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Chair: Ms. Al-Thani (Qatar)

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The meeting was called to order at 3.05 p.m.

Statement by the President of the General Assembly

1. **Mr. Shahid** (Maldives), President of the General Assembly, said that promotion of respect for international law had been a key mandate of the United Nations since its inception. The importance of international law was enshrined in its Charter, and the General Assembly had expressed its commitment to abide by international law and ensure justice in the declaration on the commemoration of the seventy-fifth anniversary of the United Nations. The Committee's work over the years in the faithful discharge of its mandate had helped to ensure that progress was made in that regard.

2. As the world emerged from a pandemic that had devastated lives and livelihoods, decimated economies and created friction in many places, the eyes of the world were on the United Nations. In the coming year, the Organization must demonstrate its ability to respond to needs and reignite a sense of hope, optimism and purpose in the world. To that end, he encouraged the Committee to continue to conduct its work through dialogue and consensus-building, while highlighting the primacy of the rule of law. The Committee's adherence to those values and principles was particularly important in the light of its pivotal role in promoting the peaceful settlement of disputes in accordance with Articles 2, paragraph 3, and 33 of the Charter.

3. He also encouraged the Committee to consider seriously the potential legal repercussions of sea-level rise for small island States, in the context of the consideration of the work of the International Law Commission on the topic "Sea-level rise in relation to international law". He welcomed the gender balance in the current Bureau of the Committee and hoped to see an increase in the representation of women in international institutions, including commissions, courts and tribunals. In that regard, he encouraged Member States to nominate women candidates for election to the Commission.

4. The Committee had continued to play an essential role in the Organization's efforts to advance multilateralism and strengthen the rules-based international order, even in the midst of the pandemic. During his term as President, he would fully support the Committee's endeavours to strengthen and maintain respect for international law and uphold the primacy of the rule of law. By strengthening legal regimes and instruments, the United Nations could lead the world down a better path to maintain peace and security, ensure economic prosperity, protect human rights and

fundamental freedoms and build back better from the pandemic.

Agenda item 88: Strengthening and promoting the international treaty framework (*continued*) (A/75/136)

5. **Ms. Maille** (Canada), speaking also on behalf of Australia and New Zealand, said that the review of the regulations to give effect to Article 102 of the Charter of the United Nations was aimed at improving the system for the implementation of Article 102 by taking into account the ways in which the world and technology had evolved. Those delegations were grateful to the Office of Legal Affairs for its work related to the publication of treaties online, in particular the maintenance of the United Nations Treaty Collection. A steady transition to the use of modern electronic means was crucial to controlling the growth of the backlog in the publication of treaties. The coronavirus disease (COVID-19) pandemic had amply demonstrated the possibilities afforded by digitalization and remote access to key tools and documents.

6. Canada had transitioned its own treaty series to a digital format, making it available to the public online. Australia provided online access to all treaties to which it was a signatory. New Zealand also maintained a publicly available online treaty database, which had been a useful resource for government practitioners during the pandemic-related lockdown. While the three delegations welcomed the increased accessibility offered by online databases, they recognized that access to hard copies must continue to be preserved. Furthermore, high standards of security must be maintained when digitizing legal records. The registration and publication of treaties was intended to promote transparency in the conduct of international relations and establish a comprehensive and central source of international agreements for practical, operational and academic research purposes. Those twin objectives should therefore be at the heart of the Committee's discussion on the review of the regulations.

7. **Mr. Amaral Alves De Carvalho** (Portugal) said that his delegation wished to draw attention to the proposal and non-paper submitted by Spain in response to the call of the General Assembly in its resolution [73/210](#), on behalf of itself and 17 other Member States, including Portugal, concerning the review of the regulations to give effect to Article 102 of the Charter. The proposal contained a call for an amendment to article 5 of the regulations, which would allow Member States, on a voluntary basis, to accompany treaties they submitted for registration with courtesy translations into

any of the six official languages of the United Nations. The objective was to help address the delays between registration and publication in the United Nations *Treaty Series* and promote multilingualism and linguistic equality. Member States and the Secretariat should work together wherever possible, in particular on matters as delicate, time-consuming and expensive as treaty translation.

8. The proposal also contained a call for an amendment to article 13, which would reflect the Treaty Section's commendable current practice of making texts available online shortly after registration, before their formal publication. Information technology and digital tools could contribute significantly to promoting transparency, predictability and certainty, but their use would be most beneficial if it was aligned with and grounded in the applicable rules. Lastly, his delegation supported the development of an online registration tool, which would facilitate the submission of treaties and the work of the Office of Legal Affairs.

9. **Mr. Liu Yang** (China) said that the timely, accurate and complete registration and publication of treaties facilitated the fulfilment of treaty obligations and was therefore essential for upholding the international order. His delegation supported the development of an online treaty registration system, as called for in General Assembly resolution 75/144, which would be more convenient and improve the efficiency of the treaty registration process.

10. The review of the regulations to give effect to Article 102 of the Charter should be conducted carefully, on the basis of consensus among Member States and taking into account the views of the Treaty Section. Good practices currently being followed should be incorporated into the regulations, as necessary. Since the purpose of the exercise was to facilitate registration and publication and promote the implementation of Article 102, the amendments should not add to the burden on Member States or discourage them from registering treaties. Multilingualism was an important principle in the work of the United Nations. His delegation therefore supported the proposal that countries be able to submit, on a voluntary basis, a courtesy translation alongside the authentic text of a treaty, in order to facilitate the timely publication of treaties. His delegation would continue to support the Committee's work on matters related to treaties, which were the primary source of international law, including its efforts to strengthen treaty-related international law and cooperation and promote the use of treaties to ensure the rule of law at the international level.

11. **Mr. Gala López** (Cuba) said that treaties, a direct and formal means of creating international law, were the primary source of international law and the cornerstone of rules-based international relations. They were an important tool for maintaining international peace and security and strengthening the rule of law at the international level. The United Nations system, in particular the Sixth Committee, played an important role in ensuring the transparency of treaties concluded by Member States and in the strengthening and promotion of the international treaty framework. The Treaty Section provided valuable support to Member States in the form of capacity-building, publications and technical assistance. The seminars it delivered were particularly valuable and should continue.

12. The use of electronic resources might help to overcome the current deficiencies in the treaty publication system. Treaty publication practices could be modernized, while balancing calls for the reduction of the backlog in the publication of the *Treaty Series* with the need to promote multilingualism. It was important to continue updating the regulations on treaty registration to incorporate the most recent advances in technology. Since promoting multilingualism required the active participation and commitment of all stakeholders, it was important to ensure parity between the six official languages in the treaty registration and publications process. The registration and publication of treaties in any of the official languages, with translations into any of those languages, would help to promote multilingualism while generating savings in resources for the United Nations and the Member States.

13. **Mr. Simcock** (United States of America) said that his delegation commended the efforts made by the Secretariat to improve the transparency, accessibility and ease of use of the treaty information system. Given that substantial revisions had been made to the regulations on the registration and publication of treaties in 2018, the scope for further changes in the near term should be limited. Frequent changes to regulations tended to make it more difficult for States to use and rely on them. Therefore, in the interest of the stability and predictability of the registration and publication regime, the Commission should not take up the revision of the regulations as a routine matter, and the current round of revisions should be concluded at the current session.

14. **Mr. Giret Soto** (Paraguay) said that his delegation strongly supported the proposal to amend articles 5 and 13 of the regulations. The proposed change to article 5 concerned an entirely voluntary measure that would enhance the efficiency of the treaty registration process. The registration and publication of treaties contributed to the progressive development of international law and

the establishment of legal certainty. The dissemination of the practice of the United Nations for the registration and publication of treaties was vital to ensuring consistency in the practice of States which, like Paraguay, served as depositaries for multilateral agreements. His delegation welcomed the adoption of new technologies, which could ensure a more efficient use of the capacities of the Organization and broad access to treaties and also to the Treaty Section's capacity-building activities. The amendments made to the regulations in 2018 had already produced positive results. In particular, the option to submit treaties in electronic format enabled Member States to complete the process more efficiently.

15. Multilingualism was a core value that strengthened the United Nations. As a country with two official languages, Paraguay highly valued diversity and called for the use of all official languages in the registration and publication of treaties and in all capacity-building activities. More capacity-building and technical assistance should be provided to States in need of them.

16. **Ms. Flores Soto** (El Salvador) said that her delegation supported the joint proposal submitted by Spain and 17 other countries, including El Salvador concerning amendments to articles 5 and 13 of the regulations. The proposed changes would help overcome the current problems related to the translation of treaties, which were among the main causes of the delays in the publication of treaties. El Salvador had chosen to align itself with those proposals based on its respect for multilingualism as a core value of the United Nations and its conviction that the option of submitting courtesy translations in any of the official languages would accelerate the process of translating treaties into English and French. Discussions under the current agenda item should be focused on ensuring the implementation and modernization of the regulations, which would help to strengthen the international legal order. Her delegation therefore supported the proposals made by Mexico, Peru and Switzerland in that regard.

17. **Mr. Arrocha Olabuenaga** (Mexico) said that a solid legal framework for treaties was essential for the strengthening of the rule of law at the national and international levels. Moreover, the registration and publication of treaties was crucial to ensuring legal certainty within the international community. The regulations on the registration and publication of treaties should be aligned with the practice and the legal framework currently in effect. Positive steps had already been taken, in particular with regard to electronic processing for registration and publication. A large majority of treaties were now submitted in electronic

format. His delegation supported the proposal to standardize registration through an online tool, provided that it did not pose an obstacle to less developed States. Publishing treaties in a digital format could help address the increasing delays in publication, as it would remove the need to wait until a whole batch of treaties was ready before they could be published. Little over a year after the entry into force of the amended regulations, only five Member States had requested printed copies of the *Treaty Series*, which was proof that there was an obvious trend towards the use of digital resources.

18. The publication backlog of some 7,000 instruments, which was due to the burden of translating every treaty into English and French prior to its publication, gave cause for concern. Respect for the principle of parity among the official languages of the Organization would help to reduce that backlog while also promoting multilingualism. His delegation had therefore supported the efforts of Spain to address that issue during the negotiations on potential amendments to the regulations. His delegation welcomed the information in the report regarding the extent to which article 1 of the regulations reflected the current state of international law, in particular with respect to provisional application of treaties. Mexico had once again proposed a technical amendment to address the anachronism in the regulations in that regard, taking into account the work of the International Law Commission on provisional application.

19. His delegation agreed that the regulations should not be continuously reviewed and amended. Given the constant development of practice in relation to international treaties, the consideration of the agenda item on strengthening and promoting the international treaty framework could provide an opportunity for broader consideration of other aspects of treaty law, such as reservations, declarations and denunciations.

20. **Mr. Hernandez Chavez** (Chile) said that Member States should continuously review the regulations to give effect to Article 102 of the Charter of the United Nations in the continuous quest to improve the procedures for the registration and publication of treaties. Chile urged the Member States to exchange views on their treaty-making practices.

21. His delegation was open to considering the proposals made by other Member States in relation to the report of the Secretary-General (A/75/136), in particular those aimed at expediting the treaty registration, publication and translation processes, while always bearing in mind the need to ensure transparency and accessibility and also ensuring that said exercise did not affect the *raison d'être* or objectives of the

registration and publication processes. His delegation wished to highlight the explicit recognition of the role of depositaries other than the Secretary-General in article 1, paragraph 3, of the regulations and the suggestion in paragraph 24 of the Secretary-General's report that an exchange of views on the role of depositaries in matters beyond registration be held in the context of the current agenda item.

22. The registration and publication of treaties strengthened the confidence of States in international law and permitted the circulation of information on State practice to ensure that all treaties and international agreements were publicly available. The digital tools that had been developed had proven their relevance during the current health crisis, forcing States to encourage the use of modern electronic tools in order to facilitate the consultation of the register by Member States and the legal community in general. His delegation therefore supported the development of a fast and reliable electronic online registration instrument.

23. On the basis of such considerations and a desire to promote multilingualism, Chile, along with Spain and a group of Spanish-speaking countries and one non-Spanish-speaking country had sponsored a proposal for the amendment of articles 5 and 13 of the regulations. The aim was to formally incorporate the good practices of courtesy translations and the use of technology and provide the Treaty Section with modern tools for its important work. Member States should reflect on the reasons for the geographical imbalance in treaty registration, in particular those relating to Latin America and the Caribbean, and find ways to simplify the registration process in order to help address that issue.

24. **Ms. Schneider Rittener** (Switzerland) said that her delegation welcomed the progress achieved by the 2018 amendment to the regulations to give effect to Article 102 of the Charter of the United Nations that had enabled the electronic registration of treaties. Switzerland supported the implementation of Article 102, the purpose of which was to safeguard peace and contribute to the stability of the international community by ensuring that treaties were in the public domain and thereby discouraging secret diplomacy. In that connection, her delegation reiterated its proposal that the regulations be amended to incorporate a new provision that expressly provided for the registration of treaties that referred to older treaties that had not yet been registered. Such a change could considerably reduce the number of treaties that could not be registered with the Secretariat, thereby helping to achieve the objective of Article 102. Discouraging or delaying registration was not in keeping with the Article, which provided that every treaty or

international agreement should be registered with the Secretariat as soon as possible. Switzerland would support all proposals that would promote the implementation of Article 102.

25. **Ms. Betachew Birhanu** (Ethiopia) said that the increasing interdependence and interconnectedness of nations required transparency in all aspects of treaty-making. Her Government was becoming increasingly concerned about the conclusion of secret treaties, in particular agreements relating to the security sector. With regard to the review of the regulations to give effect to Article 102 of the Charter of the United Nations, that Article should be understood to have a direct meaning, not a context-driven interpretive one that did not reflect the intention of the treaty makers. While regulations were necessary, they should not be overly prescriptive, so as not to undermine the objective of increasing registration.

26. While her delegation wholeheartedly supported multilingualism within the United Nations system, the principle did not apply to treaties in the same way as it did to other areas of the Organization's work. The authentic texts of treaties were the versions drafted by the parties; additional versions produced by the United Nations in the interest of making the agreements more accessible must not be used for the purposes of interpretation. Moreover, it would be unacceptable to require States to sign instruments in any particular language, and the submission of translations into official languages of the Organization must continue to be a courtesy, not a requirement.

27. Regional and subregional organizations were increasingly acting as depositaries in the registration of treaties. That possibility was not precluded by Article 102 and should be encouraged, as it contributed to transparency. Her delegation supported the efforts being made to simplify the treaty registration process and enhance accessibility. In particular, it was in favour of the Secretary-General's suggestion to adapt the *Treaty Series* to a new digital format of publication.

28. **Ms. Falconi** (Peru) said that the assistance provided by the Treaty Section to Member States was crucial for ensuring the effectiveness, inclusiveness and accessibility of the treaty registration system. The possibility of submitting certified copies of treaties in electronic format had done much to improve the efficiency of the registration system, and efforts to develop and enhance the electronic treaty database should continue. Her delegation supported the proposal made by Spain concerning the submission of courtesy translations in any of the official languages, as that would help improve access to treaties and support the

Organization's core value of multilingualism. Peru welcomed the practice of publishing treaties and their translations online before their publication in the *Treaty Series*. It also commended the implementation of the online version of the *Treaty Series*. Member States should continue to review and update the regulations to give effect to Article 102 of the Charter of the United Nations where necessary in the interests of speed, cost and the promotion of the exchange of information for the strengthening of the international treaty framework.

29. In his report [A/72/86](#), the Secretary-General had stated that the comprehensive body of registered treaties showed that there were different approaches among Member States regarding the legal status of different types of agreement, such as memorandums of understanding and interinstitutional agreements. It would be useful for the Committee to consider the legal status of such agreements as a subitem under the agenda item on strengthening and promoting the international treaty framework.

30. **Ms. Lito** (United Kingdom) said that her Government had concluded more than 150 treaties with other States and international organizations over the past two years to replicate or enhance the relations it had maintained with them as part of the European Union. It was also engaged in a new programme of free trade negotiations. Those experiences had reaffirmed the importance of having a clear and consistent international approach to treaty-making. All States benefitted from the stability afforded by the Vienna Convention on the Law of Treaties and the wider international treaty framework. Like all States, the United Kingdom entered into both binding treaties and non-binding arrangements, such as memorandums of understanding, under international law. Binding treaties entered into force upon signature or ratification, or upon completion of domestic procedures and were ratified by Parliament, although not all treaties required domestic legislation.

31. Her Government's practice was to register treaties with the Secretariat after they had entered into force and after they had been published in the country's own treaty series. Treaties that required ratification, rather than simply signature, in order to enter into force, were submitted for registration following the completion of the parliamentary scrutiny process and any necessary domestic legislative amendments. Non-binding arrangements must be drafted in such a way as to ensure that they were clearly distinguishable from legally binding instruments. Her delegation was open to engaging in an exchange of views on the drafting of non-binding texts, in particular if that would help in the

development of a consistent approach at the international level.

32. Her delegation supported efforts to promote the universal registration of treaties and welcomed the opportunity to ensure that the regulations to give effect to Article 102 of the Charter of the United Nations remained fit for purpose. However, it was important to avoid reviewing the regulations too frequently, in order to ensure predictability.

33. **Mr. García López** (Spain) said that his delegation hoped that work to update the regulations to give effect to Article 102 of the Charter of the United Nations, which had begun in 2018 with a partial update, would be completed at the current session. In the three years since that update, his delegation had focused on the issue of the excessive delays between the registration and formal publication of treaties. According to information provided by the Secretariat, the delays were largely due to the requirement to translate treaties into English and French prior to their publication, in accordance with article 12 of the regulations. Therefore, Spain, together with 17 other delegations, had submitted specific proposals to amend articles 5 and 13 of the regulations, based on the Organization's multilingualism, embodied by its six official languages, and on the use of information and communications technologies. Consultations with the Secretariat and a large number of delegations from different regional groups had fed into those proposals, which also reflected the principles formulated by Spain in 2020 and which had been taken up by several delegations.

34. The proposed amendment to article 5 would provide for the possibility for Member States to submit, on an entirely voluntary basis, courtesy translations into one or more of the six official languages of the Organization alongside the certified copy of the treaty to be registered. The provision of courtesy translations would expedite translation into English and French. The translation requirement in article 12 would remain unchanged. The proposed amendment would not entail any additional costs for the Secretariat and would not place an onerous burden on States, since the measure was voluntary and there were six language options for States that wished to submit courtesy translations. Such translations would be particularly valuable in the case of treaties concluded in non-official languages, not least because they would facilitate the initial registration process. The General Assembly had already encouraged Member States to provide courtesy translations into English or French in such cases.

35. The proposed amendment to article 13 would simply update the rules to "codify" the Secretariat's

current practice of making available online the authentic texts and English and French translations of treaties submitted for registration as soon as they were available. Both proposals were aimed at making treaties and international agreements accessible more easily and in a timely manner.

36. **Ms. Crček Beović** (Slovenia) said that the current agenda item could be used to consider more general treaty-related issues, in particular issues that were not on the programme of work of the International Law Commission. With regard to article 1 of the regulations to give effect to Article 102 of the Charter of the United Nations, her delegation considered that, although in practice provisionally applied treaties were registered based on the internal interpretation of the regulations, the current practice was not sufficiently clear.

37. In his report (A/75/136), the Secretary-General had noted that the practice was to register such treaties with an indication whether their entry into force was provisional or definitive. However, the International Law Commission had stated in the commentary to draft guideline 1 of its draft Guide to Provisional Application of Treaties that the use of terms such as “provisional entry into force” had led to confusion regarding the scope and legal effect of provisional application. Furthermore, the Commission had stated in the commentary to draft guideline 6 that the legal effect of provisional application should not be equated with entry into force. Therefore, in the interest of clarity and transparency, article 1, paragraph 2 of the regulations should be clarified through the inclusion of explicit wording on the registration of treaties that were being applied provisionally. Her delegation supported the proposal of Mexico in that regard.

38. **Mr. Saleh** (Nigeria) said that his delegation commended the Secretariat for its efforts to ensure the transparency, inclusivity and accessibility of treaty registration and publication at the United Nations. His delegation welcomed the amendments that had been made to articles 5, 7, 9 and 13 of the regulations to give effect to Article 102 of the Charter of the United Nations, in order to facilitate electronic submissions and uses of electronic means, since the commencement of the review of the regulations in 2018. Nigeria urged Member States to consider the possibility of introducing an online treaty registration tool. Member States should also engage in an in-depth discussion on the role of depositaries.

39. His delegation supported the Organization’s policy on the translation of treaties but was mindful of the importance of multilingualism in the work of the United Nations and of not creating new obligations for Member

States. Simplified procedures for the registration and publication of treaties were key to finding a long-term solution to the publication backlog. The geographical imbalance in treaty registration might be the result of insufficient access to the necessary resources in some regions. Technical assistance would be crucial to enabling developing States to fulfil their obligations under international law effectively and efficiently. In that regard, Nigeria welcomed initiatives such as the regional course in international law for Africa and the International Law Fellowship Programme and would appreciate further opportunities to help its judicial institutions to keep progressing. His delegation would continue to support the efforts of the Treaty Section to enhance the United Nations treaty framework in line with technological advancements.

40. **Mr. Zambrana Flores** (Plurinational State of Bolivia) said that international treaties were the main source of international law and a crucial tool for conducting international relations and maintaining peace. His delegation therefore supported the review of the regulations to give effect to Article 102 of the Charter of the United Nations, with a view to improving the efficiency and coherence of the treaty registration and publication process. His delegation welcomed the technological advances that had been implemented to facilitate the submission of treaties for registration and make the system more efficient, accessible and transparent. However, means of further expediting the process should be found.

41. The main way to encourage Member States to submit treaties for registration would be to resolve the translation issues. His delegation understood that under the regulations, the Secretariat must register all treaties in their original language along with a courtesy translation in English or French. However, most Member States were not able to submit courtesy translations in English or French, as those were not their official languages and obtaining a translation into one of those languages would be costly and time-consuming. His delegation had therefore joined Spain and 16 other delegations in proposing that the regulations be amended to allow the registration of treaties in any of the official languages of the Organization. That would make the treaty registration process more efficient and better aligned with the principles of multilingualism and language parity.

42. **Mr. Fodda** (France) said that enhancing the implementation of the regulations to give effect to Article 102 of the Charter of the United Nations was very important. While expediting the registration and publication of treaties was a laudable goal, it should not be achieved at the expense of the principles of

transparency and accessibility, which were the *raison d'être* of Article 102. Therefore, any amendment to the regulations should not create new obligations for States and international organizations, as such obligations constrained the ability of certain States and international organizations, particularly those with the most limited financial and administrative resources, to comply with their obligations. That could result in a decrease in the number of treaties submitted to the Secretariat for registration and the establishment of a two-tier registration and publication system, which would undermine the objectives of transparency and accessibility.

43. Furthermore, removing the requirement to translate treaties into English and French would be incompatible with the need for the Secretariat and the International Court of Justice to have access to treaties registered and published in their working languages, which were English and French. Alternative, consensus-based measures that would address delays without undermining the principles of transparency, accessibility and multilingualism should be implemented instead. The voluntary submission of courtesy translations of treaties in one of the six official languages could facilitate the translation of treaties in English and French, thus reducing delays without putting an additional burden on States or on the Secretariat. His delegation therefore supported the proposal submitted by Spain and a group of other States in that regard.

44. His delegation would be open to considering amendments to the regulations not every time the item on strengthening and promoting the international treaty framework appeared on the agenda, but only occasionally. The experience of considering just the resolution at the seventy-fifth session and focusing on the review of the regulations at the current session had been positive and would be worth continuing.

45. **Mr. Bae Jongin** (Republic of Korea) said that gaps in compliance with the obligation under Article 102 of the Charter to register treaties must be addressed holistically, taking into account the current geographical imbalance in the submission of treaties for registration. Simplified and streamlined procedures and the use of technology had helped to reduce the burden on both States and the Secretariat. However, there remained much room for improvement. A standardized format and an online registration tool would encourage States to transmit treaties. However, efforts to improve the registration system would be meaningful only if they were accompanied by capacity-building, for example through workshops on treaty registration and practice organized jointly by the Secretariat and regional entities

such as the Asian-African Legal Consultative Organization. His Government intended to explore the possibility of including such initiatives in its current or future technical assistance programmes. Training materials, such as the *Treaty Handbook*, should be updated to reflect the amendments that had been made to the regulations to give effect to Article 102 of the Charter in 2018.

46. Treaty registration had great practical value, and it was worth considering whether the current system served its purpose and how to ensure that the burden associated with registration did not outweigh the benefits. The prompt online publication of registered treaties had substantially enhanced accessibility, and there would be added value in reflecting that good practice in the regulations. However, his delegation had concerns about the significant backlog in the publication of the *Treaty Series* resulting from the limited resources of Member States and the Secretariat to provide translations in English and French in a timely manner. The proposal spearheaded by Spain should therefore be given positive consideration, as it would expedite publication.

47. His delegation also supported the pragmatic suggestion by France to broaden the limited publication policy. Article 12, paragraph 2, of the regulations could be either explicitly expanded or more broadly worded to exclude many technical and administrative agreements, including detailed annexes, from the obligation to publish and translate agreements in full. Given the considerable increase in the number, length and technical complexity of treaties submitted for registration, it seemed likely that such an amendment would contribute significantly to reducing the workload. The Secretariat should therefore examine what practical value broadening the limited publication policy would have.

48. The broad wording of the title of the agenda item allowed for exchanges of views and practices on topics beyond treaty registration. His delegation would appreciate the opportunity to consider such matters as reservations and declarations, obsolete treaties, the handling and management of treaty actions and the distinction between treaties and non-legally binding instruments.

49. **Mr. Matea** (Solomon Islands) said that his delegation welcomed the work to strengthen and promote the international treaty framework and supported the development of an online tool to facilitate the submission of treaties and international agreements for registration. Such a tool could help remedy the geographical imbalance in registration by simplifying

the process. However, small island developing States continued to experience challenges with regard to information and communications technology and would need to benefit from capacity-building and technology-sharing if the process were to move fully online. Similarly, his delegation welcomed the discussions on the possibility of making the *Treaty Series* a digital format publication but wished to draw attention to the technological challenges that that could entail for developing States. His delegation supported the proposal for the individualized publication of each treaty online, in the interests of efficiency and transparency, as publishing instruments in volumes caused needless delays.

50. His delegation agreed that the current agenda item should be used to discuss issues beyond the registration of treaties, provided that the topics selected concerned international treaties and treaty law. Strengthening the international treaty framework required recognizing any changing circumstances that could impact the integrity of treaties and international agreements registered with the Secretariat. In that regard, Solomon Islands considered maritime zones to be fixed, regardless of sea-level rise, once they had been delineated in accordance with the United Nations Convention on the Law of Treaties and the relevant instruments had been deposited with the Secretariat. Treaties identifying maritime baselines could be updated only by formal amendment by the parties, even if their coastal features were affected by anthropogenic climate change and sea-level rise. As the issue of rapidly rising sea levels was not adequately addressed in the Convention, the interpretation of its provisions should be informed by State practice on the preservation of maritime entitlements in the context of climate change, in accordance with the Vienna Convention on the Law of Treaties.

51. **Ms. Nze Mansogo** (Equatorial Guinea) said that her delegation welcomed the amendments that had been made to the regulations to give effect to Article 102 of the Charter of the United Nations thus far, in particular those concerning electronic submission, and the significant progress that had been made since 2018 in adapting the database to cloud-based technology. Her delegation had submitted its first electronic certificate of registration in March 2021.

52. It was essential to amend the regulations in accordance with the proposal submitted by Spain on behalf of a number of countries, including Equatorial Guinea, to allow the submission of courtesy translations in any of the official languages of the Organization, in order to expedite the publication of treaties and promote multilingualism. The proposed amendment would also

considerably reduce the costs associated with the registration and publication process. Her delegation appreciated the advice and assistance provided by the Treaty Section on matters related to the submission of treaties for registration and remained committed to strengthening the treaty framework through the modernization of the regulations.

53. **Ms. Barba Bustos** (Ecuador) said that, faced with the clear need to take steps to reduce the time taken to publish treaties after they were registered, her delegation and others had supported the proposal submitted by Spain in response to General Assembly resolution 75/144. The possibility of submitting courtesy translations in any of the official languages would make the process more flexible and expedite the translation of treaties into English and French for publication, while also promoting multilingualism. Her delegation supported the Secretariat's practice of using technology to publish authentic texts and their translations as soon as they were available. That practice should be reflected in the regulations to give effect to Article 102 of the Charter.

54. **Mr. Changara** (Zimbabwe) said that his delegation commended the efforts of the Treaty Section to highlight the importance of the wider dissemination of treaties and the need to provide technical assistance and training to Member States to enable them to submit treaties for registration. Nevertheless, a serious geographical imbalance in treaty submission remained, with developing countries tending to submit a much smaller proportion of treaties for registration than other States. The focus of the review of the regulations to give effect to Article 102 of the Charter should therefore be on ensuring that they facilitated the process for developing countries. Other ways to address the imbalance might include simplified registration procedures, the provision of additional capacity-building and technical assistance, and the delivery of workshops on treaty law at the national and regional levels.

55. The regulations should be reviewed in a comprehensive manner, to ensure legal certainty and predictability. In that connection, his delegation supported the proposal by Mexico to bring the practice of registration of provisionally applied treaties into line with existing norms of the law of treaties and update the regulations accordingly. While his delegation recognized that there were diverging views regarding the submission of courtesy translations in any of the official languages and the requirement that all treaties published be translated into both English and French, it encouraged Member States to support the Secretariat in the publication of treaties by submitting courtesy

translations and utilizing any other innovative means available.

56. **Ms. Ozgul Bilman** (Turkey) said that her delegation was pleased that the Secretary-General had prepared his report (A/75/136) following broad consultations with Member States, taking into account the outstanding issues they had identified. Her delegation commended the Treaty Section for its work to provide assistance to Member States in relation to the registration of treaties and other matters concerning the depositary functions of the Secretary-General. Every effort should be made to address the geographical imbalance in treaty registration through awareness-raising, capacity-building and technical assistance. The national and regional seminars organized by the Treaty Section were invaluable in that regard and should continue, through the use of information and communications technology where necessary.

57. Her delegation was pleased to see that the changes to the regulations to give effect to Article 102 of the Charter that had been adopted in 2018 had already yielded positive results. The development of an online treaty registration tool could further simplify the submission of treaties for registration and, consequently, increase the number of treaties registered. Turkey was ready to consider positively proposals that could help reduce the backlog in the publication of the *Treaty Series* without placing an additional burden on the Secretariat or Member States. The Secretariat should ensure that the relevant Secretariat departments and specialized agencies were aware of their duties in connection with the registration ex officio of treaties between the United Nations and Member States.

58. Any amendments made to the regulations should enjoy broad support from Member States, reflect widely shared views or concerns and serve to strengthen, simplify or expedite the treaty registration process. The review should be pursued carefully, so as not to inadvertently create new complications for Member States or the Secretariat. Turkey looked forward to working with all delegations to finalize, at the current session, any amendments that might be made to the regulations.

59. **Mr. Nyanid** (Cameroon) said that the registration and publication of treaties facilitated access to international legal instruments and promoted a rules-based international order. Given that the obligation to register treaties was not universally honoured, and that there was a geographical imbalance in the proportion of treaties registered, the registration and publication system of the United Nations needed to be more

transparent and accessible. His delegation welcomed the efforts of the Treaty Section in that regard.

60. Concerning the proposed development of an online registration tool, his delegation had reservations about the systematic and codified use of information technology in the treaty registration process and considered that the use of electronic means should remain optional; otherwise, countries that did not yet have easy access to new information and communications technology would be at a disadvantage. Moreover, as diplomacy was built on customs and traditions, the solemnity that characterized diplomatic custom in the treaty registration process should be retained. The publication of treaties in hard copies of the *Treaty Series* had practical and symbolic value and should not be abandoned. Any further technology-related revisions to the regulations to give effect to Article 102 of the Charter should be limited in scope, since substantial revisions had already been made in 2018 and frequent changes to the regulations made it more difficult for States to follow them.

61. As for the unresolved issues of whether Member States should provide a translation into one of the official languages of the Organization when submitting treaties concluded in non-official languages for registration and whether all treaties needed to be translated into both English and French before publication, his delegation considered that treaties were of such importance to the international legal order that they should be accessible to all. Treaties were useless if Member States could not understand them. In the light of that consideration and the foundational importance of multilingualism to the Organization, the best solution would be to have treaties published in all six official languages. The Secretariat should therefore supplement any translations provided by Member States with its own translations into the remaining official languages, at no cost to Member States.

62. Cameroon, which was always careful to ensure that it fulfilled its obligations under Article 102 of the Charter, welcomed the considerable increase in the number of treaties being registered in recent years. The regulations to give effect to Article 102 should meet the needs of Member States and be kept up-to-date to ensure that they were as useful as possible. His delegation supported the Organization's annual treaty event. It appreciated the efforts of the Treaty Section to build the capacity of Member States, including the workshops on treaty law and practice held at Headquarters and at the national and regional levels, and would welcome the provision of targeted technical assistance at the bilateral, regional and multilateral levels.

Agenda item 147: Administration of justice at the United Nations (A/76/99, A/76/124 and A/76/140)

63. **The Chair**, recalling that, at its 2nd meeting, the General Assembly had referred the current agenda item to both the Fifth and the Sixth Committees, said that, in paragraphs 39 of its resolution 75/248, the Assembly had invited the Sixth Committee to consider the legal aspects of the report to be submitted by the Secretary-General, without prejudice to the role of the Fifth Committee as the Main Committee entrusted with responsibility for administrative and budgetary matters.

64. **Ms. Lahmiri** (Morocco), speaking on behalf of the Group of African States, said that an independent, impartial, transparent and professionalized internal justice system of the United Nations would ensure a more effective management of administrative disputes involving the Organization's personnel. Commendable efforts had been made to ensure business continuity in the international justice system during the COVID-19 pandemic with its work being conducted in a virtual environment. The Group welcomed the decrease in the number of applications received by the United Nations Dispute Tribunal as an indication of improvements in the workplace and also evidence of the crucial role management evaluation played in the internal justice system. The Group requested the Secretary-General to provide additional information on the measures taken to address the backlog of cases, in particular those that had been pending for more than 400 days. In view of the unprecedented cash-flow situation affecting the Organization, managers should accord work-related disputes their fullest attention and resolve such disputes in a fair and cost-effective manner. Informal conflict resolution methods should be used as often as possible, with a view to avoiding unnecessary litigation and the associated costs.

65. It was a matter of concern that field personnel had reported the highest number of cases as a result of the hardship and stress associated with their contractual status. The Group noted that the proportion of self-representing applicants had declined slightly, and welcomed the provision of toolkits for self-represented applications. Such applicants should be provided with all the information necessary to enable them to file a case successfully, benefit from timely case management and have confidence in a fair outcome. The Group welcomed the Secretary-General's efforts to strengthen the work of the Office of Staff Legal Assistance, including by increasing the availability of legal assistance to staff in the field. The Group also welcomed the measures adopted to speed up the handling of cases, and supported the continued use of half-time judges. The Group reiterated its unwavering commitment to the

Organization's efforts to improve its internal justice system and provide staff members – its most important asset – the justice they deserved.

66. **Ms. Popan** (Representative of the European Union, in its capacity as observer), speaking also on behalf of the candidate countries Albania, Montenegro, North Macedonia, Serbia and Turkey; the stabilization and association process country Bosnia and Herzegovina; and, in addition, Georgia, the Republic of Moldova and Ukraine, said that the rule of law at the national and international levels was premised on an effective system of administration of justice. The quality of the internal justice system of the United Nations affected the image and credibility of the Organization. An independent, impartial, transparent and professional system was a prerequisite for the rule of law and the protection of individual rights, including the right to work in an environment free of harassment and retaliation. Her delegation welcomed the work of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal and efforts to reduce the backlog of pending cases.

67. The continuing culture of harassment and abuse towards women managers and retaliation against staff members who took cases to the Tribunals continued to give cause for concern. Such conduct was unacceptable and should not be tolerated. Moreover, promoting a healthy working environment fostered staff engagement and was thus essential to ensuring that the Organization delivered on its objectives.

68. Her delegation welcomed the pilot project to offer non-staff personnel access to services provided by the Office of the United Nations Ombudsman and Mediation Services, in an effort to address the disparity of treatment between staff and non-staff personnel, and supported the request, contained in the report on the activities of the Office (A/76/140), that the General Assembly consider regularizing the project and expanding the mandate of the Office to include non-staff personnel. Discussions on ways to provide non-staff personnel with access to fair and effective mechanisms for resolving work-related disputes should continue. In that regard, her delegation welcomed the examination of the possibility of collaboration between the United Nations and a neutral entity that would undertake the role of vetting arbitrators, maintaining arbitrator rosters, appointing arbitrators and providing certain administrative functions during an arbitration between the United Nations and non-staff personnel. It was also necessary to identify and address the root causes of such disputes.

69. It would be appropriate to consider the rules of procedure of the Tribunals at the current session since, as a result of the pandemic, they had not been examined at the seventy-fifth session. Her delegation appreciated the efforts of the Office of Staff Legal Assistance, the Office of the United Nations Ombudsman and Mediation Services and the Management Evaluation Unit to improve the efficiency and transparency of administration of justice within the United Nations.

70. **Ms. Hutchison** (Australia), speaking also on behalf of Canada and New Zealand, said that an effective, fair, transparent and impartial internal justice system at the United Nations was essential for enabling the Organization's staff members to do their best work, attracting and retaining the best and most qualified professionals from around the world, and ensuring that the Organization upheld its own ideals and values. In their reports, the Secretary-General, the Office of the United Nations Ombudsman and Mediation Services, and the Internal Justice Council had raised recurring issues relating to the backlog of cases, the high rate of self-representation, inefficiency and underlying systemic issues relating to gender and race that were a cause for concern.

71. Positive steps included the development of a fully searchable database of judgments and orders of the Dispute Tribunal and the Appeals Tribunal. Access to existing law supported a fair and transparent system. Australia, Canada and New Zealand welcomed the work to find ways to reform the jurisdictional set-up of the United Nations common system in order to improve the cohesion of the system, including efforts to identify divergence in the jurisprudence of the two Tribunals on matters relating to the International Civil Service Commission. The Office of the Administration of Justice and the Office of the United Nations Ombudsman and Mediation Services had conducted valuable outreach activities, despite the difficulty of holding in-person events during the pandemic.

72. Australia, Canada and New Zealand noted with appreciation the efforts being made to reduce the backlog of old cases. Those delegations took note of the recommendations of the Internal Justice Council regarding the backlog, in particular its recommendations that the statutes of the Tribunals be amended to replace the current system of an annually rotating presidency with longer terms and that judicial mediation be adopted as an additional dispute resolution tool.

73. The Office of the United Nations Ombudsman and Mediation Services had identified systemic issues underlying workplace conflicts and carried out work in the context of the call to address racism in the United

Nations. Racist, sexist and other discriminatory attitudes and behaviours caused harm to individuals and to the Organization. Australia, Canada and New Zealand commended the commitment of the Secretary-General to organizational action to guarantee the equal treatment and full inclusion of all United Nations staff and zero tolerance for any behaviour to the contrary, and welcomed the intention of the Internal Justice Council to continue its consideration of underlying structural and cultural problems related to the question of gender, race and access to justice. Continuous and significant efforts to ensure gender equality and representation within the internal justice system would be crucial to strengthening the quality of the system.

74. Australia, Canada and New Zealand welcomed the comments in report of the Secretary-General on the activities of the Office of the United Nations Ombudsman and Mediation Services ([A/76/140](#)) concerning the effects of the pandemic within and outside the workplace and the importance of good management in preventing workplace conflict and additional strain on staff during times of crisis. Those delegations welcomed the efforts made by the Office to improve the working environment of both staff and non-staff personnel. They also noted with appreciation the Office's contribution to the Secretary-General's civility initiative and welcomed the Office's work to improve workplace environments, including virtual environments. Such efforts led to better morale and productivity among staff members and prevented some workplace conflicts.

75. **Mr. Kanu** (Sierra Leone) said that the system of administration of justice at the United Nations should be independent, impartial, transparent, professional, people-centred and underpinned by the fundamental principle of fairness, which encompassed equity, respect and justice. Those qualities were all the more relevant in the context of the Organization's current efforts to combat racism and promote a good work-life balance during the COVID-19 pandemic. His delegation appreciated that the justice system had continued to function despite the challenges posed by the pandemic and the Organization's financial liquidity crisis. While the adoption of remote working arrangements had been useful in ensuring business continuity, an audit should be conducted to ensure that such arrangements were not having an adverse impact on justice, fairness and non-discrimination.

76. His delegation cautiously welcomed the significant decrease in requests submitted to the Management Evaluation Unit in 2020 as a possible indication of an improving working environment, but considered that the reasons for the decline should be identified in order to ensure that the improvement was

qualitative and not simply quantitative. Similarly, it would be important to determine whether the increase in the number of judgments delivered by the Tribunals was the result of the transition to remote working methods and whether it would continue to be possible to shield the Appeals Tribunal from the effects of the financial liquidity situation.

77. His delegation noted with appreciation the steps taken to reduce the backlog of cases of the Dispute Tribunal and looked forward to the full implementation of the case disposal plan. The informal resolution of applications pending before the Dispute Tribunal and the efficient use of the informal dispute resolution system were also welcome. Care must be taken to ensure that the seemingly complex relationship between the work of the Dispute Tribunal and that of the Office of the United Nations Ombudsman and Mediation did not undermine the objective of ensuring that justice was done. The development of the fully searchable database of judgments and orders was a laudable achievement that would enhance access to the jurisprudence of the Tribunals. Outreach and access to jurisprudence were vital to the establishment and maintenance of a fair system of administration of justice.

78. His delegation was gravely concerned about reports of harassment and discriminatory behaviours, especially since the advancement of gender equality and the prevention of discrimination were core values of the United Nations. Sierra Leone strongly condemned all forms of discrimination based on gender, race, religion or ethnicity within the Organization and the international system as a whole and called for the promotion of a safe, just, impartial and non-discriminatory workplace built on integrity, fairness and humanity.

79. **Ms. Grosso** (United States of America) said that staff involved in the administration of justice at the United Nations had shown commendable resilience and adaptability in adjusting to the new and sometimes difficult working conditions imposed by the global pandemic. Notable progress had been made over the reporting period, in spite of the challenges, on some of the reforms that the Committee had encouraged in recent years. Her delegation appreciated the efforts of the Office of the United Nations Ombudsman and Mediation Services to deliver workshops and conduct missions virtually. It also welcomed the Office's focus on facilitating diversity and inclusion throughout the United Nations system, including through its efforts in support of the Secretary-General's Task Force on Addressing Racism and Promoting Dignity for All in the United Nations. The Management Evaluation Unit and the Office of Staff Legal Assistance had also continued

to carry out important work to help resolve matters before they reached the litigation stage, which was crucial to the efficiency and effectiveness of the entire system.

80. Her delegation was pleased to see that there had been a significant reduction in the case backlog of the Dispute Tribunal and that almost all cases pending for more than 400 days had been disposed of, with the number of applications pending now at its lowest point in over 10 years. That achievement was the result of the hard work of Tribunal staff, the flexibility offered by the use of half-time judges, and remote working methods that had allowed judges to be assigned to the geographical areas where they were most needed. The Tribunals should build on that momentum to address the remaining backlog.

81. The United States welcomed the development of the searchable database of Dispute Tribunal and Appeals Tribunal decisions, which the Committee had long requested. The database would be a valuable tool for staff, their representatives, the General Assembly and the public. Her delegation also welcomed the online publication of the cause lists for individual judges and the development of the case-tracking dashboard. Her delegation hoped that all those transparency efforts would soon come to full fruition and that awareness of the dispute resolution resources available would continue to expand.

82. **Ms. Jiménez Alegría** (Mexico) said that her delegation agreed with the Internal Justice Council that an efficient mechanism for the resolution of individual labour disputes contributed to a healthy workplace environment. Mexico welcomed the reduction in the backlog of cases during the reporting period but called for further efforts to reduce the number of cases that had been pending for more than 400 days or had remained unassigned for more than 90 days.

83. Mediation services were essential for preventing conflicts from escalating unnecessarily and should be the primary means of resolving disputes. Mexico therefore welcomed the pilot project to offer non-staff personnel access to services provided by the Office of the United Nations Ombudsman and Mediation Services, within its existing resources, and the provision of remote services during the pandemic. The increase in the number of claims brought before national courts by locally recruited staff at various duty stations highlighted the need to revitalize the mediation system. The number of such cases in Mexico had risen by nearly 50 per cent over the past three years, and her Government was working to find ways to handle cases outside the courts. In May 2022, a labour law reform

requiring any court proceedings in such cases to be preceded by mediation would enter into force in Mexico City.

84. Her delegation urged the Organization to redouble its efforts to raise awareness of mediation, in particular among non-staff personnel. It also called for continued examination of issues such as protection against retaliation, the absence of a mental health component within the legal framework for processing cases of harassment, discrimination and abuse of authority and the publication of the results of action taken in response to the referrals for accountability.

85. **Ms. Schneider Rittener** (Switzerland) said that her delegation was pleased to note the Secretary-General's ongoing commitment to strengthening the effectiveness of the Organization's internal system of administration of justice and noted with satisfaction the new working and communication methods that had been put in place to facilitate awareness-raising and information-sharing during the pandemic. Access to justice should be fair, transparent, effective and non-discriminatory. Switzerland wished to highlight two key issues in that regard: the resolution of employment disputes involving non-staff personnel and the use of mediation.

86. The United Nations had a large number of non-staff personnel, who were susceptible to experiencing the same difficulties at work as regular staff members. However, most did not have any recourse to dispute resolution mechanisms. It was essential to ensure that all categories of personnel had access to remedies, without distinction. A fair and effective internal justice system that was accessible to all would lend greater credibility to the Organization's commitment to upholding the rule of law and the right to access justice. Switzerland welcomed the ongoing efforts of the Secretary-General in that regard and noted with particular interest the information provided on initiatives to improve conflict prevention and dispute resolution for non-staff personnel. Her delegation strongly supported the regularization of the pilot project on mediation services for non-staff personnel and the extension of the mandate of the Office of the United Nations Ombudsman and Mediation Services to include work with non-staff personnel. It also welcomed all other initiatives aimed at preventing disputes and improving access to dispute resolution mechanisms.

87. The use of mediation as an informal dispute resolution mechanism should be increased. Mediation facilitated dialogue, defused conflicts and enabled the parties to find mutually acceptable solutions while avoiding protracted and costly litigation. Yet relatively

few workplace disputes at the United Nations were currently resolved through mediation. Her delegation therefore supported the recommendations on enhancing mediation set forth by the Internal Justice Council in its report (A/76/124) and the proposal of the Office of the United Nations Ombudsman and Mediation Services that the parties to disputes be briefed on the principles and benefits of mediation. The Secretary-General should encourage the use of mediation to resolve disputes involving personnel from every category, including non-staff personnel.

88. In his next report on the administration of justice at the United Nations, the Secretary-General should provide an update on the progress towards the implementation of the initiatives described in his recent report on the topic (A/76/99) and information on the steps taken to increase the use of mediation. The issue of ensuring that non-staff personnel had access to fair and effective justice mechanisms should be given further consideration. Matters related to the administration of justice should remain on the Committee's agenda.

89. **Ms. van der Made** (Netherlands) said that her delegation commended the flexibility of staff working within the internal justice system and the effort that had been made to ensure business continuity during the pandemic. Her delegation welcomed the increase in the number of judgments delivered by the Tribunals and the reduction of the backlog of cases before the Dispute Tribunal. The Netherlands also commended the development of the Caselaw portal and the continued dissemination of information and materials by the Office of Administration of Justice. It was confident that the system of administration of justice would continue to be professionalized and improved.

90. The services offered by the Office of the United Nations Ombudsman and Mediation Services provided a safe, accessible and cost-effective way for staff members to address workplace-related concerns. The pilot project to extend mediation services to non-staff personnel should be regularized and the mandate of the Office extended to cover services for non-staff personnel. It was important for the United Nations to have a strong, efficient and professionalized system of administration of justice that was accessible to staff and non-staff personnel. Her delegation was pleased that information on strengthening the administration of justice within the Organization had been included in the report of the Secretary-General on strengthening and coordinating United Nations rule of law activities (A/76/235) and hoped that the next report would contain information about the Organization's implementation of decisions taken by its judicial institutions.

91. **Mr. Nyanid** (Cameroon) said that the administration of justice was crucial to the promotion of the rule of law and must therefore be ensured not only at the national and international levels but also within the United Nations. An important aspect of the administration of justice was the protection of individuals from intimidation and reprisals. His delegation welcomed the implementation of the outreach strategy of the Office of Administration of Justice, as it would help to ensure that staff were aware of their rights and how to defend them. The protection of rights was crucial for the maintenance of peace and stability, nowhere more so than within the United Nations. Cameroon welcomed the actions taken by the Office of the Ombudsman for United Nations Funds and Programmes. Given that the number of investigations into allegations of sexual harassment remained high, it also welcomed the development by the United Nations System Chief Executives Board for Coordination of a United Nations system model policy on sexual harassment.

92. The Tribunals should take care to follow the procedures set out for them in the relevant rules of the Organization. His delegation was concerned about the low number of judgments rendered by the Dispute Tribunal, the high number of cases pending before it and the number of new cases it had received. The average length of time required for the Dispute Tribunal to process cases had not decreased significantly, even though its statute had been amended in an effort to shorten that time. The high rate of self-representation was surprising and should be addressed in order to support the smooth, proper and equitable administration of justice. Everyone had the right to equality before the law, legal assistance and a fair and public hearing by a competent, independent and impartial tribunal established by law.

93. His delegation supported the proposal that heads of offices of the Secretariat be given prevention, monitoring and protection responsibilities, as that would help prevent intimidation and reprisals. Additional resources should be allocated to ensure the prompt administration of justice, as any delay could amount to the denial of justice. The administration of justice at the United Nations should be guided by the principles of independence, transparency, professionalism, decentralization, legality and due process.

94. His delegation was concerned at the number of cases brought before the Tribunals by non-staff personnel but welcomed the provision of services to them under the pilot project implemented by the Office of the United Nations Ombudsman and Mediation Services and hoped that such measures would contribute

to a reduction in cases in the future. Efforts should be made to raise awareness of informal dispute prevention and resolution mechanisms. Cost-effective means of resolving disputes should be explored. Given that the internal justice system had been established more than a decade ago, it would be appropriate to examine where improvements could be made in order to ensure that it remained relevant.

Agenda item 176: Observer status for the International Solar Alliance in the General Assembly (A/76/192 and A/76/192/Add.1; A/C.6/76/L.2)

Draft resolution A/C.6/76/L.2: Observer status for the International Solar Alliance in the General Assembly

95. **Mr. Tirumurti** (India), introducing the draft resolution on behalf of the sponsors, said that the following delegations had become sponsors of the draft resolution: Finland, Iceland, Morocco, New Zealand, Portugal, Saudi Arabia, Sweden and Trinidad and Tobago. The International Solar Alliance had been launched by France and India at the twenty-first Conference of the Parties to the United Nations Framework Convention on Climate Change, with the aim of bringing clean, affordable and renewable energy within reach of all. The Alliance aimed to contribute to the achievement of the objectives of the United Nations in relation to sustainable development, and to other internationally agreed development goals. The Alliance had been established as a treaty-based organization on 15 November 2016, when its framework agreement had been signed and ratified by the required number of countries. The agreement had entered into force on 6 December 2017. Membership of the Alliance was now open to all States Members of the United Nations.

96. The Alliance was implementing projects concerning the deployment of cross-cutting solar energy applications in the agricultural, health and electricity sectors, among others. Its work supported the implementation of United Nations Framework Convention on Climate Change and the broader global climate change agenda. The Alliance's participation in major international meetings related to its areas of activity was crucial for the implementation of its mandate. In turn, its significant resources and broad expertise put it in a position to make significant contributions in those forums. The United Nations, including its organs, is explicitly named in the Alliance's framework agreement as a strategic partner.

97. Observer status in the General Assembly would greatly enhance the Alliance's ability to achieve its goals by enabling it to follow closely the deliberations

in the General Assembly, cooperate with United Nations organs, agencies and programmes in implementation of its programmes and activities and benefit from the United Nations network of field offices, experience in programme cooperation with Governments and resources. Observer status would also enable the Organization to provide targeted input for current and future United Nations processes, based on experience gained through its country programmes, research, public-private cooperation initiatives and global knowledge-sharing activities. The Alliance was taking significant steps in relation to matters such as technology transfer, solar energy storage, financial assistance for member countries and project planning. Through its efforts to bring about just and equitable energy solutions, it expected to usher in a new era of green energy diplomacy. Observer status in the General Assembly would facilitate regular and well-defined cooperation between the Alliance and the United Nations.

98. **Ms. Flores Soto** (El Salvador) said that the International Solar Alliance met the criteria for observer status in the General Assembly, and the granting of that status was supported by a large number of Member States. The Alliance would promote cooperation on matters related to solar energy; facilitate collective efforts to address the challenges to expanding the use of solar energy, in accordance with the needs of its members; and enable the coordinated execution of research, innovation, capacity-building, funding and implementation activities at the global level. It would thus contribute to the achievement of the Sustainable Development Goals and efforts to combat climate change.

The meeting rose at 6.05 p.m.