculture Organization of the United Nations. The Council and the United Nations had complementary goals and objectives. The granting of observer status would enable the Council to engage in the relevant work of the United Nations, including by contributing to the achievement of the Sustainable Development Goals, as well as to the United Nations Decade of Ocean Science for Sustainable Development, the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, and the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects. The Council would also be in a position to ensure that its work supported the implementation of internationally agreed policy goals.

71. **Ms. Brammer** (South Africa) said that the protection of the environment and sustainable use of oceans and marine resources were extremely important in the light of the recent report of the Intergovernmental Panel on Climate Change. The International Council for the Exploration of the Sea sought to assist policymakers in taking informed decisions on the sustainable use of the marine environment and ecosystems. As highlighted in the Sustainable Development Goals Report of 2018, it was critical to intensify research capacity for, inter alia, the preservation of marine resources, while effective strategies and management were needed to advance the sustainable use and conservation of the oceans. The work of the Council was therefore integral to the achievement of Sustainable Development Goal 14 to conserve and sustainably use the oceans, seas and marine resources. Although the Council's focus was on the North Atlantic Ocean and adjacent sea areas, the guidance it provided to researchers and policymakers on ocean sustainability, climate change, biodiversity and the conservation and management of resources would also benefit countries that did not border those areas.

**Agenda item 176: Observer status for the European Public Law Organization in the General Assembly (A/73/191; A/C.6/73/L.6)**

*Draft resolution A/C.6/73/L.6: Observer status for the European Public Law Organization in the General Assembly*

72. **Mr. Vaultier Mathias** (Portugal), introducing draft resolution [A/C.6/73/L.6](#), said that Bulgaria, Greece, the Netherlands, Romania and Serbia had joined the sponsors. The European Public Law Organization was an intergovernmental organization with international legal

personality established in 2007 by an international treaty. It disseminated knowledge in the area of public law, ranging from constitutional law to international law, and promoted universal values and governance through cooperation with other international organizations. The European Public Law Organization already had observer status in the International Labour Organization, the World Intellectual Property Organization and the International Organization for Migration. It also participated in the Global Forum on Law, Justice and Development of the World Bank, worked closely with the United Nations Office on Drugs and Crime, the European Union and the Council of Europe, and kept regional offices in 12 countries across the globe. Membership in the organization, which currently comprised 17 members, was open to all States.

73. The European Public Law Organization promoted the objectives of the United Nations, such as the dissemination of scientific knowledge, education and training, institution-building and dialogue. The granting of observer status to the European Public Law Organization would provide the United Nations with access to the organization's expertise and to additional resources for its work on the rule of law, governance and development. The European Public Law Organization, in turn, would come closer to achieving its goals and gain a better understanding of the efforts of the United Nations to promote the rule of law and universal values.

**Agenda item 177: Observer status for the Asian Infrastructure Investment Bank in the General Assembly (A/73/194; A/C.6/73/L.7)**

*Draft resolution A/C.6/73/L.7: Observer status for the Asian Infrastructure Investment Bank in the General Assembly*

74. **Mr. Liu Yang** (China), introducing draft resolution [A/C.6/73/L.7](#), said that Argentina, Cambodia, Israel, Nepal, the Netherlands, Romania, the Sudan, Turkey and Viet Nam had joined the sponsors. The Asian Infrastructure Investment Bank fully met the requirements for observer status in the General Assembly as set out in General Assembly decision 49/426: it was an intergovernmental institution with full juridical personality, established in 2015 by 57 founding member States, and its activities covered matters of interest to the Assembly. The Bank currently had 68 members, from countries and territories in Asia, Oceania, Africa, Europe and the Americas, and at least 20 more countries were planning to become members. Membership in the Bank was open to members of the International Bank for Reconstruction and Development or the Asian Development Bank.

75. The Bank's purpose was to foster sustainable economic development, create wealth and improve infrastructure connectivity in Asia through investment, and to promote regional cooperation and partnership in addressing development challenges by working closely with other multilateral and bilateral development institutions. Since its founding, the Bank, which had authorized capital stock of US\$ 100 billion, had financed development projects jointly with specialized agencies of the United Nations and regional development banks, thereby contributing to regional integration and economic and social development in Asia and other regions. The activities of the Bank were in line with the purposes and objectives of the Organization. The granting of observer status would enhance cooperation between the United Nations and the Bank and contribute to the achievement of the Sustainable Development Goals.

76. **Ms. Melikbekyan** (Russian Federation) said that the Bank used loans, equity investments and financial guarantees, among other financial instruments, to invest in projects in the energy, transport and telecommunications sectors, such as the modernization of the electric grid in Bangladesh, an urban infrastructure development project in Indonesia, the construction of a motorway in Pakistan and road improvements in Tajikistan. The Bank was also financing projects in the Russian Federation. The Bank's activities, which were aimed at closing the economic development gap in the Asia region and eradicating poverty through infrastructure development, were therefore clearly in alignment with the interests of the United Nations.

77. **Mr. Khng** (Singapore), highlighting the Bank's large membership, said that its purposes were clearly of interest to the General Assembly and consistent with the purposes and principles of the United Nations. His delegation welcomed the Bank's pledge to invest over US\$ 6 billion in more than 30 environmentally sustainable infrastructure development projects in the Asia region, bearing in mind that developing Asia needed annual investments of US\$ 1.7 trillion in infrastructure projects to maintain its growth momentum. There was also scope for cooperation between the Bank and the Association of Southeast Asian Nations (ASEAN) on infrastructure-related initiatives undertaken in line with the Master Plan on ASEAN Connectivity 2025. The granting of observer status would enable the Bank to contribute constructively to the work of the General Assembly.

78. **Ms. Brammer** (South Africa) said that the Bank offered financing for sustainable projects in the areas of energy, transportation and telecommunications, rural infrastructure and agriculture development, water

supply and sanitation, environmental protection and urban development and logistics. The Bank's purpose was thus aligned with the 2030 Agenda and contributed to the achievement of the Sustainable Development Goals.

79. **Mr. Luna** (Brazil) said that the Bank's focus on bridging the large investment gap in certain sectors of developing economies, such as rural infrastructure and urban development, would contribute to the achievement of Sustainable Development Goal 9, on industry, innovation and infrastructure, and Goal 11, on sustainable cities and communities. Investment in infrastructure would also play a pivotal role in increasing productivity and promoting long-term economic growth.

80. **Mr. Yedla** (India) said that the Bank, the first Asia-based international bank, fulfilled the requirement for observer status in the General Assembly as set out in General Assembly decision 49/426. The Bank's activities contributed to the economic and social development of emerging economies and developing countries and drove global growth and development.

81. **Mr. Nguyen** Nam Duong (Viet Nam) said that, as one of the Bank's founding members, his country had taken part in the process of establishing the Bank. The Bank had shown itself to be a credible, multilateral financial institution with a growing portfolio of projects across Asia and a robust membership. The Bank had been instrumental in bringing prosperity to Asia through investment in infrastructure connectivity, thereby contributing to the implementation of the 2030 Agenda.

**Agenda item 178: Observer status for the International Think Tank for Landlocked Developing Countries in the General Assembly (A/73/231; A/C.6/73/L.8)**

*Draft resolution A/C.6/73/L.8: Observer status for the International Think Tank for Landlocked Developing Countries in the General Assembly*

82. **Mr. Sukhee** (Mongolia), introducing draft resolution [A/C.6/73/L.8](#), said that the Sudan had joined the sponsors. The International Think Tank for Landlocked Developing Countries was an intergovernmental organization that catered to the special needs of landlocked developing countries with regard to their future development and sought to raise awareness of the unique challenges they faced by carrying out high-quality research and by holding high-level workshops and seminars. Since its establishment, which had been welcomed by the General Assembly in resolution [64/214](#), the International Think Tank had been a staunch supporter of the United Nations and its

activities, and had upheld the purposes and principles of the Charter of the United Nations. The granting of observer status in the General Assembly would enable it to more effectively build the capacity of landlocked developing countries, formulate joint platforms and common positions, encourage more support for landlocked developing countries and help them to achieve the Sustainable Development Goals.

83. **Mr. Arriola Ramírez** (Paraguay) said that the International Think Tank, which had held its inaugural meeting earlier that year, conducted research and built capacity among its members to promote human development and reduce poverty. The activities of the International Think Tank included trade-, transport- and transit-related research, and capacity-building in the areas of transport and transit, infrastructure investment, trade assistance and facilitation, trade negotiations, poverty reduction and economic growth. The International Think Tank also enabled landlocked developing countries to exchange information regarding the challenges associated with their lack of coastal access and to formulate strategies for the effective implementation of the Vienna Programme of Action for Landlocked Developing Countries for the Decade 2014–2024 and the 2030 Agenda. The International Think Tank helped landlocked developing countries to formulate convergent positions on matters relating to the global economy and climate change, and was working with international organizations and specialized agencies of the United Nations on a number of initiatives to make the voices of such countries heard within the United Nations system. The granting of observer status would strengthen the position of landlocked developing countries at the international level and raise awareness of their specific needs.

84. Recalling that Paraguay, as Chair of the Group of Landlocked Developing Countries, had recently participated in the first session of the intergovernmental conference to elaborate the text of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, and that for the first time a national of a landlocked developing country had been appointed as an independent judge of the International Tribunal for the Law of the Sea, he encouraged all landlocked developing countries that had not already done so to accede to the Multilateral Agreement for the Establishment of an International Think Tank for Landlocked Developing Countries and other relevant international instruments in order to foster cooperation and the exchange of experiences. His delegation called on all Member States to increase their efforts to address the particular challenges faced by

landlocked developing countries, in particular, their lack of territorial access to the ocean and their resulting isolation from world markets.

85. **Mr. Poudyal** (Nepal) said that the establishment of the International Think Tank gave landlocked developing countries great hope as it was the first intergovernmental body to represent those countries and advocate on their behalf to ensure that they too benefited from international trade.

*The meeting rose at 12.55 p.m.*