

**General Assembly**Distr.: General  
14 July 2016

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**Seventy-first session****Request for the inclusion of an item in the provisional agenda of the seventy-first session****Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965****Letter dated 14 July 2016 from the Permanent Representative of Mauritius to the United Nations addressed to the Secretary-General**

I have the honour to request, in accordance with rule 13 of the rules of procedure of the General Assembly, the inclusion in the provisional agenda of the seventy-first session of the Assembly under heading F, Promotion of justice and international law, of an item entitled “Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965”. I further request that this item be considered directly in a plenary meeting.

In accordance with rule 20 of the rules of procedure of the General Assembly, an explanatory memorandum is attached to the present letter (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly.

(Signed) Jagdish D. Koonjul  
Permanent Representative of Mauritius to the United Nations



## Annex

### Explanatory memorandum

1. Mauritius seeks the inclusion of an item entitled “Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965”.

#### Background

2. The Chagos Archipelago is a group of islands in the Indian Ocean that has been part of Mauritius since at least the eighteenth century, at a time when Mauritius was under French colonial rule. All of the islands forming part of the French colonial territory of Île de France (as Mauritius was then known) were ceded to Britain in 1810, after which Mauritius, including the Chagos Archipelago, was under British colonial rule.

3. In 1965, in the lead-up to Mauritian independence, the United Kingdom unlawfully dismembered Mauritius by purporting to excise the Chagos Archipelago and create a so-called “British Indian Ocean Territory”. The Republic of Mauritius, in its reduced size, then achieved independence in 1968. Thereafter, all Mauritians residing in the Chagos Archipelago were forcibly evicted from the Archipelago by the British authorities, in disregard of fundamental human rights.

4. The General Assembly has a direct institutional interest in this matter. It has played a historic and central role in addressing decolonization, especially through the exercise of its powers and functions in relation to Chapters XI to XIII of the Charter of the United Nations. Under its 1960 resolution 1514 (XV) on the granting of independence to colonial countries and peoples, the General Assembly declared that a denial of fundamental human rights is contrary to the Charter; that the integrity of the national territory of dependent peoples shall be respected; and that any attempt at the disruption of the territorial integrity of a colonial country is incompatible with the purposes and principles of the Charter.<sup>1</sup> In its 1965 resolution 2066 (XX), a resolution dealing specifically with Mauritius, the General Assembly drew attention to the duty of the administering Power to take effective measures with a view to the immediate and full implementation of resolution 1514 (XV) and invited “the administering Power to take no action which would dismember the Territory of Mauritius and violate its territorial integrity”.<sup>2</sup> Further relevant resolutions were adopted in 1966 and 1967.<sup>3</sup>

5. Dismemberment occurred. Subsequent efforts to return the Chagos Archipelago to the control of Mauritius to complete the process of decolonization of Mauritius and to allow the resettlement of those evicted, have been unsuccessful. The United Kingdom maintains that it exercises sovereignty lawfully over the Chagos Archipelago and denies the right of return, yet it also tacitly admits the impropriety of its actions, stating that it will return the Chagos Archipelago to Mauritius once it is no longer required for defence purposes. An arbitral tribunal acting under Part XV of the United Nations Convention on the Law of the Sea recently unanimously found that this commitment to return the Chagos Archipelago

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<sup>1</sup> Resolution 1514 (XV) of 14 December 1960, paras. 1, 4 and 6.

<sup>2</sup> Resolution 2066 (XX) of 16 December 1965, paras. 3 & 4.

<sup>3</sup> Resolutions 2232 (XXI) of 20 December 1966 and 2357 (XXII) of 19 December 1967.

to Mauritius is binding under international law,<sup>4</sup> acknowledging that Mauritius has real and firm legal rights with respect to the Chagos Archipelago. Two members of the Tribunal found, inter alia, that the excision of the Chagos Archipelago from Mauritius in 1965 showed “a complete disregard for the territorial integrity of Mauritius by the United Kingdom”,<sup>5</sup> in violation of the right to self-determination.

#### **The benefit of an advisory opinion**

6. In 2010, on the fiftieth anniversary of the adoption of resolution 1514 (XV), the General Assembly noted with deep concern that fifty years after the adoption of the Declaration, colonialism had not yet been totally eradicated. It further declared “that the continuation of colonialism in all its forms and manifestations is incompatible with the Charter of the United Nations, the Declaration and the principles of international law”, and considered “it incumbent upon the United Nations to continue to play an active role in the process of decolonization and to intensify its efforts for the widest possible dissemination of information on decolonization, with a view to the further mobilization of international public opinion in support of complete decolonization”.<sup>6</sup>

7. In furtherance of its active role in the process of decolonization, the General Assembly has a continuing responsibility to complete the process of the decolonization of Mauritius. The best means is for the General Assembly to engage with relevant States directly concerned with the Chagos Archipelago, through consultations, negotiations and other measures, all towards a peaceful and orderly resolution of this matter. To fulfil that function, the General Assembly would benefit from an advisory opinion of the International Court of Justice on the legal consequences of the purported excision of the Chagos Archipelago from Mauritius in 1965 during the period of decolonization.

8. Members of the United Nations would also benefit from the guidance of the principal judicial organ of the United Nations. And by having recourse to the International Court of Justice the General Assembly would also underscore its resolve to give effect to the mission entrusted to it by the Members of the United Nations, namely to complete the process of decolonization.

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<sup>4</sup> In the Matter of the Chagos Marine Protected Area (Mauritius v. United Kingdom), Award of an Arbitral Tribunal constituted under Annex VII of the United Nations Convention on the Law of the Sea (18 March 2015), para. 448.

<sup>5</sup> Chagos Marine Protected Area Arbitration (Mauritius v. United Kingdom), Dissenting and Concurring Opinion of Judges Kateka and Wolfrum, para. 91. The other three members of the Tribunal considered that the Tribunal lacked jurisdiction over the issue, and therefore expressed no view on that part of the case.

<sup>6</sup> General Assembly resolution 65/118 of 10 December 2010, paras. 2 and 9.



# General Assembly

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## Seventy-first session

### Organization of the seventy-first regular session of the General Assembly, adoption of the agenda and allocation of items

#### First report of the General Committee

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## I. Introduction

1. At its 1st meeting, on 14 September 2016, the General Committee considered a memorandum by the Secretary-General relating to the organization of the seventy-first regular session and future sessions of the General Assembly, the adoption of the agenda and the allocation of items (A/BUR/71/1). A summary of the discussions will appear in the summary record of the meeting (A/BUR/71/SR.1).

2. The General Committee took note of the resolutions of the General Assembly on the revitalization of its work,<sup>1</sup> the annex to resolution 51/241, entitled “Strengthening of the United Nations system”, and resolution 57/301, entitled “Amendment to rule 1 of the rules of procedure of the General Assembly and opening date and duration of the general debate”, the provisions of which are reflected in the present document under the relevant sections.

## II. Organization of the session

### A. General Committee

3. The General Committee took note of rule 40 of the rules of procedure and document A/56/1005 (annex, paras. 9 and 10) pertaining to the functions of the Committee.

4. The General Committee also took note of paragraph 5 of the annex to resolution 58/316 pertaining to the functions of the Committee, in particular subparagraphs (e) to (h), according to which the Committee shall continue to consider the further biennialization, triennialization, clustering and elimination of items of the customary agenda of the General Assembly; continue to schedule informal briefings on topical issues; recommend to the Assembly a programme of, and format for, interactive debates on the items of its agenda; and continue to consider ways and means to further improve its working methods to increase its efficiency and effectiveness in all aspects.

5. The General Committee further took note of the fact that, at the outset of each session, each Vice-President of the General Assembly should designate a liaison person for the duration of the session. This designation may be made by means of a letter to the President (resolution 55/285, annex, para. 20).

6. The General Committee also took note of paragraph 25 of resolution 70/305, in which the General Assembly stressed the importance of enhancing the role of the General Committee to support the work of the Assembly.

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<sup>1</sup> Resolutions 48/264, 55/285, 58/126, 58/316, 59/313, 60/286, 63/309, 67/297, 68/307, 69/321 and 70/305.

## B. Rationalization of work

7. The General Committee took note of the relevant resolutions relating to the rationalization of work, including the administrative and financial functioning of the Organization.<sup>2</sup>

8. The General Committee also took note of paragraph 14 of the annex to resolution 55/285, which reads:

14. As regards implementation of paragraph 7 of the annex to resolution 51/241, the President of the General Assembly, after consideration by the Assembly of the report of the Secretary-General on the work of the Organization, shall inform the Assembly of his assessment of the debate on the report in order for the Assembly to determine the need for further action.

9. The General Committee brings to the attention of the General Assembly paragraph 16 of resolution 70/305, in which the Assembly reaffirmed existing relevant mandates related to the improvement of the working methods of the Main Committees, including section C of the annex to resolution 58/316, paragraphs 7 to 13 of resolution 59/313, cluster III of the annex to resolution 60/286 and resolution 69/321, in particular paragraphs 16 and 17 thereof.

10. The General Committee also brings to the attention of the General Assembly the fact that the Main Committees shall meet in substantive session only after the end of the general debate and that the First Committee and the Special Political and Decolonization Committee (Fourth Committee) shall not meet simultaneously and may consider meeting in a sequential manner during the regular session of the Assembly. This arrangement shall not apply if it affects their respective identities, programmes of work and effective consideration of their agendas (resolution 51/241, annex, paras. 31 and 36).

11. The General Committee draws the attention of the General Assembly to paragraph 17 of resolution 70/305, in which the Assembly requested each Main Committee to further discuss its working methods at the beginning of every session, and invited the Chairs of the Main Committees to brief the Ad Hoc Working Group on the Revitalization of the Work of the General Assembly during the seventy-first session on any best practices and lessons learned with a view to improving working methods, as appropriate.

12. The General Committee also draws the attention of the General Assembly to the relevant provisions contained in resolutions 70/305, 69/321 and 68/307 concerning the interim arrangement adopted in decision 68/505 recommending the pattern for the rotation of the Chairs of the Main Committees for the forthcoming five sessions, namely the sixty-ninth to seventy-third sessions, as well as the guidelines on the election of Chairs and Rapporteurs of the Main Committees as contained in the annex to resolution 68/307.

13. The General Committee further draws the attention of the General Assembly to relevant provisions contained in resolution 68/307 relating to the request of the General Assembly to the Ad Hoc Working Group on the Revitalization of the Work of the General Assembly to prepare long-term arrangements concerning the election

<sup>2</sup> Resolutions 41/213, 48/264, 52/12 B, 58/126, 58/316, 59/313, 60/286, 63/309, 67/297, 68/307, 69/321 and 70/305.

of the Chairs and Rapporteurs of the Main Committees of the Assembly with the aim of establishing a predictable, transparent and fair mechanism, in consultation with regional groups, and to submit them to the Assembly not later than at the seventy-second session, and the invitation to Member States to present proposals and begin early on to give attention to the matter of concluding a future arrangement, which would come into effect at the seventy-fourth session of the Assembly, with the annex to the resolution containing an option to be considered in this context.

14. The General Committee brings to the attention of the General Assembly paragraph 31 of resolution 70/305, in which the Assembly encouraged Member States to seek gender balance in the distribution of Chairs of the Main Committees.

### **C. Closing date of the session**

15. The General Committee recommends to the General Assembly that the seventy-first session of the Assembly recess on Monday, 12 December 2016 and close on Monday, 11 September 2017 (rule 2 of the rules of procedure and para. 4 of annex IV to the rules of procedure).

16. The General Committee also recommends to the General Assembly that, during the main part of the session, the First Committee complete its work by Thursday, 3 November, the Special Political and Decolonization Committee (Fourth Committee) by Tuesday, 8 November, the Second Committee and the Third Committee by Wednesday, 23 November, the Fifth Committee by Friday, 9 December and the Sixth Committee by Friday, 11 November 2016.<sup>3</sup>

### **D. Schedule of meetings**

17. The General Committee took note of the fact that, in view of financial constraints, meetings at Headquarters are not serviced beyond 6 p.m. or on weekends, with the exception of the plenary of the General Assembly and the Security Council. Consequently, meetings of the Main Committees during the seventy-first session, including informal meetings, should start promptly at 10 a.m. and be adjourned by 6 p.m. on weekdays. The General Committee also took note of resolution 59/313, in which the Assembly strongly urged all officers presiding over meetings of the Assembly to start such meetings on time.

18. The General Committee took note of paragraph 1 (b) of the annex to resolution 58/316, which reads:

(b) With effect from the fifty-ninth session of the General Assembly, the meetings of the plenary Assembly shall normally be held on Mondays and Thursdays.

19. Furthermore, the General Committee took note of paragraph 4 of resolution 69/250, in which the General Assembly noted with satisfaction that the Secretariat had taken into account the arrangements referred to in Assembly resolutions 53/208 A, 54/248, 55/222, 56/242, 57/283 B, 58/250, 59/265, 60/236 A, 61/236,

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<sup>3</sup> A mandatory deadline, not later than 1 December, should be established for the submission to the Fifth Committee of all draft resolutions with financial implications (see para. 53).

62/225, 63/248, 64/230, 65/245, 66/233, 67/237 and 68/251 concerning Orthodox Good Friday and the official holidays of Eid al-Fitr and Eid al-Adha, and requested all intergovernmental bodies to observe those decisions when planning their meetings.

20. The General Committee also took note of paragraphs 5 to 9 of resolution 69/250, in which the General Assembly acknowledged the significance of the following holidays and observances and invited United Nations bodies at Headquarters and other duty stations where observed to avoid holding meetings on those days, and in this regard encouraged this arrangement be taken into account when drafting future calendars of conferences and meetings: Yom Kippur (12 October 2016), Day of Vesak (to be determined), Diwali (31 October 2016), GURPURAB (14 November 2016) and Orthodox Christmas (7 January 2017).

21. The General Committee recommends to the General Assembly that, in accordance with past practice, it waive the requirement that at least one third of the members of the Assembly in the case of plenary meetings and one quarter of the members of a Main Committee in the case of Main Committee meetings be present in order to declare a meeting open and to permit the debate to proceed. This recommendation is made on the understanding that such a waiver would not imply any permanent change in the provisions of rules 67 and 108 of the rules of procedure and that the requirement of the presence of a majority of the members for any decision to be taken would be maintained.

22. The General Committee brings to the attention of the General Assembly paragraph 28 of resolution 69/321, in which the Assembly reaffirmed the relevant provisions of resolution 57/301 concerning the holding of the general debate and encouraged the scheduling of future high-level meetings during the first half of the year, from within existing resources, taking into account the calendar of conferences and without prejudice to the current practice of convening one high-level meeting in September at the beginning of each session of the Assembly.

23. The General Committee draws the attention of the General Assembly to paragraph 26 of resolution 70/305, in which the Assembly reiterated its invitation to the Secretary-General, the President of the General Assembly and the Chairs of the Main Committees, in consultation with the General Committee and Member States, to enhance the coordination of the scheduling of the meetings of the Assembly, including high-level meetings and high-level thematic debates, with a view to optimizing their interactivity and effectiveness, especially during the general debate, and distribution of such events throughout the session.

24. The General Committee also draws the attention of the General Assembly to the fact that, in accordance with past practice, the Assembly holds a single debate on the items on its agenda and that a specific mandate from the Assembly is needed for any additional debates.

25. The General Committee further draws the attention of the General Assembly to paragraph 22 of resolution 70/305, in which the Assembly recalled the need to enhance synergies and coherence and reduce overlap where it is found to exist in the agendas of the Assembly, especially of its Second and Third Committees, the Economic and Social Council and its subsidiary bodies, and the high-level political forum on sustainable development convened under the auspices of the Council and the Assembly, as well as all other related forums, in accordance with relevant rules



of procedure and in light of the adoption of the 2030 Agenda for Sustainable Development, and called for the continuation of such efforts during the seventy-first session of the Assembly.

## **E. General debate**

26. The General Committee draws the attention of the General Assembly to the fact that, pursuant to resolution 57/301, the general debate for the seventy-first session shall begin at 9 a.m. on Tuesday, 20 September 2016. The Secretary-General recommends that the general debate continue on Saturday, 24 September, in order to maximize the number of speakers during that week. The General Committee brings to the attention of the Assembly the fact that the list of speakers for each day shall be completed and that no speakers will be transferred to the next day, notwithstanding the implications for hours of work. Furthermore, there shall be no time limits for statements in the general debate, but the Assembly will indicate a voluntary guideline of up to 15 minutes for each statement.

27. The General Committee also brings to the attention of the General Assembly the fact that, pursuant to paragraph 7 of the annex to resolution 58/126, the theme “The Sustainable Development Goals: a universal push to transform our world” has been proposed for the general debate at the seventy-first session.

## **F. Conduct of meetings, length of statements, explanations of vote, right of reply, points of order and concluding statements**

28. The General Committee draws the attention of the General Assembly to the relevant rules of procedure regarding the conduct of meetings, namely, rules 35, 68, 72, 73, 99 (b), 106, 109, 114 and 115.

29. The General Committee also draws the attention of the General Assembly to the fact that, in accordance with past practice, the format of debates in the plenary should include statements, as applicable, by the President of the General Assembly, the Secretary-General (or the Deputy Secretary-General), Member States and observers, unless otherwise mandated by the Assembly, and that the consideration of draft proposals would take place following the conclusion of the debate.

30. The General Committee further draws the attention of the General Assembly to the fact that explanations of vote should be limited to 10 minutes; that, when the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, either in the Committee or in plenary meeting, unless that delegation’s vote in plenary meeting is different from its vote in the Committee; and that delegations should exercise their right of reply at the end of the day whenever two meetings have been scheduled for that day and whenever such meetings are devoted to the consideration of the same item (decision 34/401, paras. 6-8 (A/520/Rev.17, annex V)).

31. The General Committee recommends to the General Assembly that points of order be limited to five minutes.

32. The General Committee also recommends to the General Assembly that, in order to save time at the end of the session, the practice of making concluding

statements in the Assembly and its Main Committees be dispensed with except for statements by the presiding officers (decision 34/401, para. 17 (A/520/Rev.17, annex V)).

33. The General Committee draws the attention of the General Assembly to resolution 59/313, in which the Assembly invited Member States that are aligned with statements already made by the Chair of a group of Member States, where possible, to focus additional interventions that they make in their national capacity on points that have not already been adequately addressed in the statements of the group in question, bearing in mind the sovereign right of each Member State to express its national position.

34. The General Committee also draws the attention of the General Assembly to the fact that the voting results are final once the voting process has concluded in the Assembly. Delegations may submit voting intention forms provided by the Secretariat in order to clarify their voting intention, which will be further reflected in the official records of the meeting.

35. The General Committee further draws the attention of the General Assembly to the fact that once the Assembly adopts a draft resolution or decision, it may no longer be co-sponsored. Likewise, when a Main Committee has adopted a proposal and recommends its adoption by the Assembly, this proposal may no longer be co-sponsored by a Member State.

## **G. Records of meetings**

36. The General Committee took note of the fact that, as at past sessions, during the seventy-first session verbatim records will continue to be provided for the plenary meetings of the General Assembly and the meetings of the First Committee and summary records will be provided for the other Main Committees and the General Committee of the Assembly. The General Committee also took note of the fact that, pursuant to paragraph 76 of resolution 66/246, formal meetings of its six Main Committees will be webcast.

37. Furthermore, the General Committee draws the attention of the General Assembly to the fact that the practice of reproducing statements in extenso as separate documents has been discontinued for all its subsidiary organs that are entitled to summary records and that any exceptions to this rule may be made by the body concerned only if the statements are to serve as bases for discussion and if, after hearing a statement of the relevant financial implications, the body decides that one or more statements in extenso may be included in the summary record, or reproduced as separate documents or as annexes to authorized documents (resolution 38/32 E, paras. 8-9).

38. The General Committee recommends to the General Assembly that the practice of not reproducing in extenso statements made in a Main Committee be maintained for the seventy-first session.

## **H. Resolutions**

39. The General Committee brings to the attention of the General Assembly the fact that:

- Whenever possible, resolutions requesting the discussion of a question at a subsequent session should not call for the inclusion of a separate new item and such discussion should be held under the item under which the resolution was adopted (decision 34/401, para. 32 (*A/520/Rev.17*, annex V))
- Efforts should be made to reduce the number of resolutions adopted by the General Assembly. Resolutions should include requests for reports of the Secretary-General only in cases where that would be indispensable for facilitating the implementation of those resolutions or the continued examination of the question<sup>4</sup>
- In order to ensure that resolutions have greater political impact, they should be short, in particular as regards the preambular part, and should focus more on action-oriented operative paragraphs (resolution 57/270 B, para. 69)
- Whenever possible, for the adoption by the General Assembly of agreed texts of resolutions and decisions, informal consultations should be carried out with the widest possible participation of Member States (resolution 45/45, annex, para. 1 (*A/520/Rev.17*, annex VII, para. 1))
- The terms “takes note of” and “notes” are neutral terms that constitute neither approval nor disapproval (decision 55/488, annex)

40. The General Committee noted and decided to bring to the attention of the General Assembly the fact that the Secretary-General encourages Member States to transmit all draft resolutions and decisions in accordance with the guidelines for submission outlined by the Secretariat.

41. The General Committee draws to the attention of the General Assembly the fact that the numbering of resolutions and decisions are sequential, and that resolutions or decisions containing identical titles will be assigned identical symbols followed by a letter designation (e.g. “A” and “B”).

## I. Documentation

42. The General Committee draws the attention of the General Assembly to the fact that the Assembly, including its Main Committees, should merely take note of those reports of the Secretary-General or subsidiary organs that do not require a decision by the Assembly and should neither debate nor adopt resolutions on them, unless specifically requested to do so by the Secretary-General or the organ concerned (decision 34/401, para. 28 (*A/520/Rev.17*, annex V)).

43. The General Committee also draws the attention of the General Assembly to section III of resolution 57/283 B regarding the timely issuance of documents in the six official languages of the Assembly. The General Committee further draws the attention of the Assembly to resolution 59/313, in which the Assembly requested the Secretary-General to ensure that documentation and reports are issued well in advance, in keeping with the six-week rule for the issuance of official documentation simultaneously in all official languages.

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<sup>4</sup> *Official Records of the General Assembly, Forty-first Session, Supplement No. 49 (A/41/49)*, para. 21, recommendation 3 (f).

44. The General Committee further draws the attention of the General Assembly to resolutions 48/264 and 55/285, in which the Assembly emphasized that restraint should be exercised in making requests for new reports and requested more integrated reports, and to resolution 57/270 B, in which it recognized the need to avoid requesting duplicative reports from the Secretary-General.

45. The General Committee brings to the attention of the General Assembly resolution 67/297, in which the Assembly encouraged Member States, United Nations bodies and the Secretariat to continue to consult on the consolidation of documentation in order to avoid duplication of work, and to exercise the fullest possible discipline in striving for concise resolutions, reports and other documentation, *inter alia*, by referring to previous documents rather than repeating actual content and to focus on key themes; and called upon them to observe existing submission deadlines in order to allow for the timely processing of documents to be examined by intergovernmental bodies.

46. The General Committee draws the attention of the General Assembly to paragraph 32 of resolution 70/305, in which the Assembly encouraged Member States to make, to the extent possible, full use of the e-services provided by the Secretariat, in order to save costs, reduce the environmental impact and improve the distribution of documents and in this regard requested the Secretariat to further improve, harmonize and, where appropriate, unify such e-services.

47. The General Committee brings the following to the attention of the General Assembly:

- Resolutions should contain requests for observations from States or reports by the Secretary-General insofar as they are likely to facilitate the implementation of the resolutions or the continued examination of the question (resolution 45/45, annex, para. 10 (A/520/Rev.17, annex VII, para. 10))
- Member States and entities of the United Nations system should make a serious effort to submit their replies and inputs to requests for information or views pursuant to resolutions of the General Assembly within the prescribed deadlines (resolution 55/285, annex, para. 17)
- Member States, when seeking additional information, are encouraged to request that they be provided with the information either orally or, if in writing, in the form of information sheets, annexes, tables and the like (resolution 59/313, para. 17)

48. The General Committee also brings to the attention of the General Assembly the fact that, pursuant to section IV, paragraph 21, of resolution 67/237, the Department for General Assembly and Conference Management will continue to offer paper-smart services as an additional support to delegations during the seventy-first session.

## **J. Questions relating to the programme budget**

49. The General Committee draws the attention of the General Assembly to rule 153 of the rules of procedure, which reads:

No resolution involving expenditure shall be recommended by a committee for approval by the General Assembly unless it is accompanied by an estimate of

expenditures prepared by the Secretary-General. No resolution in respect of which expenditures are anticipated by the Secretary-General shall be voted by the General Assembly until the Administrative and Budgetary Committee (Fifth Committee) has had an opportunity of stating the effect of the proposal upon the budget estimates of the United Nations.

50. Pursuant to rule 153 of the rules of procedure, the Secretariat considers financial implications of all draft resolutions and decisions of the General Assembly and its subsidiary organs. This process begins once the draft is submitted for issuance as a document of the Assembly. Until then, the Secretariat is not in a position to provide any official view as to whether a draft resolution or decision would have financial implications.

51. The General Committee draws the attention of the General Assembly to the fact that, in accordance with rule 153 of the rules of procedure, the consideration by the Administrative and Budgetary Committee (Fifth Committee) of any proposal involving expenditure before such a proposal is voted on by the Assembly is mandatory and the rule as formulated does not provide for any exceptions.

52. The General Committee also draws the attention of the General Assembly to the need for initiators of proposals with budgetary implications to clarify a timetable at an early stage with the Chair of the Administrative and Budgetary Committee (Fifth Committee) and the Chair of the Advisory Committee on Administrative and Budgetary Questions, in order to ensure full compliance with rule 153.

53. With regard to rule 153 of the rules of procedure and paragraph 13 (d) of decision 34/401, which requires a minimum period of 48 hours before action is taken on a proposal so as to allow the Secretary-General to prepare the programme budget implications of proposals before the General Assembly, the General Committee draws the attention of the Assembly to the fact that, in most cases, more than 48 hours are required for the Secretary-General to review the programme budget implications of proposals before the Assembly.

54. The General Committee brings to the attention of the General Assembly paragraph 24 of resolution 70/305, in which the Assembly recalled rules 153 and 154 of the rules of procedure of the General Assembly and encouraged the Chairs of the Main Committees and the Secretary-General to ensure observance of these rules, within their respective mandates.

55. The General Committee draws the attention of the General Assembly to paragraphs 12 and 13 of decision 34/401 (A/520/Rev.17, annex V), which read:

12. It is imperative that Main Committees should allow sufficient time for the preparation of the estimate of expenditures by the Secretariat and for its consideration by the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee and that they should take this requirement into account when they adopt their programme of work.

13. Furthermore:

(a) A mandatory deadline, not later than 1 December, should be established for the submission to the Fifth Committee of all draft resolutions with financial implications;

(b) The Fifth Committee should, as a general practice, consider accepting without debate the recommendations of the Advisory Committee on Administrative and Budgetary Questions on the financial implications of draft resolutions up to a prescribed limit, namely \$25,000 on any one item;

(c) Firm deadlines should be set for the early submission of the reports of subsidiary organs which require consideration by the Fifth Committee;

(d) A minimum period of 48 hours should be allowed between the submission and the voting of a proposal involving expenditure in order to allow the Secretary-General to prepare and present the related statement of administrative and financial implications.

56. The General Committee also draws the attention of the General Assembly to regulation 5.9 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation (ST/SGB/2000/8; first adopted in resolution 37/234, annex; the rules in the present revised edition are issued pursuant to resolution 53/207), as well as to Assembly resolution 54/236 and its decision 54/474. Regulation 5.9 reads:

*Regulation 5.9.* No council, commission or other competent body shall take a decision involving either a change in the programme budget approved by the General Assembly or the possible requirement of expenditure unless it has received and taken account of a report from the Secretary-General on the programme budget implications of the proposal.

57. Furthermore, the General Committee draws the attention of the General Assembly to paragraph 6 of its resolution 35/10 A, which reads:

6. *Decides* that all proposals affecting the schedule of conferences and meetings made at sessions of the General Assembly shall be reviewed by the Committee on Conferences when administrative implications are being considered under the requirements of rule 153 of the rules of procedure of the Assembly;

58. The General Committee draws the attention of the General Assembly to section VI of its resolution 45/248 B on procedures for administrative and budgetary matters, in which the Assembly:

1. *Reaffirms* that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters;

2. *Reaffirms also* the role of the Advisory Committee on Administrative and Budgetary Questions;

3. *Expresses its concern* at the tendency of its substantive Committees and other intergovernmental bodies to involve themselves in administrative and budgetary matters;

4. *Invites* the Secretary-General to provide all intergovernmental bodies with the required information regarding procedures for administrative and budgetary matters.

59. The General Committee also draws the attention of the General Assembly to the views expressed by the Advisory Committee on Administrative and Budgetary

Questions on the use of the phrase “within existing resources”<sup>5</sup> and to the report in which the Committee emphasized the responsibility of the Secretariat to inform the Assembly thoroughly and accurately about whether there are enough resources to implement a new activity.<sup>6</sup>

60. The General Committee brings to the attention of the General Assembly the fact that, pursuant to paragraph 5 of resolution 40/243, United Nations bodies may hold sessions away from their established headquarters when a Government issuing an invitation for a session to be held within its territory has agreed to defray, after consultation with the Secretary-General as to their nature and possible extent, the actual additional costs directly or indirectly involved. The methods of budgeting these costs should be improved so as to ensure that all additional costs are accounted for.<sup>7</sup>

61. The General Committee also brings to the attention of the General Assembly the fact that all activities related to international conventions or treaties that, under their respective legal arrangements, ought to be financed outside the regular budget of the United Nations, may be undertaken by the Secretariat only when sufficient funding is received, in advance, from States parties and States not parties participating in the meetings.

62. The General Committee further brings to the attention of the General Assembly paragraph 11 of resolution 69/250, in which the Assembly invited Member States to include in new legislative mandates adequate information on the modalities for the organization of conferences or meetings.

## **K. Observances and commemorative meetings**

63. Considering past practice, the General Committee recommends to the General Assembly that it adopt a format for commemorative meetings that includes statements by the President of the General Assembly, the Secretary-General, the Chairs of the five regional groups and the representative of the host country.

## **III. Adoption of the agenda**

64. The General Committee considered the draft agenda of the seventy-first session submitted by the Secretary-General in his memorandum (A/BUR/71/1). All proposals for the inclusion of items in the agenda of the seventy-first session have been communicated to Member States in the following documents:

- (a) Provisional agenda of the seventy-first regular session (A/71/150);
- (b) List of supplementary items proposed for inclusion in the agenda of the seventy-first session (A/71/200);
- (c) Additional item proposed by Fiji (A/71/231);
- (d) Additional item proposed by France (A/71/232).

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<sup>5</sup> Ibid., *Thirty-eighth Session, Supplement No. 7A* (A/38/7/Add.1-23), document A/38/7/Add.16.

<sup>6</sup> Ibid., *Fifty-fourth Session, Supplement No. 7* (A/54/7).

<sup>7</sup> Ibid., *Forty-first Session, Supplement No. 49* (A/41/49), para. 21, recommendation 4.

65. Sub-item (a) of item 21 of the draft agenda (Role of the United Nations in promoting development in the context of globalization and interdependence) was deleted on the proposal of the Chair of the Second Committee. The items thus proposed for inclusion are listed in the draft agenda, which appears in paragraph 82 below.

66. In paragraph 2 (a) of the annex to resolution 58/316, the General Assembly decided, *inter alia*, that the agenda of the Assembly should be organized under headings corresponding to the priorities of the Organization, as contained in each medium-term plan or in the strategic framework, as appropriate, with an additional heading for "Organizational, administrative and other matters", for the purpose of giving a sense of structure to the work of the Assembly. Since the fifty-ninth session the agenda of the General Assembly has been structured accordingly.

67. The General Committee took note of the relevant resolutions pertaining to the review and coordination of the agenda, namely, annex I to resolution 48/264, the annex to resolution 51/241, the annex to resolution 55/285, paragraph 60 of resolution 57/270 B, and paragraphs 2 and 4 of the annex to resolution 58/316. The General Committee also took note of paragraph 20 of resolution 70/305, in which the General Assembly emphasized that the Assembly and its Main Committees, at the seventy-first session, in consultation with Member States, should continue their consideration of and make proposals for the further biennialization, triennialization, clustering and elimination of items on the agenda of the Assembly, including through the introduction of a sunset clause, with the clear consent of the sponsoring State or States, taking into account the relevant recommendations of the Ad Hoc Working Group on the Revitalization of the Work of the General Assembly.

68. Bearing in mind the extremely heavy workload of the General Assembly and the need to make the most effective use of scarce resources, the General Committee took note of the suggestion of the Secretary-General to consider deferring to a later session items for which decisions or action are not required at the current session (resolution 51/241, annex, paras. 23-26).

69. The General Committee took note of decision 49/426, whereby the General Assembly decided that the granting of observer status in the Assembly should in future be confined to States and to those intergovernmental organizations whose activities cover matters of interest to the Assembly.

70. In connection with item 38 of the draft agenda (Question of the Comorian island of Mayotte), the General Committee decided to recommend its inclusion under heading B (Maintenance of international peace and security), on the understanding that there would be no consideration of this item by the General Assembly.

71. In connection with item 59 of the draft agenda (Question of the Malagasy islands of Glorieuses, Juan de Nova, Europa and Bassas da India), the General Committee decided to recommend that consideration of this item be deferred to the seventy-second session of the General Assembly and that the item be included in the provisional agenda of that session.

72. In connection with item 62 of the draft agenda (Peacebuilding and sustaining peace), the General Committee decided to recommend its inclusion under heading B (Maintenance of international peace and security).



73. In connection with item 88 of the draft agenda (Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965), the General Committee decided to recommend its inclusion under heading F (Promotion of justice and international law), on the understanding that there would be no consideration of this item by the General Assembly before June 2017 and thereafter it may be considered upon notification by a Member State.

74. In connection with sub-items (mm), (nn), (oo), (pp) and (qq) of item 99 of the draft agenda (Countering the threat posed by improvised explosive devices; Humanitarian consequences of nuclear weapons; Humanitarian pledge for the prohibition and elimination of nuclear weapons; Ethical imperatives for a nuclear-weapon-free world; and Implementation of the Convention on Cluster Munitions) the General Committee decided to recommend their inclusion under heading G (Disarmament).

75. In connection with sub-item (i) of item 116 of the draft agenda (Appointment of members of the Board of the 10-Year Framework of Programmes on Sustainable Consumption and Production Patterns), the General Committee decided to recommend its inclusion under heading I (Organizational, administrative and other matters).

76. In connection with sub-item (u) of item 133 of the draft agenda (United Nations Joint Staff Pension Fund) the General Committee decided to recommend its inclusion under heading I (Organizational, administrative and other matters).

77. In connection with item 171 of the draft agenda (Observer status for the Central American Bank for Economic Integration in the General Assembly), the General Committee decided to postpone its consideration of the question of inclusion of the item to the next meeting of the General Committee.

78. In connection with item 172 of the draft agenda (Observer status for the Conference of Ministers of Justice of the Ibero-American Countries in the General Assembly), the General Committee decided to recommend its inclusion under heading I (Organizational, administrative and other matters).

79. In connection with item 173 of the draft agenda (Observer status for the International Youth Organization for Ibero-America in the General Assembly), the General Committee decided to recommend its inclusion under heading I (Organizational, administrative and other matters).

80. In connection with item 174 of the draft agenda (Observer status for the Pacific Island Development Forum in the General Assembly), the General Committee decided to recommend its inclusion under heading I (Organizational, administrative and other matters).

81. In connection with item 175 of the draft agenda (Observer status for the International Chamber of Commerce in the General Assembly), the General Committee decided to recommend its inclusion under heading I (Organizational, administrative and other matters).

82. Taking into account paragraphs 65 to 81 above, the General Committee recommends to the General Assembly the adoption of the following agenda:

### **Agenda organized under headings corresponding to the priorities of the Organization**

1. Opening of the session by the President of the General Assembly.
2. Minute of silent prayer or meditation.
3. Credentials of representatives to the seventy-first session of the General Assembly:
  - (a) Appointment of the members of the Credentials Committee;
  - (b) Report of the Credentials Committee.
4. Election of the President of the General Assembly.<sup>8</sup>
5. Election of the officers of the Main Committees.<sup>8</sup>
6. Election of the Vice-Presidents of the General Assembly.<sup>8</sup>
7. Organization of work, adoption of the agenda and allocation of items: reports of the General Committee.
8. General debate.

#### **A. Promotion of sustained economic growth and sustainable development in accordance with the relevant resolutions of the General Assembly and recent United Nations conferences**

9. Report of the Economic and Social Council.
10. Implementation of the Declaration of Commitment on HIV/AIDS and the political declarations on HIV/AIDS.
11. Sport for development and peace.
12. 2001-2010: Decade to Roll Back Malaria in Developing Countries, Particularly in Africa.
13. Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields.
14. Culture of peace.
15. The role of the United Nations in promoting a new global human order.
16. Information and communications technologies for development.
17. Macroeconomic policy questions:
  - (a) International trade and development;
  - (b) International financial system and development;
  - (c) External debt sustainability and development.

<sup>8</sup> In accordance with rule 30 of the rules of procedure, the General Assembly will hold these elections for its seventy-second session at least three months before the opening of that session.

18. Follow-up to and implementation of the outcomes of the International Conferences on Financing for Development.
19. Sustainable development:
  - (a) Implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development and of the United Nations Conference on Sustainable Development;
  - (b) Follow-up to and implementation of the SIDS Accelerated Modalities of Action (SAMOA) Pathway and the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States;
  - (c) Disaster risk reduction;
  - (d) Protection of global climate for present and future generations of humankind;
  - (e) Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;
  - (f) Convention on Biological Diversity;
  - (g) Report of the United Nations Environment Assembly of the United Nations Environment Programme;
  - (h) Harmony with Nature;
  - (i) Promotion of new and renewable sources of energy;
  - (j) Sustainable mountain development.
20. Implementation of the outcomes of the United Nations Conferences on Human Settlements and on Housing and Sustainable Urban Development and strengthening of the United Nations Human Settlements Programme (UN-Habitat).
21. Globalization and interdependence:
  - (a) Globalization and interdependence;
  - (b) International migration and development.
22. Groups of countries in special situations:
  - (a) Follow-up to the Fourth United Nations Conference on the Least Developed Countries;
  - (b) Follow-up to the second United Nations Conference on Landlocked Developing Countries.
23. Eradication of poverty and other development issues:
  - (a) Implementation of the Second United Nations Decade for the Eradication of Poverty (2008-2017);
  - (b) Industrial development cooperation.

24. Operational activities for development:
  - (a) Operational activities for development of the United Nations system;
  - (b) South-South cooperation for development.
25. Agriculture development, food security and nutrition.
26. Social development:
  - (a) Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family;
  - (b) Literacy for life: shaping future agendas.
27. Advancement of women.

## **B. Maintenance of international peace and security**

28. Report of the Security Council.
29. Report of the Peacebuilding Commission.
30. The role of diamonds in fuelling conflict.
31. Prevention of armed conflict.
32. Protracted conflicts in the GUAM area and their implications for international peace, security and development.
33. Zone of peace and cooperation of the South Atlantic.
34. The situation in the Middle East.
35. Question of Palestine.
36. The situation in Afghanistan.
37. The situation in the occupied territories of Azerbaijan.
38. Question of the Comorian island of Mayotte.
39. Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba.
40. The situation in Central America: progress in fashioning a region of peace, freedom, democracy and development.<sup>9</sup>
41. Question of Cyprus.<sup>10</sup>
42. Armed aggression against the Democratic Republic of the Congo.<sup>10</sup>
43. Question of the Falkland Islands (Malvinas).<sup>10</sup>
44. The situation of democracy and human rights in Haiti.<sup>10</sup>

<sup>9</sup> In accordance with decision 60/508, this item remains on the agenda for consideration upon notification by a Member State.

<sup>10</sup> In accordance with paragraph 4 (b) of the annex to resolution 58/316, this item remains on the agenda for consideration upon notification by a Member State.

45. Armed Israeli aggression against the Iraqi nuclear installations and its grave consequences for the established international system concerning the peaceful uses of nuclear energy, the non-proliferation of nuclear weapons and international peace and security.<sup>10</sup>
46. Consequences of the Iraqi occupation of and aggression against Kuwait.<sup>10</sup>
47. Effects of atomic radiation.
48. International cooperation in the peaceful uses of outer space.
49. United Nations Relief and Works Agency for Palestine Refugees in the Near East.
50. Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.
51. Comprehensive review of the whole question of peacekeeping operations in all their aspects.
52. Comprehensive review of special political missions.
53. Questions relating to information.
54. Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations.
55. Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories.
56. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations.
57. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories.
58. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.
59. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources.
60. Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions.
61. Peacebuilding and sustaining peace.

### **C. Development of Africa**

62. New Partnership for Africa's Development: progress in implementation and international support:

- (a) New Partnership for Africa's Development: progress in implementation and international support;
- (b) Causes of conflict and the promotion of durable peace and sustainable development in Africa.

#### **D. Promotion of human rights**

- 63. Report of the Human Rights Council.
- 64. Promotion and protection of the rights of children:
  - (a) Promotion and protection of the rights of children;
  - (b) Follow-up to the outcome of the special session on children.
- 65. Rights of indigenous peoples:
  - (a) Rights of indigenous peoples;
  - (b) Follow-up to the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples.
- 66. Elimination of racism, racial discrimination, xenophobia and related intolerance:
  - (a) Elimination of racism, racial discrimination, xenophobia and related intolerance;
  - (b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action.
- 67. Right of peoples to self-determination.
- 68. Promotion and protection of human rights:
  - (a) Implementation of human rights instruments;
  - (b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms;
  - (c) Human rights situations and reports of special rapporteurs and representatives;
  - (d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action.

#### **E. Effective coordination of humanitarian assistance efforts**

- 69. Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance:
  - (a) Strengthening of the coordination of emergency humanitarian assistance of the United Nations;
  - (b) Assistance to the Palestinian people;

- (c) Special economic assistance to individual countries or regions;
- (d) Strengthening of international cooperation and coordination of efforts to study, mitigate and minimize the consequences of the Chernobyl disaster.

## **F. Promotion of justice and international law**

- 70. Report of the International Court of Justice.
- 71. Report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.
- 72. Report of the International Criminal Court.
- 73. Oceans and the law of the sea:
  - (a) Oceans and the law of the sea;
  - (b) Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments.
- 74. Responsibility of States for internationally wrongful acts.
- 75. Criminal accountability of United Nations officials and experts on mission.
- 76. Report of the United Nations Commission on International Trade Law on the work of its forty-ninth session.
- 77. United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law.
- 78. Report of the International Law Commission on the work of its sixty-eighth session.
- 79. Diplomatic protection.
- 80. Consideration of prevention of transboundary harm from hazardous activities and allocation of loss in the case of such harm.
- 81. Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts.
- 82. Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives.
- 83. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization.
- 84. The rule of law at the national and international levels.
- 85. The scope and application of the principle of universal jurisdiction.
- 86. The law of transboundary aquifers.

87. Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965.

## **G. Disarmament**

88. Report of the International Atomic Energy Agency.
89. Reduction of military budgets.
90. African Nuclear-Weapon-Free Zone Treaty.
91. Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco).
92. Maintenance of international security — good-neighbourliness, stability and development in South-Eastern Europe.
93. Developments in the field of information and telecommunications in the context of international security.
94. Establishment of a nuclear-weapon-free zone in the region of the Middle East.
95. Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.
96. Prevention of an arms race in outer space:
  - (a) Prevention of an arms race in outer space;
  - (b) No first placement of weapons in outer space.
97. Role of science and technology in the context of international security and disarmament.
98. General and complete disarmament:
  - (a) Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices;
  - (b) Further measures in the field of disarmament for the prevention of an arms race on the seabed and the ocean floor and in the subsoil thereof;
  - (c) Nuclear disarmament;
  - (d) Notification of nuclear tests;
  - (e) Relationship between disarmament and development;
  - (f) Regional disarmament;
  - (g) Transparency in armaments;
  - (h) Conventional arms control at the regional and subregional levels;
  - (i) Convening of the fourth special session of the General Assembly devoted to disarmament;



- (j) Nuclear-weapon-free southern hemisphere and adjacent areas;
- (k) Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control;
- (l) Follow-up to the advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons;
- (m) Consolidation of peace through practical disarmament measures;
- (n) Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction;
- (o) Measures to uphold the authority of the 1925 Geneva Protocol;
- (p) Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction;
- (q) Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them;
- (r) Treaty on a Nuclear-Weapon-Free Zone in Central Asia;
- (s) Reducing nuclear danger;
- (t) The illicit trade in small arms and light weapons in all its aspects;
- (u) Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments;
- (v) Mongolia's international security and nuclear-weapon-free status;
- (w) Missiles;
- (x) Disarmament and non-proliferation education;
- (y) Promotion of multilateralism in the area of disarmament and non-proliferation;
- (z) Measures to prevent terrorists from acquiring weapons of mass destruction;
- (aa) Confidence-building measures in the regional and subregional context;
- (bb) The Hague Code of Conduct against Ballistic Missile Proliferation;
- (cc) Information on confidence-building measures in the field of conventional arms;
- (dd) Transparency and confidence-building measures in outer space activities;
- (ee) Preventing the acquisition by terrorists of radioactive sources;
- (ff) The Arms Trade Treaty;
- (gg) Effects of the use of armaments and ammunitions containing depleted uranium;

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- (hh) United action with renewed determination towards the total elimination of nuclear weapons;
  - (ii) Preventing and combating illicit brokering activities;
  - (jj) Women, disarmament, non-proliferation and arms control;
  - (kk) Taking forward multilateral nuclear disarmament negotiations;
  - (ll) Follow-up to the 2013 high-level meeting of the General Assembly on nuclear disarmament;
  - (mm) Countering the threat posed by improvised explosive devices;
  - (nn) Humanitarian consequences of nuclear weapons;
  - (oo) Humanitarian pledge for the prohibition and elimination of nuclear weapons;
  - (pp) Ethical imperatives for a nuclear-weapon-free world;
  - (qq) Implementation of the Convention on Cluster Munitions.
99. Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly:
- (a) United Nations disarmament fellowship, training and advisory services;
  - (b) United Nations Disarmament Information Programme;
  - (c) Convention on the Prohibition of the Use of Nuclear Weapons;
  - (d) United Nations Regional Centre for Peace and Disarmament in Africa;
  - (e) United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean;
  - (f) United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific;
  - (g) Regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa;
  - (h) United Nations regional centres for peace and disarmament.
100. Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session:
- (a) Report of the Conference on Disarmament;
  - (b) Report of the Disarmament Commission.
101. The risk of nuclear proliferation in the Middle East.
102. Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.
103. Strengthening of security and cooperation in the Mediterranean region.

104. Comprehensive Nuclear-Test-Ban Treaty.
105. Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.

#### **H. Drug control, crime prevention and combating international terrorism in all its forms and manifestations**

106. Crime prevention and criminal justice.
107. International drug control.
108. Measures to eliminate international terrorism.

#### **I. Organizational, administrative and other matters**

109. Report of the Secretary-General on the work of the Organization.
110. Report of the Secretary-General on the Peacebuilding Fund.
111. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter of the United Nations.
112. Elections to fill vacancies in principal organs:
  - (a) Election of five non-permanent members of the Security Council;
  - (b) Election of eighteen members of the Economic and Social Council.
113. Appointment of the Secretary-General of the United Nations.
114. Elections to fill vacancies in subsidiary organs and other elections:
  - (a) Election of seven members of the Committee for Programme and Coordination;
  - (b) Election of the members of the International Law Commission;
  - (c) Election of five members of the Organizational Committee of the Peacebuilding Commission;
  - (d) Election of fourteen members of the Human Rights Council.
115. Appointments to fill vacancies in subsidiary organs and other appointments:
  - (a) Appointment of members of the Advisory Committee on Administrative and Budgetary Questions;
  - (b) Appointment of members of the Committee on Contributions;
  - (c) Confirmation of the appointment of members of the Investments Committee;
  - (d) Appointment of members of the International Civil Service Commission;

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- (e) Appointment of members of the Independent Audit Advisory Committee;
  - (f) Appointment of members and alternate members of the United Nations Staff Pension Committee;
  - (g) Appointment of members of the Committee on Conferences;
  - (h) Appointment of members of the Joint Inspection Unit;
  - (i) Appointment of members of the Board of the 10-Year Framework of Programmes on Sustainable Consumption and Production Patterns;
  - (j) Confirmation of the appointment of the Administrator of the United Nations Development Programme;
  - (k) Confirmation of the appointment of the Secretary-General of the United Nations Conference on Trade and Development;
  - (l) Appointment of the judges of the United Nations Dispute Tribunal.
116. Admission of new Members to the United Nations.
117. Follow-up to the outcome of the Millennium Summit.
118. The United Nations Global Counter-Terrorism Strategy.
119. Commemoration of the abolition of slavery and the transatlantic slave trade.
120. Implementation of the resolutions of the United Nations.
121. Revitalization of the work of the General Assembly.
122. Question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council.
123. Strengthening of the United Nations system:
- (a) Strengthening of the United Nations system;
  - (b) Central role of the United Nations system in global governance.
124. United Nations reform: measures and proposals.
125. Multilingualism.
126. Cooperation between the United Nations and regional and other organizations:
- (a) Cooperation between the United Nations and the African Union;
  - (b) Cooperation between the United Nations and the Organization of Islamic Cooperation;
  - (c) Cooperation between the United Nations and the Asian-African Legal Consultative Organization;
  - (d) Cooperation between the United Nations and the League of Arab States;

- (e) Cooperation between the United Nations and the Latin American and Caribbean Economic System;
- (f) Cooperation between the United Nations and the Organization of American States;
- (g) Cooperation between the United Nations and the Organization for Security and Cooperation in Europe;
- (h) Cooperation between the United Nations and the Caribbean Community;
- (i) Cooperation between the United Nations and the Economic Cooperation Organization;
- (j) Cooperation between the United Nations and the International Organization of la Francophonie;
- (k) Cooperation between the United Nations and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization;
- (l) Cooperation between the United Nations and the Council of Europe;
- (m) Cooperation between the United Nations and the Economic Community of Central African States;
- (n) Cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons;
- (o) Cooperation between the United Nations and the Black Sea Economic Cooperation Organization;
- (p) Cooperation between the United Nations and the Southern African Development Community;
- (q) Cooperation between the United Nations and the Pacific Islands Forum;
- (r) Cooperation between the United Nations and the Association of Southeast Asian Nations;
- (s) Cooperation between the United Nations and the Eurasian Economic Community;
- (t) Cooperation between the United Nations and the Community of Portuguese-speaking Countries;
- (u) Cooperation between the United Nations and the Shanghai Cooperation Organization;
- (v) Cooperation between the United Nations and the Collective Security Treaty Organization;
- (w) Cooperation between the United Nations and the Central European Initiative;
- (x) Cooperation between the United Nations and the Organization for Democracy and Economic Development — GUAM;

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- (y) Cooperation between the United Nations and the Commonwealth of Independent States;
  - (z) Cooperation between the United Nations and the International Organization for Migration.
127. Global health and foreign policy.
128. International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.
129. International Residual Mechanism for Criminal Tribunals.
130. Investigation into the conditions and circumstances resulting in the tragic death of Dag Hammarskjöld and of the members of the party accompanying him.
131. Global awareness of the tragedies of irregular migrants in the Mediterranean basin, with specific emphasis on Syrian asylum seekers.
132. Financial reports and audited financial statements, and reports of the Board of Auditors:
- (a) United Nations;
  - (b) United Nations peacekeeping operations;
  - (c) International Trade Centre;
  - (d) United Nations University;
  - (e) Capital master plan;
  - (f) United Nations Development Programme;
  - (g) United Nations Capital Development Fund;
  - (h) United Nations Children's Fund;
  - (i) United Nations Relief and Works Agency for Palestine Refugees in the Near East;
  - (j) United Nations Institute for Training and Research;
  - (k) Voluntary funds administered by the United Nations High Commissioner for Refugees;
  - (l) Fund of the United Nations Environment Programme;
  - (m) United Nations Population Fund;
  - (n) United Nations Human Settlements Programme;
  - (o) United Nations Office on Drugs and Crime;
  - (p) United Nations Office for Project Services;
  - (q) United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women);
  - (r) International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of

- International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994;
- (s) International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991;
  - (t) International Residual Mechanism for Criminal Tribunals;
  - (u) United Nations Joint Staff Pension Fund.
133. Review of the efficiency of the administrative and financial functioning of the United Nations.
  134. Programme budget for the biennium 2016-2017.
  135. Programme planning.
  136. Improving the financial situation of the United Nations.
  137. Pattern of conferences.
  138. Scale of assessments for the apportionment of the expenses of the United Nations.
  139. Human resources management.
  140. Joint Inspection Unit.
  141. United Nations common system.
  142. United Nations pension system.
  143. Administrative and budgetary coordination of the United Nations with the specialized agencies and the International Atomic Energy Agency.
  144. Report on the activities of the Office of Internal Oversight Services.
  145. Administration of justice at the United Nations.
  146. Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994.
  147. Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.
  148. Financing of the International Residual Mechanism for Criminal Tribunals.
  149. Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations.
  150. Financing of the United Nations Interim Security Force for Abyei.

151. Financing of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic.
152. Financing of the United Nations Operation in Côte d'Ivoire.
153. Financing of the United Nations Peacekeeping Force in Cyprus.
154. Financing of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo.
155. Financing of the United Nations Mission in East Timor.
156. Financing of the United Nations Stabilization Mission in Haiti.
157. Financing of the United Nations Interim Administration Mission in Kosovo.
158. Financing of the United Nations Mission in Liberia.
159. Financing of the United Nations Multidimensional Integrated Stabilization Mission in Mali.
160. Financing of the United Nations peacekeeping forces in the Middle East:
  - (a) United Nations Disengagement Observer Force;
  - (b) United Nations Interim Force in Lebanon.
161. Financing of the United Nations Mission in South Sudan.
162. Financing of the United Nations Mission for the Referendum in Western Sahara.
163. Financing of the African Union-United Nations Hybrid Operation in Darfur.
164. Financing of the activities arising from Security Council resolution 1863 (2009).
165. Report of the Committee on Relations with the Host Country.
166. Observer status for the Cooperation Council of Turkic-speaking States in the General Assembly.
167. Observer status for the Eurasian Economic Union in the General Assembly.
168. Observer status for the Community of Democracies in the General Assembly.
169. Observer status for the International Conference of Asian Political Parties in the General Assembly.
170. Observer status for the Conference of Ministers of Justice of the Ibero-American Countries in the General Assembly.
171. Observer status for the International Youth Organization for Ibero-America in the General Assembly.
172. Observer status for the Pacific Island Development Forum in the General Assembly.



173. Observer status for the International Chamber of Commerce in the General Assembly.

#### **IV. Allocation of items**

83. The allocation of items described in paragraph 91 below is based on the pattern adopted by the General Assembly for those items in previous years and organized under the headings of the agenda in paragraph 82 above. The General Committee took note of the relevant resolutions and decisions dealing with guidelines for the allocation of items, namely, decision 34/401 (A/520/Rev.17, annex V), resolution 39/88 B, resolution 45/45 (A/520/Rev.17, annexes VI and VII), annex I to resolution 48/264 and the annex to resolution 51/241.

84. The General Committee took note of subparagraphs 4 (c), (e), (i) and (l) of the annex to resolution 58/316 and paragraph 26 of resolution 61/134 relevant to the allocation of items for the seventy-first session.

85. The General Committee also took note of the fact that any request by an organization for the granting of observer status in the General Assembly would be considered in plenary meeting after the consideration of the issue by the Sixth Committee of the Assembly (resolution 54/195).

86. Taking into account the recommendations in section III above regarding the adoption of the agenda, the General Committee approved the allocation of items contained in paragraph 98 of the memorandum by the Secretary-General (A/BUR/71/1).

##### **87. Plenary meetings**

(a) **Item 9** (Report of the Economic and Social Council). The General Committee took note of paragraph 4 (c) of the annex to resolution 58/316, and decided to recommend to the General Assembly that the item in its entirety be considered in plenary meeting, on the understanding that the administrative, programme and budgetary aspects should be dealt with by the Fifth Committee. The General Committee also took note of the clarification that, in implementing resolution 58/316, the relevant parts of chapter I of the report of the Economic and Social Council would be considered by the Main Committees concerned, under agenda items already allocated to them, for final action by the Assembly;

(b) **Item 13** (Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields). The General Committee took note of resolution 57/270 B, in which the General Assembly decided to consider under the item the chapters of the annual report of the Economic and Social Council relevant to the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits, including through the participation in its discussions of the President of the Council;

(c) **Item 13** (Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields) and item **117** (Follow-up to the outcome of the Millennium Summit). The General Committee took note of paragraph 56 of resolution 60/265, in which the General Assembly decided to dedicate a specific

meeting focused on development, including an assessment of progress over the previous year, at each session of the Assembly;

(d) **Item 19** (Sustainable development). The General Committee took note of paragraph 1 of resolution 70/303, by which the General Assembly decided to convene the high-level United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development, at United Nations Headquarters from 5 to 9 June 2017;

(e) **Item 61** (Peacebuilding and sustaining peace). The General Committee decided to recommend to the General Assembly that this item be considered directly in plenary meeting;

(f) **Item 63** (Report of the Human Rights Council). The General Committee took note of paragraph 6 of resolution 65/281, by which the General Assembly decided to continue its practice of allocating the item to the plenary and the Third Committee, in accordance with its decision 65/503 A, with the additional understanding that the President of the Council would present the report in her or his capacity as President to the plenary of the Assembly and the Third Committee and that the Third Committee would hold an interactive dialogue with the President of the Council at the time of her or his presentation of the report of the Council to the Committee;

(g) **Item 66** (Elimination of racism, racial discrimination, xenophobia and related intolerance). The General Committee took note of paragraph 21 of resolution 70/140, by which the General Assembly decided to continue convening annual commemorative meetings of the Assembly during the commemoration of the International Day for the Elimination of Racial Discrimination;

(h) **Sub-item (a) of item 68** (Implementation of human rights instruments). The General Committee took note of paragraph 3 of resolution 70/144, by which the General Assembly decided to devote one plenary meeting of the Assembly, at its seventy-first session, to the commemoration of the fiftieth anniversary of the adoption of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights;

(i) **Sub-item (b) of item 68** (Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms). The General Committee took note of paragraph 12 of resolution 70/160, by which the General Assembly decided to devote one high-level plenary meeting of the Assembly at its seventy-first session to the commemoration of the tenth anniversary of the adoption of the International Convention for the Protection of All Persons from Enforced Disappearance;

(j) **Item 87** (Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965). The General Committee decided to recommend to the General Assembly that this item be considered directly in plenary meeting;

(k) **Item 109** (Report of the Secretary-General on the work of the Organization). Pursuant to paragraphs 4 and 10 of resolution 51/241 and as at previous sessions, the General Assembly will hear a brief presentation by the

Secretary-General of his annual report<sup>11</sup> as the first item in the morning prior to the opening of the general debate on Tuesday, 20 September 2016;

(l) **Sub-item (i) of item 115** (Appointment of members of the Board of the 10-Year Framework of Programmes on Sustainable Consumption and Production Patterns). The General Committee decided to recommend to the General Assembly that this sub-item be considered directly in plenary meeting;

(m) **Item 121** (Revitalization of the work of the General Assembly). The General Committee took note of resolutions 58/316, 59/313 and 70/305 and, in order to facilitate the work of the Main Committees, decided to recommend to the General Assembly to allocate item 121 to all the Main Committees for the purpose of discussing their working methods, as well as considering and taking action on their respective tentative programmes of work.

#### 88. **First Committee**

(a) **Item 98** (General and complete disarmament). The General Committee took note of the fact that some portions of the annual report of the International Atomic Energy Agency, which is to be considered directly in plenary meeting under item 88, dealt with the subject matter of item 98. The General Committee therefore decided to recommend to the General Assembly that the relevant paragraphs of the report be brought to the attention of the First Committee in connection with its consideration of item 98;

(b) **Sub-items (mm), (nn), (oo), (pp) and (qq) of item 98** (Countering the threat posed by improvised explosive devices; Humanitarian consequences of nuclear weapons; Humanitarian pledge for the prohibition and elimination of nuclear weapons; Ethical imperatives for a nuclear-weapon-free world; and Implementation of the Convention on Cluster Munitions). The General Committee decided to recommend to the General Assembly that these sub-items be allocated to the First Committee.

#### 89. **Fifth Committee**

(a) **Sub-item (u) of item 132** (United Nations Joint Staff Pension Fund). The General Committee decided to recommend to the General Assembly that this sub-item be allocated to the Fifth Committee;

(b) **Item 135** (Programme planning). The General Committee took note of paragraph 2 of resolution 70/8, by which the General Assembly re-emphasized the role of the plenary and the Main Committees of the General Assembly in reviewing and taking action on the appropriate recommendations of the Committee for Programme and Coordination relevant to their work, in accordance with regulation 4.10 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation (ST/SGB/2016/6). The General Committee also took note of paragraph 2 of resolution 61/235, by which the Assembly requested the General Committee to take fully into account resolutions 56/253, 57/282, 59/275 and 60/257 in the allocation of agenda items to the Main Committees. The General Committee recalled paragraph 9 of resolution 60/257, by which the Assembly took note of the report of the Office of Internal Oversight Services (A/60/73) and encouraged

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<sup>11</sup> *Official Records of the General Assembly, Seventy-first Session, Supplement No. 1 (A/71/1)*.

intergovernmental bodies to make use of the findings in the programme performance report of the Secretary-General and evaluation reports in planning and policymaking. On that basis, the General Committee decided to recommend that the Assembly allocate item 135 to all the Main Committees and the plenary of the General Assembly to enhance discussion of evaluation, planning, budgeting and monitoring reports;

(c) **Item 145** (Administration of justice at the United Nations). The General Committee took note of resolution 64/119, by which the General Assembly approved the rules of procedure of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal; and paragraph 43 of resolution 70/112, by which the Assembly 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 responsibilities for administrative and budgetary matters. On that basis, the General Committee decided to recommend that item 145 be allocated to the Fifth Committee and to the Sixth Committee.

#### 90. Sixth Committee

(a) **Item 170** (Observer status for the Conference of Ministers of Justice of the Ibero-American Countries in the General Assembly). The General Committee decided to recommend to the General Assembly that the item be allocated to the Sixth Committee;

(b) **Item 171** (Observer status for the International Youth Organization for Ibero-America in the General Assembly). The General Committee decided to recommend to the General Assembly that the item be allocated to the Sixth Committee;

(c) **Item 172** (Observer status for the Pacific Island Development Forum in the General Assembly). The General Committee decided to recommend to the General Assembly that the item be allocated to the Sixth Committee;

(d) **Item 173** (Observer status for the International Chamber of Commerce in the General Assembly). The General Committee decided to recommend to the General Assembly that the item be allocated to the Sixth Committee.

#### Other matters

91. Taking into account paragraphs 87 to 90 above, the General Committee recommends to the General Assembly the adoption of the following allocation of items:<sup>12</sup>

#### Plenary meetings

1. Opening of the session by the President of the General Assembly.
2. Minute of silent prayer or meditation.
3. Credentials of representatives to the seventy-first session of the General Assembly:
  - (a) Appointment of the members of the Credentials Committee;

<sup>12</sup> The numbers are those of the items of the agenda in para. 82 above.

- (b) Report of the Credentials Committee.
- 4. Election of the President of the General Assembly.
- 6. Election of the Vice-Presidents of the General Assembly.
- 7. Organization of work, adoption of the agenda and allocation of items: reports of the General Committee.
- 8. General debate.

**A. Promotion of sustained economic growth and sustainable development in accordance with the relevant resolutions of the General Assembly and recent United Nations conferences**

- 9. Report of the Economic and Social Council (see para. 87 (a)).
- 10. Implementation of the Declaration of Commitment on HIV/AIDS and the political declarations on HIV/AIDS.
- 11. Sport for development and peace.
- 12. 2001-2010: Decade to Roll Back Malaria in Developing Countries, Particularly in Africa.
- 13. Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields (see paras. 87 (b) and (c)).
- 14. Culture of peace.
- 15. The role of the United Nations in promoting a new global human order.
- 19. Sustainable development (see para. 87 (d)).

**B. Maintenance of international peace and security**

- 28. Report of the Security Council.
- 29. Report of the Peacebuilding Commission.
- 30. The role of diamonds in fuelling conflict.
- 31. Prevention of armed conflict.
- 32. Protracted conflicts in the GUAM area and their implications for international peace, security and development.
- 33. Zone of peace and cooperation of the South Atlantic.
- 34. The situation in the Middle East.
- 35. Question of Palestine.
- 36. The situation in Afghanistan.
- 37. The situation in the occupied territories of Azerbaijan.
- 38. Question of the Comorian island of Mayotte.

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39. Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba.
  40. The situation in Central America: progress in fashioning a region of peace, freedom, democracy and development.
  41. Question of Cyprus.
  42. Armed aggression against the Democratic Republic of the Congo.
  43. Question of the Falkland Islands (Malvinas).
  44. The situation of democracy and human rights in Haiti.
  45. Armed Israeli aggression against the Iraqi nuclear installations and its grave consequences for the established international system concerning the peaceful uses of nuclear energy, the non-proliferation of nuclear weapons and international peace and security.
  46. Consequences of the Iraqi occupation of and aggression against Kuwait.
  61. Peacebuilding and sustaining peace (see para. 87 (e)).

### **C. Development of Africa**

62. New Partnership for Africa's Development: progress in implementation and international support:
  - (a) New Partnership for Africa's Development: progress in implementation and international support;
  - (b) Causes of conflict and the promotion of durable peace and sustainable development in Africa.

### **D. Promotion of human rights**

63. Report of the Human Rights Council (see para. 87 (f)).
66. Elimination of racism, racial discrimination, xenophobia and related intolerance (see para. 87 (g)).
68. Promotion and protection of human rights:
  - (a) Implementation of human rights instruments (see para. 87 (h));
  - (b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (see para. 87 (i)).

### **E. Effective coordination of humanitarian assistance efforts**

69. Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance:
  - (a) Strengthening of the coordination of emergency humanitarian assistance of the United Nations;

- (b) Assistance to the Palestinian people;
- (c) Special economic assistance to individual countries or regions;
- (d) Strengthening of international cooperation and coordination of efforts to study, mitigate and minimize the consequences of the Chernobyl disaster.

## **F. Promotion of justice and international law**

- 70. Report of the International Court of Justice.
- 71. Report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.
- 72. Report of the International Criminal Court.
- 73. Oceans and the law of the sea:
  - (a) Oceans and the law of the sea;
  - (b) Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments.
- 87. Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965 (see para. 87 (j)).

## **G. Disarmament**

- 88. Report of the International Atomic Energy Agency (see para. 88 (a)).

## **I. Organizational, administrative and other matters**

- 109. Report of the Secretary-General on the work of the Organization (see para. 87 (k)).
- 110. Report of the Secretary-General on the Peacebuilding Fund.
- 111. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter of the United Nations.
- 112. Elections to fill vacancies in principal organs:
  - (a) Election of five non-permanent members of the Security Council;
  - (b) Election of eighteen members of the Economic and Social Council.
- 113. Appointment of the Secretary-General of the United Nations.
- 114. Elections to fill vacancies in subsidiary organs and other elections:

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- (a) Election of seven members of the Committee for Programme and Coordination;
  - (b) Election of the members of the International Law Commission;
  - (c) Election of five members of the Organizational Committee of the Peacebuilding Commission;
  - (d) Election of fourteen members of the Human Rights Council.
115. Appointments to fill vacancies in subsidiary organs and other appointments:<sup>13</sup>
- (g) Appointment of members of the Committee on Conferences;
  - (h) Appointment of members of the Joint Inspection Unit;
  - (i) Appointment of members of the Board of the 10-Year Framework of Programmes on Sustainable Consumption and Production Patterns (see para. 87 (l));
  - (j) Confirmation of the appointment of the Administrator of the United Nations Development Programme;
  - (k) Confirmation of the appointment of the Secretary-General of the United Nations Conference on Trade and Development;
  - (l) Appointment of the judges of the United Nations Dispute Tribunal.
116. Admission of new Members to the United Nations.
117. Follow-up to the outcome of the Millennium Summit (see para. 87 (c)).
118. The United Nations Global Counter-Terrorism Strategy.
119. Commemoration of the abolition of slavery and the transatlantic slave trade.
120. Implementation of the resolutions of the United Nations.
121. Revitalization of the work of the General Assembly (see para. 87 (m)).
122. Question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council.
123. Strengthening of the United Nations system:
- (a) Strengthening of the United Nations system;
  - (b) Central role of the United Nations system in global governance.
124. United Nations reform: measures and proposals.
125. Multilingualism.
126. Cooperation between the United Nations and regional and other organizations:
- (a) Cooperation between the United Nations and the African Union;

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<sup>13</sup> For sub-items (a) to (f), see Fifth Committee.



- (b) Cooperation between the United Nations and the Organization of Islamic Cooperation;
- (c) Cooperation between the United Nations and the Asian-African Legal Consultative Organization;
- (d) Cooperation between the United Nations and the League of Arab States;
- (e) Cooperation between the United Nations and the Latin American and Caribbean Economic System;
- (f) Cooperation between the United Nations and the Organization of American States;
- (g) Cooperation between the United Nations and the Organization for Security and Cooperation in Europe;
- (h) Cooperation between the United Nations and the Caribbean Community;
- (i) Cooperation between the United Nations and the Economic Cooperation Organization;
- (j) Cooperation between the United Nations and the International Organization of la Francophonie;
- (k) Cooperation between the United Nations and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization;
- (l) Cooperation between the United Nations and the Council of Europe;
- (m) Cooperation between the United Nations and the Economic Community of Central African States;
- (n) Cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons;
- (o) Cooperation between the United Nations and the Black Sea Economic Cooperation Organization;
- (p) Cooperation between the United Nations and the Southern African Development Community;
- (q) Cooperation between the United Nations and the Pacific Islands Forum;
- (r) Cooperation between the United Nations and the Association of Southeast Asian Nations;
- (s) Cooperation between the United Nations and the Eurasian Economic Community;
- (t) Cooperation between the United Nations and the Community of Portuguese-speaking Countries;
- (u) Cooperation between the United Nations and the Shanghai Cooperation Organization;

- (v) Cooperation between the United Nations and the Collective Security Treaty Organization;
  - (w) Cooperation between the United Nations and the Central European Initiative;
  - (x) Cooperation between the United Nations and the Organization for Democracy and Economic Development — GUAM;
  - (y) Cooperation between the United Nations and the Commonwealth of Independent States;
  - (z) Cooperation between the United Nations and the International Organization for Migration.
127. Global health and foreign policy.
  128. International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.
  129. International Residual Mechanism for Criminal Tribunals.
  130. Investigation into the conditions and circumstances resulting in the tragic death of Dag Hammarskjöld and of the members of the party accompanying him.
  131. Global awareness of the tragedies of irregular migrants in the Mediterranean basin, with specific emphasis on Syrian asylum seekers.
  135. Programme planning (see para. 89 (b)).

### **First Committee**

5. Election of the officers of the Main Committees.

### **G. Disarmament**

89. Reduction of military budgets.
90. African Nuclear-Weapon-Free Zone Treaty.
91. Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco).
92. Maintenance of international security — good-neighbourliness, stability and development in South-Eastern Europe.
93. Developments in the field of information and telecommunications in the context of international security.
94. Establishment of a nuclear-weapon-free zone in the region of the Middle East.
95. Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

96. Prevention of an arms race in outer space:
  - (a) Prevention of an arms race in outer space;
  - (b) No first placement of weapons in outer space.
97. Role of science and technology in the context of international security and disarmament.
98. General and complete disarmament (see para. 88 (a)):
  - (a) Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices;
  - (b) Further measures in the field of disarmament for the prevention of an arms race on the seabed and the ocean floor and in the subsoil thereof;
  - (c) Nuclear disarmament;
  - (d) Notification of nuclear tests;
  - (e) Relationship between disarmament and development;
  - (f) Regional disarmament;
  - (g) Transparency in armaments;
  - (h) Conventional arms control at the regional and subregional levels;
  - (i) Convening of the fourth special session of the General Assembly devoted to disarmament;
  - (j) Nuclear-weapon-free southern hemisphere and adjacent areas;
  - (k) Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control;
  - (l) Follow-up to the advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons;
  - (m) Consolidation of peace through practical disarmament measures;
  - (n) Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction;
  - (o) Measures to uphold the authority of the 1925 Geneva Protocol;
  - (p) Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction;
  - (q) Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them;
  - (r) Treaty on a Nuclear-Weapon-Free Zone in Central Asia;
  - (s) Reducing nuclear danger;
  - (t) The illicit trade in small arms and light weapons in all its aspects;

- (u) Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments;
  - (v) Mongolia's international security and nuclear-weapon-free status;
  - (w) Missiles;
  - (x) Disarmament and non-proliferation education;
  - (y) Promotion of multilateralism in the area of disarmament and non-proliferation;
  - (z) Measures to prevent terrorists from acquiring weapons of mass destruction;
  - (aa) Confidence-building measures in the regional and subregional context;
  - (bb) The Hague Code of Conduct against Ballistic Missile Proliferation;
  - (cc) Information on confidence-building measures in the field of conventional arms;
  - (dd) Transparency and confidence-building measures in outer space activities;
  - (ee) Preventing the acquisition by terrorists of radioactive sources;
  - (ff) The Arms Trade Treaty;
  - (gg) Effects of the use of armaments and ammunitions containing depleted uranium;
  - (hh) United action with renewed determination towards the total elimination of nuclear weapons;
  - (ii) Preventing and combating illicit brokering activities;
  - (jj) Women, disarmament, non-proliferation and arms control;
  - (kk) Taking forward multilateral nuclear disarmament negotiations;
  - (ll) Follow-up to the 2013 high-level meeting of the General Assembly on nuclear disarmament;
  - (mm) Countering the threat posed by improvised explosive devices (see para. 88 (b));
  - (nn) Humanitarian consequences of nuclear weapons (see para. 88 (b));
  - (oo) Humanitarian pledge for the prohibition and elimination of nuclear weapons (see para. 88 (b));
  - (pp) Ethical imperatives for a nuclear-weapon-free world (see para. 88 (b));
  - (qq) Implementation of the Convention on Cluster Munitions (see para. 88 (b)).
99. Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly:

- (a) United Nations disarmament fellowship, training and advisory services;
  - (b) United Nations Disarmament Information Programme;
  - (c) Convention on the Prohibition of the Use of Nuclear Weapons;
  - (d) United Nations Regional Centre for Peace and Disarmament in Africa;
  - (e) United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean;
  - (f) United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific;
  - (g) Regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa;
  - (h) United Nations regional centres for peace and disarmament.
100. Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session:
- (a) Report of the Conference on Disarmament;
  - (b) Report of the Disarmament Commission.
101. The risk of nuclear proliferation in the Middle East.
102. Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.
103. Strengthening of security and cooperation in the Mediterranean region.
104. Comprehensive Nuclear-Test-Ban Treaty.
105. Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.

## **I. Organizational, administrative and other matters**

121. Revitalization of the work of the General Assembly (see para. 87 (m)).
135. Programme planning (see para. 89 (b)).

### **Special Political and Decolonization Committee (Fourth Committee)**

5. Election of the officers of the Main Committees.

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**B. Maintenance of international peace and security**

47. Effects of atomic radiation.
48. International cooperation in the peaceful uses of outer space.
49. United Nations Relief and Works Agency for Palestine Refugees in the Near East.
50. Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.
51. Comprehensive review of the whole question of peacekeeping operations in all their aspects.
52. Comprehensive review of special political missions.
53. Questions relating to information.
54. Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations.
55. Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories.
56. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations.
57. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories.
58. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

**I. Organizational, administrative and other matters**

121. Revitalization of the work of the General Assembly (see para. 87 (m)).
135. Programme planning (see para. 89 (b)).

**Second Committee**

5. Election of the officers of the Main Committees.

**A. Promotion of sustained economic growth and sustainable development in accordance with the relevant resolutions of the General Assembly and recent United Nations conferences**

16. Information and communications technologies for development.
17. Macroeconomic policy questions:
  - (a) International trade and development;

- (b) International financial system and development;
  - (c) External debt sustainability and development.
18. Follow-up to and implementation of the outcomes of the International Conferences on Financing for Development.
19. Sustainable development (see para. 87 (d)):
- (a) Implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development and of the United Nations Conference on Sustainable Development;
  - (b) Follow-up to and implementation of the SIDS Accelerated Modalities of Action (SAMOA) Pathway and the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States;
  - (c) Disaster risk reduction;
  - (d) Protection of global climate for present and future generations of humankind;
  - (e) Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;
  - (f) Convention on Biological Diversity;
  - (g) Report of the United Nations Environment Assembly of the United Nations Environment Programme;
  - (h) Harmony with Nature;
  - (i) Promotion of new and renewable sources of energy;
  - (j) Sustainable mountain development.
20. Implementation of the outcomes of the United Nations Conferences on Human Settlements and on Housing and Sustainable Urban Development and strengthening of the United Nations Human Settlements Programme (UN-Habitat).
21. Globalization and interdependence:
- (a) Globalization and interdependence;
  - (b) International migration and development.
22. Groups of countries in special situations:
- (a) Follow-up to the Fourth United Nations Conference on the Least Developed Countries;
  - (b) Follow-up to the second United Nations Conference on Landlocked Developing Countries.
23. Eradication of poverty and other development issues:

- (a) Implementation of the Second United Nations Decade for the Eradication of Poverty (2008-2017);
  - (b) Industrial development cooperation.
24. Operational activities for development:
- (a) Operational activities for development of the United Nations system;
  - (b) South-South cooperation for development.
25. Agriculture development, food security and nutrition.

## **B. Maintenance of international peace and security**

59. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources.

## **I. Organizational, administrative and other matters**

121. Revitalization of the work of the General Assembly (see para. 87 (m)).
135. Programme planning (see para. 89 (b)).

### **Third Committee**

5. Election of the officers of the Main Committees.

## **A. Promotion of sustained economic growth and sustainable development in accordance with the relevant resolutions of the General Assembly and recent United Nations conferences**

26. Social development:
- (a) Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family;
  - (b) Literacy for life: shaping future agendas.
27. Advancement of women.

## **B. Maintenance of international peace and security**

60. Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions.

## **D. Promotion of human rights**

63. Report of the Human Rights Council (see para. 87 (f)).



64. Promotion and protection of the rights of children:
  - (a) Promotion and protection of the rights of children;
  - (b) Follow-up to the outcome of the special session on children.
65. Rights of indigenous peoples:
  - (a) Rights of indigenous peoples;
  - (b) Follow-up to the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples.
66. Elimination of racism, racial discrimination, xenophobia and related intolerance (see para. 87 (g)):
  - (a) Elimination of racism, racial discrimination, xenophobia and related intolerance;
  - (b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action.
67. Right of peoples to self-determination.
68. Promotion and protection of human rights:
  - (a) Implementation of human rights instruments (see para. 87 (h));
  - (b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (see para. 87 (i));
  - (c) Human rights situations and reports of special rapporteurs and representatives;
  - (d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action.

## **H. Drug control, crime prevention and combating international terrorism in all its forms and manifestations**

106. Crime prevention and criminal justice.
107. International drug control.

## **I. Organizational, administrative and other matters**

121. Revitalization of the work of the General Assembly (see para. 87 (m)).
135. Programme planning (see para. 89 (b)).

## **Fifth Committee**

5. Election of the officers of the Main Committees.

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**I. Organizational, administrative and other matters**

115. Appointments to fill vacancies in subsidiary organs and other appointments:<sup>14</sup>
- (a) Appointment of members of the Advisory Committee on Administrative and Budgetary Questions;
  - (b) Appointment of members of the Committee on Contributions;
  - (c) Confirmation of the appointment of members of the Investments Committee;
  - (d) Appointment of members of the International Civil Service Commission;
  - (e) Appointment of members of the Independent Audit Advisory Committee;
  - (f) Appointment of members and alternate members of the United Nations Staff Pension Committee.
121. Revitalization of the work of the General Assembly (see para. 87 (m)).
132. Financial reports and audited financial statements, and reports of the Board of Auditors:
- (a) United Nations;
  - (b) United Nations peacekeeping operations;
  - (c) International Trade Centre;
  - (d) United Nations University;
  - (e) Capital master plan;
  - (f) United Nations Development Programme;
  - (g) United Nations Capital Development Fund;
  - (h) United Nations Children's Fund;
  - (i) United Nations Relief and Works Agency for Palestine Refugees in the Near East;
  - (j) United Nations Institute for Training and Research;
  - (k) Voluntary funds administered by the United Nations High Commissioner for Refugees;
  - (l) Fund of the United Nations Environment Programme;
  - (m) United Nations Population Fund;
  - (n) United Nations Human Settlements Programme;
  - (o) United Nations Office on Drugs and Crime;
  - (p) United Nations Office for Project Services;

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<sup>14</sup> For sub-items (g) to (l), see plenary meetings.

- (q) United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women);
  - (r) International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994;
  - (s) International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991;
  - (t) International Residual Mechanism for Criminal Tribunals;
  - (u) United Nations Joint Staff Pension Fund (see para. 89 (a)).
- 133. Review of the efficiency of the administrative and financial functioning of the United Nations.
  - 134. Programme budget for the biennium 2016-2017.
  - 135. Programme planning (see para. 89 (b)).
  - 136. Improving the financial situation of the United Nations.
  - 137. Pattern of conferences.
  - 138. Scale of assessments for the apportionment of the expenses of the United Nations.
  - 139. Human resources management.
  - 140. Joint Inspection Unit.
  - 141. United Nations common system.
  - 142. United Nations pension system.
  - 143. Administrative and budgetary coordination of the United Nations with the specialized agencies and the International Atomic Energy Agency.
  - 144. Report on the activities of the Office of Internal Oversight Services.
  - 145. Administration of justice at the United Nations (see para. 89 (c)).
  - 146. Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994.
  - 147. Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.
  - 148. Financing of the International Residual Mechanism for Criminal Tribunals.

149. Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations.
150. Financing of the United Nations Interim Security Force for Abyei.
151. Financing of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic.
152. Financing of the United Nations Operation in Côte d'Ivoire.
153. Financing of the United Nations Peacekeeping Force in Cyprus.
154. Financing of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo.
155. Financing of the United Nations Mission in East Timor.
156. Financing of the United Nations Stabilization Mission in Haiti.
157. Financing of the United Nations Interim Administration Mission in Kosovo.
158. Financing of the United Nations Mission in Liberia.
159. Financing of the United Nations Multidimensional Integrated Stabilization Mission in Mali.
160. Financing of the United Nations peacekeeping forces in the Middle East:
  - (a) United Nations Disengagement Observer Force;
  - (b) United Nations Interim Force in Lebanon.
161. Financing of the United Nations Mission in South Sudan.
162. Financing of the United Nations Mission for the Referendum in Western Sahara.
163. Financing of the African Union-United Nations Hybrid Operation in Darfur.
164. Financing of the activities arising from Security Council resolution 1863 (2009).

### **Sixth Committee**

5. Election of the officers of the Main Committees.

### **F. Promotion of justice and international law**

74. Responsibility of States for internationally wrongful acts.
75. Criminal accountability of United Nations officials and experts on mission.
76. Report of the United Nations Commission on International Trade Law on the work of its forty-ninth session.

77. United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law.
78. Report of the International Law Commission on the work of its sixty-eighth session.
79. Diplomatic protection.
80. Consideration of prevention of transboundary harm from hazardous activities and allocation of loss in the case of such harm.
81. Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts.
82. Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives.
83. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization.
84. The rule of law at the national and international levels.
85. The scope and application of the principle of universal jurisdiction.
86. The law of transboundary aquifers.

## **H. Drug control, crime prevention and combating international terrorism in all its forms and manifestations**

108. Measures to eliminate international terrorism.

## **I. Organizational, administrative and other matters**

121. Revitalization of the work of the General Assembly (see para. 87 (m)).
135. Programme planning (see para. 89 (b)).
145. Administration of justice at the United Nations (see para. 89 (c)).
165. Report of the Committee on Relations with the Host Country.
166. Observer status for the Cooperation Council of Turkic-speaking States in the General Assembly.
167. Observer status for the Eurasian Economic Union in the General Assembly.
168. Observer status for the Community of Democracies in the General Assembly.
169. Observer status for the International Conference of Asian Political Parties in the General Assembly.
170. Observer status for the Conference of Ministers of Justice of the Ibero-American Countries in the General Assembly (see para. 90 (a)).
171. Observer status for the International Youth Organization for Ibero-America in the General Assembly (see para. 90 (b)).

172. Observer status for the Pacific Island Development Forum in the General Assembly (see para. 90 (c)).
  173. Observer status for the International Chamber of Commerce in the General Assembly (see para. 90 (d)).
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# General Assembly

Seventy-first session

2<sup>nd</sup> plenary meeting  
Friday, 16 September 2016, 3 p.m.  
New York

Official Records

*President:* Mr. Thomson ..... (Fiji)

*The meeting was called to order at 3.10 p.m..*

## Tribute to the memory of His Excellency Mr. Islam Karimov, President of the Republic of Uzbekistan

**The President:** It is my sad duty to pay tribute to the memory of the late President of the Republic of Uzbekistan, Mr. Islam Karimov, who passed away on Friday, 2 September. On behalf of the General Assembly, I request the representative of Uzbekistan to convey our condolences to the Government and the people of Uzbekistan and to the bereaved family of President Islam Karimov.

May I now invite representatives to stand and observe a minute of silence in tribute to the memory of President Islam Karimov.

*The members of the General Assembly observed a minute of silence.*

**The President:** On behalf of all of us in this Hall, it is my sad duty to express my deepest condolences to the people and the Government of the Republic of Uzbekistan for the loss of President Islam Karimov. Mr. Karimov embodied the Republic of Uzbekistan's modern history, having led his country for 15 years from the very first day of its independence on 1 September 1991. Uzbekistan has always been at the crossroads of the world, and I am confident that the Uzbek authorities will ensure a smooth transition on the road to security, stability, social development and prosperity for the country and for its people. My thoughts and profound sympathy also go to President Karimov's family. I

would be grateful to Ambassador Madrakhimov if he would kindly convey the message to them.

I now give the floor to the Secretary-General, His Excellency Mr. Ban Ki-moon.

**The Secretary-General:** I join with everyone in extending our condolences to the bereaved family of the late President of Uzbekistan, Mr. Islam Karimov. As the first President of the independent Republic of Uzbekistan, President Karimov undertook wide-ranging efforts to further the economic and social development of his country. Uzbekistan made notable progress towards the Millennium Development Goals and has supported the new sustainable Development Goals.

Uzbekistan has also contributed to stability and development in Afghanistan, and has strived to support peace and security across the region. Among the most important initiatives of President Karimov's tenure was the promotion of the establishment of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia, which entered into force in 2009.

I have visited Uzbekistan twice as Secretary-General, most recently in June 2015. I felt the warmth of the country's people and saw the good cooperation that exists between Uzbekistan and the United Nations. I also witnessed the devastation in and around the Aral Sea. I urge the international community to intensify its support for Uzbekistan's efforts to cope with the consequences of this disaster.

Today, 25 years after Uzbekistan achieved its independence, and as President Karimov himself once

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said, the interests, rights and freedoms of the people should be at the centre of all development efforts. The United Nations remains committed to assisting Uzbekistan in advancing fundamental freedoms, building democratic institutions and nurturing a climate of inclusion and dialogue. As the Government and people of Uzbekistan embark on the next chapter in the country's history, I reiterate the full commitment of the United Nations, including the United Nations Regional Centre for Preventive Diplomacy for Central Asia, to continuing to work closely for peace, development and human rights for all the people of Uzbekistan and beyond.

Once again, I extend my deep condolences on the loss of President Karimov.

**The President:** I now give the floor to the representative of Algeria, who will speak on behalf of the Group of African States.

**Mr. Boudadoum (Algeria):** On this solemn occasion, the Group of African States wishes to express its deepest condolences to the Government and the people of the Republic of Uzbekistan on the passing of President Islam Karimov, a sad event that occurred on 2 September. The late President will be remembered for his laudable commitment to the advancement of his country and the Central Asia region as a whole.

We in Africa call to remembrance his leadership in the promotion and entry into force of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia in 2009, which coincided with the entry into force of Africa's Treaty of Pelindaba five months later, on 15 July 2009. The Group of African States also wishes to extend its heartfelt condolences during this very sad period to the bereaved family of the late President. May his soul rest in perfect peace and perpetual light shine upon him.

**The President:** I now give the floor to the representative of Kazakhstan, who will speak on behalf of the Asia-Pacific States.

**Mr. Abdrakhmanov (Kazakhstan):** It is my honour, but a most sad one, to address you, Sir, from this rostrum on behalf of the Group of Asia-Pacific States as we gather today to mourn and pay tribute to a great leader. Allow me to extend our Group's sincere condolences on the passing of President Islam Karimov of Uzbekistan, one of the most outstanding statesmen and political leaders of modern times. I would also like to express our deep sorrow to his bereaved family and

to the Government and the people of the Republic of Uzbekistan. We hope that Allah will grant them all the strength to bear such an irreplaceable loss.

President Islam Karimov attached great importance to strengthening cooperation between his country and international and regional organizations and had his country join the United Nations and other intergovernmental structures. As a strong proponent of a nuclear-weapon-free world, he initiated the establishment of the Central Asian nuclear-weapon-free zone. Islam Karimov was a leader of strong principles, integrity and steadfastness to his country and society. Instilling in all citizens a great sense of national pride, he united them as a strong member State among the family of nations. His commitment to moving Uzbekistan forward from the commencement of his leadership was demonstrated in enormous efforts to improve the living standards of his people, promote small and medium-sized enterprises and entrepreneurship, develop infrastructure and many other measures he undertook. His entire track record portrayed his genuine desire to maintain better economic and social conditions through sound reforms and to make Uzbek culture known globally.

To achieve such lofty goals, he set out to address a number of pressing issues, such as population growth, the advancement of the national economy and sustainable development, among many others. Under the iconic slogan "Uzbekistan: a future great State", which he coined to consolidate his nationals and inspire them to invest in the future, the country made great strides in many fields. Today, the citizens of Uzbekistan attribute that outstanding accomplishment to the much beloved leader that President Karimov was for them.

What makes the trajectory of the first President's life a source of inspiration for generations to come in his country and elsewhere is the fact that the hardships he faced during the different periods of his life did not affect his resolve to steer his country on the path of modernization, progress and prosperity. He let it take its rightful place in the international community. The late President Karimov will forever remain in the hearts of nations of the Asia-Pacific States as a sincere and close friend who worked for the highest ideals and in the best interest of the region. His name will be deeply etched in our history as it records him as one of the great contemporary statesmen.



The Asia-Pacific Group once again reiterates its deep sorrow for the loss of a visionary man whose wisdom and leadership will be missed and remembered. At the same time it honours a remarkable leader who strove for regional stability, for which we owe him a great debt. We wish the people of Uzbekistan great happiness and success in the future. We also reaffirm the Asia-Pacific Group's commitment to working in close cooperation with his successor. May he rest in peace in the land of his ancestors.

**The President:** I now give the floor to the representative of Estonia, who will speak on behalf of the Group of Eastern European States.

**Ms. Lind (Estonia):** On 2 September, the world learned of the passing of His Excellency President Islam Karimov of the Republic of Uzbekistan. On behalf of the Group of Eastern European States at the United Nations, I would like to extend sincere condolences to his family and to the Government and the people of Uzbekistan.

With the passing of Islam Karimov, Uzbekistan has lost the country's first President. Under the leadership of President Karimov, Uzbekistan emerged as an independent nation more than two decades ago. Islam Karimov was a true leader of his country. Major landmarks in the history of the modern Uzbek State are laid to his name. Under Mr. Karimov's leadership, Uzbekistan pursued foreign policy that facilitated the consolidation of security and stability in Central Asia and the development of multilateral cooperation in the region. Once again, let me convey sincere sympathies to President Karimov's family and to the Government and all the people of Uzbekistan.

**The President:** I now give the floor to the representative of Brazil, who will speak on behalf of the Group of Latin American and Caribbean States.

**Mr. De Aguiar Patriota (Brazil):** It is my sad duty to offer tribute on behalf of the Group of Latin American and Caribbean States (GRULAC) to the memory of His Excellency Mr. Islam Karimov, President of Uzbekistan.

On 1 September, the Republic of Uzbekistan celebrated its quarter-century anniversary of independence. Festivities were soon interrupted as Mr. Karimov passed away the following day. Uzbekistan became a sovereign nation under the leadership of President Karimov. Since then, it has played an important international role and has been an active

Member of the United Nations. Uzbekistan was the first country to ratify the Treaty of Semipalantinsk, signed in Kazakhstan in September 2006, paving the way for the full establishment of the fifth nuclear-weapon-free zone in the world.

As pro tempore Chairman of GRULAC, I wish to emphasize the great significance of this fact. In 2017, Latin America and the Caribbean nations will celebrate the fiftieth anniversary of the Treaty of Tlatelolco, which established the first nuclear-weapon-free zone in a densely populated area of the world. GRULAC takes this opportunity to commend the efforts of President Karimov towards our people's shared objective of a world free from nuclear weapons. Under President Karimov, Uzbekistan supported the adoption of the 2030 Agenda for Sustainable Development, a landmark in the pursuit of a world free from poverty, hunger, disease and want. President Karimov promoted Uzbekistan's domestic economy and the export of commodities.

Uzbekistan has always been a hub for trade and cultural exchange. Samarkand, the city in which President Karimov was born, is one with ancient roots in the Silk Road, recognized by UNESCO as a world heritage site. GRULAC extends its most sincere condolences to the Uzbekistani Government and people and to the family of President Karimov for their loss.

**The President:** I now give the floor to the representative of Portugal, who will speak on behalf of the Group of Western European and other States.

**Mr. Mendonça e Moura (Portugal):** On behalf of the Group of Western European and other States, I extend to the people and to the Government of the Republic of Uzbekistan and, above all, to the family our deepest condolences on the death of Islam Abduganiyevich Karimov, President of the Republic of Uzbekistan.

Islam Karimov, the first President of the Republic of Uzbekistan, will be remembered as a leader whose tenure marked the modern history of his country. He led the newly independent Uzbekistan, conceiving a new foreign policy for the country both in the region and beyond. During his long-standing political leadership of the country, he worked towards economic, educational and agricultural reforms. The members of the Western European and other States Group wish a smooth transition of power in the Republic of Uzbekistan to ensure stability and prosperity for the country and its people and look forward to the preparations for the

4 December elections. Our thoughts are at this moment with his family, friends and the people of Uzbekistan during this difficult time.

**The President:** I now give the floor to the Permanent Representative of Uzbekistan.

**Mr. Madrakhimov** (Uzbekistan) (*spoke in Russian*): I should like to thank those who have taken the floor, as well as all delegations, for their condolences and support in this dark time for my country. The entire people of Uzbekistan were struck by a huge, unfathomable loss. On 2 September we lost the first President of the Republic of Uzbekistan, Islam Karimov.

At the head of independent Uzbekistan, Islam Karimov won the utmost prestige as a leader in State affairs, preparing and implementing a carefully crafted strategy for the building of a legal democratic State with an open civil society and a market economy. Maintaining and strengthening the sovereignty and independence of Uzbekistan were always the top priorities of President Karimov and became the fundamental principles behind his policies. The people of Uzbekistan directly ascribe the significant achievements of the country from the years following independence with the activities and person of Mr. Karimov, who is the author of the country's Constitution, which is fully in line with the principles of democracy and international law. He ensured that the document was fully implemented.

From the very first days of independence, Islam Karimov was deeply convinced that political independence is impossible without economic independence. That is why he drew up a programme of far-reaching reforms and restructured the country's economy, which was later recognized across the globe as the Uzbek model for development. The lynchpin of the model was the implementation of strategic priorities for reform — not for reform's sake, but for the people. On his initiative, Uzbekistan conducted far-reaching structural reforms in the areas of high technology, as well as petrochemicals, automobiles, agriculture, railway machinery, pharmaceuticals, electrical engineering, textiles and construction materials.

The practical implementation of President Islam Karimov's reforms brought the country recognition as one of the five fastest growing economies of the world. He organized agricultural reform, creating a new class of landowners — a farmers' movement. Upon his initiative, a programme is being carried out

for the full reform of the model of villages and farms to ensure high standards of living for those in rural and agricultural areas.

As Commander-in-Chief, Islam Karimov carried out far-reaching reforms to increase the military might and potential of the armed forces, enabling them to protect the independence and territorial integrity of the Republic of Uzbekistan, the inviolability of its borders and a peaceful life for its people. He drew up and implemented the concept for the country's foreign policy, the cornerstone of which was a love of peace, based on non-intervention in the internal affairs of other States and resolving any dispute or conflict through exclusively peaceful, political solutions.

Islam Karimov made a huge contribution to ensuring peace and stability in the region and across the globe. In a total break with old dogmas and stereotypes, the President initiated the drafting and implementation of a full national programme for professional training and educational reform in line with the latest international standards. Islam Karimov tirelessly led the work to establish a new system for the education of young generations, changing the thought process and view of our youth, who will be the determining factor in the present and future of Uzbekistan. He elevated respect for the spiritual values of our people to the level of State policy, preserving and revitalizing our religion, traditions, customs and invaluable historical heritage, and making a major contribution to the increasing visibility of the country in the international arena. He initiated the establishment of the institutions of civil society, and in particular enhanced the role of the institution of *mahalla* in Government and broadened its rights and purviews.

Our people know and highly appreciate Islam Karimov as someone who carried out far-reaching reforms that totally changed the face of our capital, the city of Tashkent, and other cities and towns, modernizing their infrastructure and architecture. In recognition of his contribution to the development of Uzbekistan as a sovereign and independent State and the establishment of a democratic legal State ensuring civil peace and national agreement, Islam Karimov was named a Hero of Uzbekistan and awarded the Mustakillik and Amir Temur Medals.. He was an active member of the Academy of Sciences of Uzbekistan. He was also recognized as Doctor Emeritus by a number of foreign States, and awarded with honorary titles,

medals and decorations from various States and leading international organizations.

Islam Karimov selflessly gave himself to his people and country. His whole life, up until his very last day, was offered in service to Uzbekistan. The hallowed name of the first President of the Republic of Uzbekistan and a great son of Uzbekistan, Islam Karimov, shall forever remain engraved in the hearts and minds of our people.

*Ms. Young (Belize), Vice-President, took the Chair.*

#### Agenda item 7

#### Organization of work, adoption of the agenda and allocation of items

##### First report of the General Committee (A/71/250)

**The Acting President:** I invite the General Assembly to direct its attention to section I of the report of the Committee. In this section, the General Committee takes note of the information contained in paragraph 2.

I request the General Assembly to now direct its attention to section II, entitled "Organization of the session", which contains a number of recommendations concerning the General Committee, the rationalization of work, closing date for the session, schedule of meetings, the general debate, conduct of the meetings and so on.

In paragraph 26, the General Committee draws the attention of the Assembly to the fact that the general debate shall begin on Tuesday, 20 September, and recommends that it continue on Saturday, 24 September.

May I take it that the Assembly takes note of the information contained in paragraph 26 and approves the recommendation that the general debate continue on Saturday, 24 September?

*It was so decided.*

**The Acting President:** All other recommendations in section II of the report of the Committee concern established practice, so rather than go through them one by one, I believe it would be beneficial to address as a whole all of the organizational matters concerning the General Assembly. There being no comments on that approach, we shall proceed accordingly.

May I take it that it is the wish of the General Assembly to take note of all of the information and to approve all the recommendations of the General Committee contained in section II of the report?

*It was so decided.*

**The Acting President:** Having just adopted the recommendation in paragraph 21, on waiving the requirements of rules 67 and 108 of the rules of procedure of the General Assembly to declare a meeting open, I should like to encourage delegations to be present in the meeting rooms at the scheduled time in order to promote punctuality and efficiency in the Assembly's proceedings.

May I take it that it is the wish of the General Assembly to take note of the information contained in paragraph 53 concerning the timely submission of draft proposals for the review of their programme budget implications?

*It was so decided.*

**The Acting President:** I now invite members to turn their attention to section III, dealing with the adoption of the draft agenda. The question of the allocation of items will be dealt with subsequently in section IV.

In section III, the General Committee took note of the information contained in paragraphs 67 to 69. In paragraph 70, in connection with item 38 of the draft agenda, entitled "Question of the Comorian island of Mayotte", the General Committee decided to recommend its inclusion under heading B, entitled "Maintenance of international peace and security", on the understanding that there would be no consideration of this item by the General Assembly. May I take it that the Assembly approves this recommendation?

*It was so decided.*

**The Acting President:** In paragraph 71, in connection with item 59 of the draft agenda, entitled "Question of the Malagasy islands of Glorieuses, Juan de Nova, Europa and Sassas da India", the General Committee decided to recommend that consideration of this item be deferred to the seventy-second session of the General Assembly and that the item be included in the provisional agenda of that session. May I take it that the Assembly approves this recommendation?

*It was so decided.*

**The Acting President:** In paragraph 72, in connection with item 62 of the draft agenda entitled “Peacebuilding and sustaining peace”, the General Committee decided to recommend its inclusion under heading B, entitled, “Maintenance of international peace and security”.

May I take it that the Assembly approves this recommendation?

*It was so decided.*

**The Acting President:** In paragraph 73, in connection with item 88 of the draft agenda, entitled “Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965”, the General Committee decided to recommend its inclusion under heading F, entitled “Promotion of justice and international law”, on the understanding that there would be no consideration of this item by the General Assembly before June 2017 and thereafter it may be considered upon notification by a Member State.

May I take it that the Assembly approves this recommendation?

*It was so decided.*

**The Acting President:** In paragraph 74, in connection with sub-items (mm), (nn), (oo), (pp) and (qq) of item 99 of the draft agenda, entitled, respectively, “Countering the threat posed by improvised explosive devices; Humanitarian consequences of nuclear weapons; Humanitarian pledge for the prohibition and elimination of nuclear weapons; Ethical imperatives for a nuclear-weapon-free world; and Implementation of the Convention on Cluster Munitions”, the General Committee decided to recommend their inclusion under heading G, entitled “Disarmament”.

May I take it that the Assembly approves this recommendation?

*It was so decided.*

**The Acting President:** In paragraph 75, in connection with sub-item (i) of item 116 of the draft agenda, entitled “Appointment of members of the Board of the 10-Year Framework of Programmes on Sustainable Consumption and Production Patterns”, the General Committee decided to recommend its inclusion under heading I, entitled “Organizational, administrative and other matters”.

May I take it that the Assembly approves this recommendation?

*It was so decided.*

**The Acting President:** In paragraph 76, in connection with sub-item (u) of item 133 of the draft agenda, entitled “United Nations Joint Staff Pension Fund”, the General Committee decided to recommend its inclusion under heading I, entitled “Organizational, administrative and other matters”.

May I take it that the Assembly approves this recommendation?

*It was so decided.*

**The Acting President:** In paragraph 78, in connection with item 172 of the draft agenda, entitled “Observer status for the Conference of Ministers of Justice of the Ibero-American Countries in the General Assembly”, the General Committee decided to recommend its inclusion under heading I, entitled “Organizational, administrative and other matters”.

May I take it that the Assembly approves this recommendation?

*It was so decided.*

**The Acting President:** In paragraph 79, in connection with item 173 of the draft agenda, entitled “Observer status for the International Youth Organization for Ibero-America in the General Assembly”, the General Committee decided to recommend its inclusion under heading I, entitled “Organizational, administrative and other matters”.

May I take it that the Assembly approves this recommendation?

*It was so decided.*

**The Acting President:** In paragraph 80, in connection with item 174 of the draft agenda, entitled “Observer status for the Pacific Islands Development Forum in the General Assembly”, the General Committee decided to recommend its inclusion under heading I, entitled “Organizational, administrative and other matters”.

May I take it that the Assembly approves this recommendation?

*It was so decided.*

**The Acting President:** In paragraph 81, in connection with item 175 of the draft agenda, entitled “Observer status for the International Chamber of Commerce in the General Assembly”, the General Committee decided to recommend its inclusion under heading I, entitled “Organizational, administrative and other matters”.

May I take it that the Assembly approves this recommendation?

*It was so decided.*

**The Acting President:** We turn now to the agenda recommended by the General Committee in paragraph 82 of its report for adoption by the General Assembly, taking into account the decisions just adopted with respect to the draft agenda.

Bearing in mind that the agenda is organized under nine headings, we shall consider the inclusion of items under each heading as a whole. I should like to remind members once again that, at present, we are not discussing the substance of any item.

Items 1 and 2 have already been dealt with. We shall now turn to items 3 to 8. May I take it that these items are included in the agenda?

*It was so decided.*

**The Acting President:** We turn now to the inclusion of the items listed under heading A, “Promotion of sustained economic growth and sustainable development in accordance with the relevant resolutions of the General Assembly and recent United Nations conferences”. May I take it that the items listed under heading A are included in the agenda?

*It was so decided.*

**The Acting President:** We now turn to heading B, entitled “Maintenance of international peace and security”. May I take it that the items listed under heading B are included on the agenda?

*It was so decided.*

**The Acting President:** I now call on the representative of Armenia.

**Mr. Samvelian (Armenia):** As this is the first time that the delegation of Armenia takes taking the floor at this session, I would like to begin by congratulating the President on his assumption of the leadership of the General Assembly, as well as the other members of

the Bureau, and to assure them of my delegation’s full support and cooperation in the deliberations and work of the General Assembly.

I wish to state that Armenia dissociates itself from the consensus on including item 37 on the agenda of the General Assembly at its seventy-first session. I would like to ask the President to request that the Secretariat duly reflect the Armenian position in the official records of today’s meeting.

**The Acting President:** We take note of the statement by the representative of Armenia.

We now turn to heading C, entitled “Development of Africa”. May I take it that the item listed under this heading is included on the agenda?

*It was so decided.*

**The Acting President:** Now we come to heading D, entitled “Promotion of human rights”. May I take it that the items listed under it are included on the agenda?

*It was so decided.*

**The Acting President:** Heading E is entitled “Effective coordination of humanitarian assistance efforts”. May I take it that the item listed under this heading is included on the agenda?

*It was so decided.*

**The Acting President:** Next we turn to heading F, entitled “Promotion of justice and international law”. May I take it that the items listed under heading F are included on the agenda?

*It was so decided.*

**The Acting President:** We now turn to heading G, entitled “Disarmament”. May I take it that the items listed under this heading are included on the agenda?

*It was so decided.*

**The Acting President:** Heading H is entitled “Drug control, crime prevention and combating international terrorism in all its forms and manifestations”. May I take it that the items listed under the heading are included on this agenda?

*It was so decided.*

**The Acting President:** Lastly, we turn to heading I, entitled “Organizational, administrative and other matters”. May I take it that the items listed under heading I are included on the agenda?

*It was so decided.*

**The Acting President:** We turn now to section IV of the report of the General Committee, on the allocation of items.

The General Committee took note of the information contained in paragraphs 83 to 85. May I take it that it is the wish of the General Assembly to take note of the information contained in paragraph 85 concerning the granting of observer status?

*It was so decided.*

**The Acting President:** We shall now turn to the recommendations contained in paragraphs 87 to 91. We shall take up the recommendations one by one. Before we proceed, I would like to remind members that the item numbers cited here refer to the agenda in paragraph 82 of the report before us, document A/71/250.

We shall now turn to paragraphs 87 (a) to (m), which relate to a number of plenary items. May I take it that it is the wish of the General Assembly to take note of all of the information that the General Committee wishes it to take note of and to approve all of the recommendations of the Committee contained in paragraphs 87 (a) to (m)?

*It was so decided.*

**The Acting President:** We turn now to paragraphs 88 (a) and (b), which relate to item 98, “General and complete disarmament”, and to sub-items (mm), (nn), (oo), (pp) and (qq) of item 98, entitled, respectively, “Countering the threat posed by improvised explosive devices”, “Humanitarian consequences of nuclear weapons”, “Humanitarian pledge for the prohibition and elimination of nuclear weapons”, “Ethical imperatives for a nuclear-weapon-free world” and “Implementation of the Convention on Cluster Munitions” of the First Committee. May I take it that the General Assembly approves the recommendations contained in paragraphs 88 (a) and (b)?

*It was so decided.*

**The Acting President:** We turn now to paragraphs 89 (a) to (c), which relate to sub-item (u) of item 132, entitled “United Nations Joint Staff Pension Fund”; item 135, entitled “Programme planning” and item 145, entitled “Administration of justice at the United Nations” of the Fifth Committee. May I take it that the General Assembly approves the recommendations contained in paragraphs 89 (a) to (c)?

*It was so decided.*

**The Acting President:** We turn now to paragraphs 90 (a) to (d), which relate to item 170, entitled “Observer status for the Conference of Ministers of Justice of the Ibero-American Countries in the General Assembly”; item 171, entitled “Observer status for the International Youth Organization for Ibero-America in the General Assembly”; item 172, entitled “Observer status for the Pacific Island Development Forum in the General Assembly”; and item 173, entitled “Observer status for the International Chamber of Commerce in the General Assembly” of the Sixth Committee. May I take it that the General Assembly approves the recommendations contained in paragraphs 90 (a) to (d)?

*It was so decided.*

**The Acting President:** We shall now turn to paragraph 91 of the report of the General Committee on the allocation of items to the plenary and to each Main Committee.

We turn first to the list of items recommended by the General Committee for consideration directly in plenary meeting under all the relevant headings. Taking into account the decisions just adopted, may I take it that the General Assembly approves the allocation of the items listed for consideration directly in plenary meeting?

*It was so decided.*

**The Acting President:** Next we come to the list of items that the General Committee recommends for allocation to the First Committee under all the relevant headings. Taking into account the decisions just adopted, may I take it that the General Assembly approves the allocation of those items for consideration by the First Committee?

*It was so decided.*

**The Acting President:** We now turn to the list of items that the General Committee recommends for allocation to the Special Political and Decolonization Committee (Fourth Committee) under all the relevant headings. Taking into account the decisions just adopted, may I consider that the General Assembly approves the allocation of those items for consideration by the Special Political and Decolonization Committee (Fourth Committee)?

*It was so decided.*

**The Acting President:** We come now to the list of items that the General Committee recommends for allocation to the Second Committee under all the relevant headings. Taking into account the decisions just adopted, may I consider that the General Assembly approves the allocation of these items for consideration by the Special Political and Decolonization Committee (Fourth Committee)?

*It was so decided.*

**The Acting President:** We come now to the list of items that the General Committee recommends for allocation to the Second Committee under all the relevant headings. Taking into account the decisions just adopted, may I consider that the General Assembly approves the allocation of these items for consideration by the Second Committee?

*It was so decided.*

**The Acting President:** We turn now to the list of items that the General Committee recommends for allocation to the Third Committee under all the relevant headings. Taking into account the decisions just adopted, may I take it that the General Assembly approves the allocation of these items for consideration by the Third Committee?

*It was so decided.*

**The Acting President:** Next, we come to the list of items that the General Committee recommends for allocation to the Fifth Committee under all the relevant headings. Taking into account the decisions just adopted, may I take it that the General Assembly approves the allocation of these items for consideration by the Fifth Committee?

*It was so decided.*

**The Acting President:** Lastly, we come to the list of items that the General Committee recommends for allocation to the Sixth Committee under all the relevant headings. Taking into account the decisions just adopted, may I take it that the General Assembly approves the allocation of these items for consideration by the Sixth Committee?

*It was so decided.*

**The Acting President:** The General Assembly has thus concluded its consideration of the first report of the General Committee. I wish to thank all the members of the Assembly for their cooperation. Each Main Committee will receive the list of agenda items allocated to it so that it may begin its work in accordance with rule 99 of the rules of procedure.

I would now like to draw the attention of representatives to a matter concerning the participation of the Holy See in its capacity as an observer State in the session and work of the General Assembly.

In accordance with resolution 58/314, of 1 July 2004, and the note by the Secretary-General contained in document A/58/871, the Holy See, in its capacity as an observer State, will participate in the work of the seventy-first session of the General Assembly, with no further need for a precursory explanation prior to any intervention.

I would also like to draw the attention of representatives to a matter concerning the participation of the State of Palestine, in its capacity as an observer State, in the sessions and work of the General Assembly.

In accordance with resolutions 3237 (XXIX), of 22 November 1974; 43/177, of 15 December 1988; 52/250, of 7 July 1998; and 67/19, of 29 November 2012, and the note by the Secretary-General contained in document A/52/1002, the State of Palestine, in its capacity as an observer State, will participate in the work of the seventy-first session of the General Assembly, with no further need for a precursory explanation prior to any intervention.

In addition, I would like to draw the attention of representatives to a matter concerning the participation of the European Union, in its capacity as observer, in the sessions and work of the General Assembly.

In accordance with resolution 65/276, of 3 May 2011, and the note by the Secretary-General contained in document A/65/856, observers of the European Union will participate in the work of the seventy-first session of the General Assembly, with no further need for a precursory explanation prior to any intervention.

*The meeting rose at 4.05 p.m.*

UNITED NATIONS



NATIONS UNIES

NEW YORK

OFFICE OF THE PRESIDENT OF THE GENERAL ASSEMBLY

1 June 2017

Excellency,

In connection with item 87 of the agenda (*Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965*) I refer to General Assembly decision 71/504 of 16 September 2016, in which the Assembly, on the recommendation of the General Committee (A/71/250), decided to include the item in the agenda of its seventy-first session on the understanding that there would be no consideration of this item by the General Assembly before June 2017 and thereafter it may be considered upon notification by a Member State.

Through the attached letter, H.E. Ambassador Jagdish D. Koonjul, Permanent Representative of Mauritius to the United Nations, has requested that a date be set for the consideration of this item by the General Assembly.

Therefore, I have decided to convene a plenary meeting of the General Assembly on 22 June 2017 at 10 a.m. for the consideration of item 87. It is my understanding that the Permanent Mission of Mauritius will be submitting a draft resolution to the Secretariat shortly. More information will be provided in the Journal.

Please accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'Peter Thomson'.

Peter Thomson

To All Permanent Representatives  
and Permanent Observers of the United Nations  
New York





PERMANENT MISSION OF THE REPUBLIC OF MAURITIUS TO THE UNITED NATIONS

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MISSION PERMANENTE DE LA REPUBLIQUE DE MAURICE AUPRES DES NATIONS UNIES

1 June 2017

**Excellency,**

I have the honour to refer to item 87 which the General Assembly, at its second meeting on 16 September 2016, decided to include on the agenda of its 71<sup>st</sup> Session, on the understanding that there would be no consideration of the item by the Assembly before June 2017 and that thereafter it may be considered upon notification by a Member State.

In accordance with your expectations, Mauritius has engaged in good faith in talks with the United Kingdom. However, these talks have not been successful. Mauritius has therefore no choice but to ask for the consideration of item 87 by the General Assembly at the earliest date possible.

In this regard, I wish to officially request you to set a date for the consideration of item 87 by the General Assembly and action on a draft resolution which Mauritius will be tabling shortly.

Please accept, Excellency, the assurance of my highest consideration.

A handwritten signature in black ink, appearing to read 'Jagdish D. Koonjul', written over a horizontal line.

**Jagdish D. Koonjul, G.O.S.K**  
**Ambassador**  
**Permanent Representative**

**H.E. Mr. Peter Thomson**  
**President of the 71<sup>st</sup> session**  
**of the United Nations General Assembly**



# General Assembly

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## Seventy-first session

Agenda item 87

### **Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965**

#### **Congo:\* draft resolution**

### **Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965**

*The General Assembly,*

*Reaffirming* that all peoples have an inalienable right to the exercise of their sovereignty and the integrity of their national territory,

*Recalling* the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 1514 (XV) of 14 December 1960, and in particular paragraph 6 thereof, which states that any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations,

*Recalling also* its resolution 2066 (XX) of 16 December 1965, in which it invited the Government of the United Kingdom of Great Britain and Northern Ireland to take effective measures with a view to the immediate and full implementation of resolution 1514 (XV) and to take no action which would dismember the Territory of Mauritius and violate its territorial integrity, and its resolutions 2232 (XXI) of 20 December 1966 and 2357 (XXII) of 19 December 1967,

*Bearing in mind* its resolution 65/118 of 10 December 2010 on the fiftieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples, reiterating its view that it is incumbent on the United Nations to continue to play an active role in the process of decolonization, and noting that the process of decolonization is not yet complete,

*Recalling* its resolution 65/119 of 10 December 2010, in which it declared the period 2011-2020 the Third International Decade for the Eradication of Colonialism, and its resolution 70/231 of 23 December 2015, in which it called for the immediate and full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

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\* On behalf of the States Members of the United Nations that are members of the Group of African States.



*Noting* the resolutions on the Chagos Archipelago adopted by the Organization of African Unity and the African Union since 1980, most recently at the twenty-eighth ordinary session of the Assembly of the Union, held in Addis Ababa on 30 and 31 January 2017, and the resolutions on the Chagos Archipelago adopted by the Movement of Non-Aligned Countries since 1983, most recently at the Seventeenth Conference of Heads of State or Government of Non-Aligned Countries, held on Margarita Island, Bolivarian Republic of Venezuela, from 13 to 18 September 2016, and in particular the deep concern they express at the forcible removal by the United Kingdom of Great Britain and Northern Ireland of all the inhabitants of the Chagos Archipelago,

*Noting also* its decision of 16 September 2016 to include in the agenda of its seventy-first session the item entitled “Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965”, on the understanding that there would be no consideration of this item before June 2017,

*Decides*, in accordance with Article 96 of the Charter of the United Nations, to request the International Court of Justice, pursuant to Article 65 of the Statute of the Court, to render an advisory opinion on the following questions:

(a) “Was the process of decolonization of Mauritius lawfully completed when Mauritius was granted independence in 1968, following the separation of the Chagos Archipelago from Mauritius and having regard to international law, including obligations reflected in General Assembly resolutions 1514 (XV) of 14 December 1960, 2066 (XX) of 16 December 1965, 2232 (XXI) of 20 December 1966 and 2357 (XXII) of 19 December 1967?”;

(b) “What are the consequences under international law, including obligations reflected in the above-mentioned resolutions, arising from the continued administration by the United Kingdom of Great Britain and Northern Ireland of the Chagos Archipelago, including with respect to the inability of Mauritius to implement a programme for the resettlement on the Chagos Archipelago of its nationals, in particular those of Chagossian origin?”.

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## General Assembly

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### Seventy-first session

Agenda item 87

### **Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965**

**Congo:\* draft resolution**

### **Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965**

#### **Addendum**

Add the following countries to the list of sponsors of the draft resolution:

**Argentina, Bolivia (Plurinational State of), Cuba, Ecuador, Nicaragua and Venezuela (Bolivarian Republic of)**

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\* On behalf of the States Members of the United Nations that are members of the Group of African States.





# General Assembly

Seventy-first session

**88**<sup>th</sup> plenary meeting  
Thursday, 22 June 2017, 10 a.m.  
New York

Official Records

*President:* Mr. Thomson ..... (Fiji)

*The meeting was called to order at 10.40 a.m.*

**Tribute to the memory of His Excellency  
Mr. Baldwin Lonsdale, President of the Republic of  
Vanuatu**

**The President:** Before we proceed to the item on our agenda, it is my sad duty to pay tribute to the memory of the late President of the Republic of Vanuatu, His Excellency Mr. Baldwin Lonsdale, who passed away on Saturday, 17 June.

On behalf of the General Assembly, I request the representative of Vanuatu to convey our condolences to the Government and the people of Vanuatu and to the bereaved family of Mr. Lonsdale.

This morning, we pay tribute to His Excellency President Womtelo Reverend Baldwin Lonsdale of the Republic of Vanuatu, who passed away suddenly on 17 June. President Lonsdale was greatly admired by his people and indeed across the Pacific for his just leadership, humility, dedication to country and his pride in Vanuatu and its people. He was a man of faith, an Anglican priest and a driving force for national unity. He was a champion for the role of women in Vanuatu's democracy, and a strong supporter for youth engagement in developing the nation.

The defining moment for a national leader is often how the leader responds in the face of national tragedy, disaster and upheaval. When the destructive force of Category 5 Cyclone Pam devastated Vanuatu in March 2015, it was President Lonsdale who became the global face for that tragedy. Speaking at the third United

Nations World Conference on Disaster Risk Reduction in Sendai, Japan, President Lonsdale pleaded for international humanitarian assistance for his country. He urged the world to recognize that such disasters could wipe out years of development and reduce people to a state of increased poverty overnight, and he called upon world leaders to assist by creating a sustainable development path for all.

President Lonsdale led by example in his commitment to ethical, responsible and proactive leadership. Indeed, upon his election in September 2014, President Lonsdale stated that

“my first and foremost priority is to make sure that the Constitution of the nation is upheld at all times and that peace, unity, justice and harmony prevail at all times”.

His firm dedication to those high principles was demonstrated in late 2015, when he took quick and decisive action to uphold peace, democracy and the rule of law in Vanuatu. The late President carried out his presidential duties with dignity and respect, emerging as a much loved symbol of unity for his nation. He will be sorely missed.

On behalf of the General Assembly, I extend our most sincere condolences to the family of President Lonsdale and to the Government and the people of the Republic of Vanuatu.

I now request the members of the General Assembly to rise to observe a minute of silence in memory of the late President.

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org>).



*The members of the General Assembly observed a minute of silence.*

**The President:** I now give the floor to the representative of the Congo, who will speak on behalf of the Group of African States.

**Mr. Bale (Congo):** It is both an honour and a sad duty to take the floor today on behalf of the Group of African States to pay tribute to the memory of the President of Vanuatu His Excellency Mr. Baldwin Jacobson Lonsdale, whose death wrenched him from the love and affection of his people and his family at the age of 67, on 17 June.

As the General Assembly pays tribute to his memory, I should like, on behalf of the Group of African States and on my own behalf, to extend my sincere condolences to the people and the Government of the Republic of Vanuatu. My thoughts are with the family of the late President and the staff of the Permanent Mission of Vanuatu. The African Group shares in their grief following his tragic death. We extend our compassion and solidarity to them.

Reverend Baldwin Lonsdale was an Anglican priest and man of the cloth who dedicated his life to helping others and to God. He was a true statesman and the President of his country. In that prominent position, he looked out for the well-being of his people. He lived by values and principles that inspired the actions he took as the leader of his country. We can therefore state that the late President was a servant of God who served the men and women of his country, who in turn showered him with love and respect.

Because he knew that his country was vulnerable to the effects of climate change, President Lonsdale could be considered to be one of the outspoken heroes in fight against that phenomenon. We should recall his apt and firm statement following Cyclone Pam, which devastated his country. He believed that climate change was a contributing factor in the devastating force of a cyclone that decimated entire villages from that archipelago in the southern Pacific. He believed that climate change was real. May his soul rest in peace.

**The President:** I now give the floor to the representative of Mongolia, who will speak on behalf of the Group of Asia-Pacific States.

**Mrs. Altangerel (Mongolia):** I have the distinct honour to deliver this statement on behalf of the Group of Asia-Pacific States on this very special but

sombre occasion. On behalf of the Asia-Pacific Group, I wish to express our deepest sympathy and heartfelt condolences to the bereaved family and the Government and the people of Vanuatu as they mourn the passing of a true statesman.

The people of Vanuatu have lost an outstanding leader. His Excellency Father Lonsdale served the people of Vanuatu with dignity and humility. He was a humble man dedicated to the principles of the rule of law and against the abuse of power. Father Lonsdale had worked as a senior civil servant, as Secretary General of the Torba provincial Government, and became an Anglican priest before his election as the President of Vanuatu in 2014.

This has been a dark week for the people of Vanuatu. The nation has lost a true statesman who showed us justice and hope. His life and service is now a part of Vanuatu's history. He served the people of Vanuatu with dignity. He will be remembered by many for his efforts to rebuild Vanuatu after the devastating Cyclone Pam, in 2015, and in the fight against corruption. We will remember his life with deep respect, cherishing the memory of his deep love and commitment to his country and to his people. He was an exemplary leader and a guardian of the pillars of justice, democracy and integrity. Those attitudes and approaches were deeply embedded in all that Father Lonsdale sought to achieve and will be carried forward in the legacy he bequeathed to us.

May God give comfort and peace and may his soul rest in peace.

**The President:** I now give the floor to the representative of Romania, who will speak on behalf of the Group of Eastern European States.

**Mr. Jinga (Romania):** It is with great sorrow and regret that the members of the Group of Eastern European States learned about the sudden passing of the President of Vanuatu, Womtelo Reverend Baldwin Lonsdale, on 17 June.

Vanuatu lost one of its greatest leaders and a symbol of the country's unity. The late President Lonsdale became a symbol of hope for Vanuatu when Cyclone Pam caused severe damage in the country in early 2015. He successfully steered the country through internal upheaval, and he showed an outstanding commitment to justice and the rule of law. President Lonsdale's message will continue to inspire his people

in the defence of the ideals of justice and humanity. During this time of mourning, our thoughts and heartfelt sympathies are with the people of Vanuatu in remembering and honouring this great leader. May he rest in peace.

**The President:** I now give the floor to the representative of Honduras, who will speak on behalf of the Group of Latin American and Caribbean States.

**Ms. Flores** (Honduras): On behalf of the Latin American and Caribbean States, I wish to convey our deepest condolences to the people of Vanuatu and the family a President Baldwin Jacobson Lonsdale, who passed away at the age of 67. Mr. Lonsdale was born in Mota Lava in the northern Banks Islands. He was a civil servant who served as Secretary General of Torba in the provincial Government before becoming an Anglican priest. He was elected to the presidency in September 2014 and vowed in his appointment to ensure that the Constitution of the nation would be upheld at all times, and that peace, unity, justice and harmony would always prevail.

In March 2015, amid the devastation of Cyclone Pam, a Category 5 storm that left thousands homeless and Vanuatu's infrastructure and crops destroyed, President Lonsdale became a pillar of stability. While attending the United Nations World Conference on Disaster Risk Reduction in Sendai, Japan, in March 2015, he called for climate change awareness and appealed for international assistance.

President Lonsdale oversaw the recovery and rebuilding of key sectors of Vanuatu, thereby uniting the population to start anew under a sustainable development agenda. He had unwavering devotion to the rule of law and a strong commitment to the empowerment of women. We join the people of Vanuatu in their sorrow and mourning of a devoted father and statesman. May he rest in peace.

**The President:** I now give the floor to the representative of Australia, who will speak on behalf of the Group of Western European and other States.

**Ms. Bird** (Australia): I have the honour to speak on behalf of the Group of Western European and other States.

It was with profound sadness that we learned of the sudden loss of his Excellency President Baldwin Lonsdale on 17 June. On behalf of the Group, I would

like to express sincere condolences to his family and the Government and the people of Vanuatu.

President Lonsdale made a significant contribution to Vanuatu. He was an Anglican priest and served as Secretary General of Torba province before becoming the eighth President of the Republic of Vanuatu in September 2014 — the first from Torba province.

Following the destruction and devastation from Category 5 Cyclone Pam in March 2015, President Lonsdale appealed for international humanitarian support for his beloved homeland. Many will remember the emotional plea for assistance that President Lonsdale made at the United Nations World Conference on Disaster Risk Reduction in Sendai, Japan, shortly after the cyclone. He led his people through that traumatic event and was deeply committed to the humanitarian relief, recovery and ongoing rebuilding effort.

President Lonsdale was greatly admired across the Pacific region, particularly for his commitment to democratic principles, the rule of law, instilling pride in Vanuatu's culture and the empowerment of women. President Lonsdale recognized the vital role of women's participation in the nation's development and was a champion for greater representation of women in the country's Parliament. He will perhaps be best remembered for the decisive action that he took in 2015 to safeguard democracy, good governance and the rule of law, which led to snap elections early last year.

President Lonsdale represented Vanuatu on the world stage and served the people of Vanuatu with dignity and humility. He was much loved and respected. We know that Vanuatu will continue to honour his legacy of dedication to his people and country.

**The President:** I now give the floor to the representative of the United States of America, who will speak on behalf of the host country.

**Ms. Sison** (United States of America): On behalf of the United States as host country, I would like to extend its deep sympathy to the Government and the people of Vanuatu for the loss of President Baldwin Lonsdale.

President Lonsdale leaves behind a legacy of integrity and humility. Even before becoming President, he had a rich history as a man of service and as a man of faith. As a civil servant and Secretary General of the Torba provincial Government, President Lonsdale was committed to serving his community, and later after becoming a clergyman, he was able to make so

many valuable personal connections and deliver hope to so many.

Upon taking office, President Lonsdale expressed his desire to ensure that

“the Constitution of the nation is upheld at all times and that peace, unity, justice and harmony prevail at all times”.

That commendable goal was put into action during the very first year of his presidency. As we all remember, in March 2015 Vanuatu was devastated by Cyclone Pam, a Category 5 storm that left the country in a state of crisis. In the wake of that catastrophe, President Lonsdale made heartfelt appeals to the international community while imploring the world to provide much-needed assistance to the emergency situation in his country. He worked tirelessly to manage the devastation and personally guide efforts to rebuild the community that he cared about so deeply.

In October 2015, President Lonsdale acted decisively to ensure that the actions of a few did not compromise the integrity of Vanuatu’s Government. That strident defence of democratic principles reflected his commitment to the rule of law. In times of crisis, President Lonsdale served as a pillar of stability for the people of Vanuatu, and he led his country with the surest of hands.

President Lonsdale was an exceptional man and an outstanding leader who was much loved by his people. The future of Vanuatu is brighter thanks to his leadership. We again offer our sincere condolences on his passing.

**The President:** I now give the floor to the representative of Vanuatu.

**Mr. Tevi (Vanuatu):** At the outset, please allow me, on behalf of the Government and the people of Vanuatu, and His Excellency the late President Baldwin Lonsdale, to thank you, Sir, for creating the space to pay tribute to the memory of our President. Allow me to also thank the international community for the torrent of heartfelt sympathy, grief and friendship expressed to our people at this difficult time.

Last weekend, Vanuatu lost one of its most beloved leaders. It has been a dark week for Vanuatu. His passing has marked an unprecedented outpouring of sympathy and grief across the world. Yet it is a grief combined with much admiration. Our late President grew up from

very humble beginnings. He was one of 11 children born of two hardworking and strict parents. Growing up, he was a peacemaker, always creating concords between fighting siblings and friends alike. It was no surprise to his parents and his community that, after he left high school and a subsequent four-year stint with the British National Services’ Establishment Division, he decided to pursue tertiary education, eventually obtaining a diploma in Scholar of Theology from Bishop Patterson’s College in Solomon Islands and a diploma with honours from Saint John’s College, which is now a part of Auckland University in New Zealand.

The late President Lonsdale then served in various roles within the Anglican Church. He served as a teacher and principal of a rural training centre from 1987 to 1991, followed by serving as the National Youth Coordinator from 1991 to 1998. In 1998, he was appointed Secretary General of Torba province, a position he held for eight years. On 22 September 2014, he was elected to serve as the seventh President of the Republic of Vanuatu, a position he held until his untimely death on 17 June.

The late President Lonsdale will be remembered for his humility and dignity displayed through his God-fearing leadership and his unwavering Christian principles. He was a warrior of peace and was a strong symbol for unity in Vanuatu. He had a strong vision for the young generation of Vanuatu and was a strong advocate for women. He will be remembered by the international community for upholding the rule of law and the Vanuatu Constitution even when under political duress.

The late President’s legacy as an educator, a religious leader, a promoter and an advocate for the advancement of youth and women and for standing up against corruption will no doubt be long remembered. Vanuatu will be searching for his qualities when his successor is elected. He is survived by all six of his children.

The Vanuatu Mission has opened a condolence book in honour of the late President. It will be open today and tomorrow and all are invited to sign it. I again convey my deepest gratitude to the international community for the outpouring of sympathy and condolences expressed to the family of our late President and to the Government and people of the Republic of Vanuatu. He has run a good race. May he rest in eternal peace.



**Agenda item 87****Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos archipelago from Mauritius in 1965****Draft resolution (A/71/L.73)**

**The President:** I now give the floor to the representative of the Congo to introduce draft resolution A/71/L.73.

**Mr. Balé (Congo):** Pursuant to the inclusion of item 87 on the agenda of the General Assembly in September 2016, I have the honour to introduce, on behalf of the 54 African States Members of the United Nations, draft resolution A/71/L.73, entitled “Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos archipelago from Mauritius in 1965”, under the said agenda item.

The action initiated by the African States, in collaboration with the Government of Mauritius, at the level of the United Nations is in pursuit of the effort of all African States, including Mauritius, to complete the decolonization of Africa and to allow a State member of both the African Union and the United Nations to exercise its full sovereignty over the Chagos archipelago in accordance with international law and the right of self-determination.

The present submission echoes the African Union resolution on the Chagos archipelago, which stipulates that the excision of the Chagos archipelago from the territory of Mauritius by the former colonial Power prior to the independence of Mauritius is unlawful and, as a result, is a violation of international law and especially of resolution 1514 (XV) of 14 December 1960 and resolution 2066 (XX) of 16 December 1965, which prohibit colonial Powers from dismembering territory prior to granting independence. In addition, resolution 1514 (XV) specifies that any attempt aimed at the total or partial disruption of a national unity and the territorial integrity of a colonial country is incompatible with the purposes and principles of the Charter of the United Nations.

Furthermore, resolution 2066 (XX), which deals specifically with Mauritius, called upon the United Kingdom to take no action that would dismember the territory of Mauritius and violate its territorial integrity. The then administering Power was invited

to comply with the provisions of the resolutions and to take effective measures with a view to the immediate and full implementation of resolution 1514 (XV). More than five decades have passed and despite continued and repeated appeals made in international forums, including at the United Nations, the Chagos archipelago has yet to be returned to the effective control of Mauritius by the former administering Power.

In the resolutions adopted by the Assembly of the African Union in July 2015 and January 2017, respectively, following previous pertinent ones, the African Heads of State and Government reiterated their support to the Republic of Mauritius in its endeavour to complete its decolonization and effectively exercise its sovereignty over the Chagos archipelago. In this context, following a request by the Government of the Republic of Mauritius, which was actively supported by the Group of African States, the General Assembly has decided to include on the agenda of its current session an item entitled “Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965”.

However, at the request of the United Kingdom, the Republic of Mauritius agreed that consideration of the item be deferred until June 2017. The item was included by consensus by the General Assembly on its agenda following an understanding between Mauritius and the United Kingdom, facilitated by the president of the General Assembly, to defer, at the request of the United Kingdom, the consideration of the item until June 2017 in order to allow time to the concerned delegation to reach a solution on the completion of the decolonization of Mauritius. Unfortunately, there has been no progress in this discussion since neither party wished during the talks to focus on the central issue of decolonization, which is so essential to the successful outcome of the process. Therefore, it was clear that there could be no prospect of progress.

Draft resolution A/71/L.73 calls on the General Assembly to decide, in accordance with article 96 of the Charter of the United Nations, to request the International Court of Justice, pursuant to article 65 of the Statute of the Court, to render an advisory opinion on two issues. First, was the process of decolonization of Mauritius lawfully completed when Mauritius was granted independence in 1968, following the separation of Chagos archipelago from Mauritius, in contravention of international law and General Assembly resolutions?

Secondly, what are the consequences under international law arising from the continued administration by the United Kingdom of the Chagos archipelago, including the inability of Mauritius to implement programmes for the settlement of the Chagos archipelago of its nationals, in particular those of Chagossian origin?

As everyone is aware, the right to self-determination and the completion of the decolonization process continue to be a central concern of the United Nations as a whole. That is why we firmly believe that the United Nations would benefit from the guidance of a principal judicial organ of the United Nations on the decolonization process with respect to the two questions posed in the draft resolution. An advisory opinion of the International Court of Justice would assist the General Assembly in its work and would contribute to the promotion of the international rule of law.

Noting that no progress has been made since the issue of the Chagos archipelago was put on the United Nations agenda more than five decades ago, and in conformity with the principles of justice and international law, the Group of African States to the United Nations calls on all Member States to vote in favour of draft resolution A/71/L.73. The draft resolution is nothing but a request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos archipelago from Mauritius in 1965.

A “yes” vote will be a vote in favour of the principles of the Charter of the United Nations, which continue to guide the Organization’s efforts with respect to the principle of self-determination. The United Nations cannot continue to ignore the cry of Mauritius for justice.

**Mr. Jugnauth** (Mauritius): My delegation would like to associate itself with the statement that has just been made by the Permanent Representative of the Republic of the Congo on behalf of the African Group of States members of the African Union.

I am accompanied by Mauritians of Chagossian origin, who were forcibly evicted from the Chagos archipelago and who are putting all their hopes in the United Nations to uphold their ability to return to the archipelago, which the complete decolonization of Mauritius will allow.

I have been privileged to witness my country’s political advancement, and was one of those — now the only survivor — who participated in the Mauritius

Constitutional Conference held in London in 1965, which was meant to pave the way for the independence of Mauritius in 1968. I am therefore personally aware of the circumstances under which the Chagos archipelago was excised from the territory of Mauritius prior to independence.

The Chagos archipelago has been part of the territory of Mauritius since at least the eighteenth century, at a time when Mauritius was a French colony. Throughout the period of French colonial rule, France governed the Chagos archipelago as one of the dependencies of Mauritius. All the islands forming part of Mauritius, including the Chagos archipelago, were ceded by France to the United Kingdom in 1810.

The administration of the Chagos archipelago as a constituent part of Mauritius continued without interruption throughout the period of British colonial rule until its unlawful excision from the territory of Mauritius on 8 November 1965. No one today can challenge that fact. That excision was carried out in blatant violation of international law and resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, which called for a speedy and unconditional end to colonialism. The Declaration clearly stipulates that any attempt at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations.

Furthermore, the wrongfulness of the excision was recognized and confirmed in resolution 2066 (XX) of 16 December 1965, in which the General Assembly called upon the Government of the United Kingdom to take effective measures with a view to the immediate and full implementation of resolution 1514 (XV) and to take no action that would dismember the territory of Mauritius and violate its territorial integrity. Such views were reiterated in resolution 2232 (XXI) of 20 December 1966 and resolution 2357 (XXII) of 19 December 1967. The decolonization process of Mauritius and the General Assembly’s supervision thereof therefore remain incomplete.

More than 30 years after the excision of the Chagos archipelago, shocking truths about the circumstances of the dismemberment of the territory of Mauritius came to light. For many years, the United Nations and indeed the world were unaware of such facts, including internal Foreign Office memos of 1965 and

1966 showing a deliberate intent to present the United Nations with a *fait accompli* and to mislead it about the permanent nature of the population who lived in the Chagos archipelago. The Chagossians were cynically referred to as “Tarzans” and “Men Fridays” in order to avoid the scrutiny of the United Nations about the illegality of the dismemberment of the Mauritian territory and the eviction of the population living in the Chagos archipelago.

It is today appropriate to recall what was stated back in 1965 by the United Kingdom Colonial Secretary to the United Kingdom Prime Minister. He said that “it is essential that the arrangements for detachment of these islands should be completed as soon as possible” and that

“[f]rom the United Nations point of view the timing is particularly awkward. We are already under attack over Aden and Rhodesia... We shall be accused of creating a new colony in a period of decolonization... If there were any chance of avoiding any publicity until this session of the General Assembly adjourns at Christmas there would be an advantage to delaying the order in Council until then. But to do so would jeopardize the whole plan... Moreover we should lay ourselves open to an additional charge of dishonesty if we evaded the defence issue in the Fourth Committee and then made the order in Council immediately afterwards. It is therefore important that we should be able to present the United Nations with a *fait accompli*.”

Delegations present here should find in those facts alone a compelling reason for the United Nations to be given today an opportunity to have a fresh look at the propriety of the acts of 1965. Draft resolution A/71/L.73 is not a belated wake-up call from Mauritius, as suggested by some. It addresses colonialism and decolonization — a matter of interest to all Members and to the Organization as a whole.

Mauritius has never missed any opportunity — as soon as its socioeconomic circumstances permitted it to do so and in the light of those shocking truths — to voice its opposition in international forums, including the General Assembly. There has also been continued and sustained international condemnation of the dismemberment of Mauritius, of the illegal excision of the Chagos archipelago and of the continuing colonial legacy, as voiced by the Organization of African Unity

and subsequently the African Union, the Non-Aligned Movement, the Group of 77 and China, and the African, Caribbean and Pacific Group of States, as well as at the Africa-South America Summits.

The dismemberment of the territory of Mauritius without the freely given consent of Mauritius, in circumstances of patent and obvious duress, and the removal of the inhabitants of the Chagos archipelago with no possibility of return were acts constituting breaches of peremptory norms of international law, namely the violation of the principle of self-determination and the breach of fundamental principles of human rights. No amount of monetary compensation and no agreement to that effect can override those general principles of peremptory international law, not least the right of self-determination.

Mauritius, prior to its independence in 1968, had no legal competence as a State to give any consent to the detachment of the Chagos archipelago from its territory. It was a mere colony, had a colonial Governor and lacked the capacity to consent to detachment. It is obvious that it could not legally give consent. Even if — as the United Kingdom’s seems to believe — some form of consent was given in return for monetary compensation, the excision was incompatible with the provisions of the Charter of the United Nations, as interpreted and applied by pertinent resolutions of the General Assembly. Consent, if any, of the colony of Mauritius could not validate breaches of the Charter. Moreover, Mauritius, as an independent sovereign State, has never entered into any agreement pertaining to such detachment.

I need not say more. I hope I have persuaded members of the Assembly that the arguments being put forward in support of a vote against the draft resolution, and based upon such previous consent or financial compensation, do not stand under international law.

Under the President’s wise stewardship, the consideration of item 87 was deferred, at the United Kingdom’s request, until June 2017 in order to allow Mauritius and the United Kingdom to engage in talks aimed at the completion of the decolonization process of Mauritius. Three rounds of talks have been held between Mauritius and the United Kingdom. However, those talks became pointless as the United Kingdom was unwilling to discuss a definitive date for the completion of the decolonization of Mauritius. It was unwilling to even talk about decolonization. The position that the

administering Power brought about in 1965 remains unchanged today. Consequently, as there is no prospect of any end to the colonization of Mauritius, the General Assembly has a continuing responsibility to act. More than five decades have passed and now is the time to act.

It is fitting for the General Assembly to fulfil that function on the basis of guidance from the International Court of Justice as to the legality of the excision of the Chagos archipelago in 1965. The draft resolution before the General Assembly contains two legal questions which are linked to the issue of decolonization — a matter of direct interest to the General Assembly. An advisory opinion would no doubt contribute significantly to the work of the General Assembly in fulfilling its functions under Chapters XI to XIII of the Charter of the United Nations.

Differing views of one or more States on the legality of the excision of the Chagos archipelago in 1965 do not make of the excision a mere bilateral matter. The International Court of Justice has made that absolutely clear, including in recent opinions on Kosovo and on the wall in occupied Palestinian territory. Rather, this matter concerns the General Assembly's need for guidance from the International Court of Justice on an important matter of decolonization. Bilateral talks seeking to address this issue simply are not a basis for denying multilateral interests in the case.

States Members of the United Nations have the collective responsibility to uphold the principles enshrined in the United Nations Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and all relevant resolutions. In doing so, we shall be upholding the integrity and authority of institutions which we have created, in particular the General Assembly. The General Assembly's continued responsibility in completing the decolonization process which started in the 1950s should not be thwarted by arguments that are not in line with international law.

For reasons that are not valid, some of our friends are arguing for a vote against the draft resolution. Those reasons are not for the General Assembly to decide, and they can in any event be raised — if so desired — in proceedings before the International Court of Justice, in due course. Besides, breaches of principles of international law and General Assembly resolutions remain breaches that can never validly be acquiesced in or consented to or traded off with money. These breaches — and the issues of colonization

and decolonization — are of interest to the whole international community. They cannot ever be waved away as merely bilateral, as the administering Power would want Members to believe.

Likewise, our friends have invoked security concerns which they claim may be endangered. Let me make it clear that there is no threat to peace and security by seeking an advisory opinion. Simply asking these questions to the Court does not prohibit specific States from continuing to hold different views on the answer to the questions.

Mauritius is also very much concerned about security in the world. That is why we have repeatedly said that we do not have any problem with the military base, but that our decolonization process should be completed. We want to assure the United Kingdom and the United States of America that the exercise of effective control by Mauritius over the Chagos archipelago would not in any way pose any threat to the military base. Mauritius is committed to the continued operation of the base in Diego Garcia under a long-term framework, which Mauritius stands ready to enter into with the concerned parties.

The vote on the draft resolution before the General Assembly would be a vote in support of completing the process of decolonization, respect for international law and the rule of law, and respect for the international institutions that we States Members of the United Nations have created. It is also a vote of confidence in the International Court of Justice, the principal judicial organ of the United Nations. My delegation therefore urges representatives, through their vote for the draft resolution, to send a signal that their delegation, and indeed their State, supports international law and the rule of law.

Let me now briefly recapitulate the salient points of our position.

The Chagos archipelago has always formed and continues to form an integral part of the territory of Mauritius. The displaced inhabitants of the Chagos archipelago had lived there for many generations. The issue of the dismemberment of Mauritius has repeatedly been invoked at the annual meetings of the General Assembly and in other United Nations bodies, as well as in other international forums, such as the Organization of African Union/African Union, the Non-Aligned Movement and the Group of 77. The United Kingdom has refused to address decolonization

during recent talks and United Kingdom proposals during the talks were manifestly inadequate, failing to address the completion of the decolonization of Mauritius. The subject of the request for an advisory opinion of the International Court of Justice does not relate to a bilateral dispute. The mere request for an advisory opinion does not have any bearing on or adversely affect the security interests of any other State. It is for the International Court of Justice to address outstanding questions as to the basis for the request for an advisory opinion. A vote in favour of the draft resolution would uphold the institutions of the United Nations, assist the General Assembly and support the principles of the Charter of the United Nations and the international rule of law.

Just as item 87 was included by consensus on the agenda of the General Assembly, we would hope that the draft resolution can be adopted in the same manner. Let us allow the United Nations to fulfil its mandate as regards decolonization.

I was in London in 1965; 52 years later, I invite all Member States to join together in signalling that now is the time for the right of self-determination to be recognized and for the rule of law to prevail. I believe that it is the collective responsibility of all of us, as Members of the United Nations, to support this draft resolution.

**Mr. Ramírez Carreño** (Venezuela) (*spoke in Spanish*): I have the honour to speak on behalf of the Non-Aligned Movement.

First, allow me to express our gratitude for the convening of this plenary meeting, which is devoted specifically to considering draft resolution A/71/L.73, entitled "Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos archipelago from Mauritius in 1965", which was submitted by the Republic of the Congo on behalf of the Group of African States.

The founding principles of the Movement of Non-Aligned Countries are rooted in its rejection of colonialism. The struggle for liberation was the main factor that brought together the new independent States of Africa, Asia Pacific and Latin America and the Caribbean. The support of the Movement of Non-Aligned Countries for decolonization initiatives has been and continues to be unshakable.

As we approach the end of the third decade for the eradication of colonization, the need to free peoples from the shackles of colonialism has become even more pressing and urgent. In this regard, I would like to recall the position agreed to by the Heads of State and Government during the seventeenth Summit Conference of Heads of State or Government of Non-Aligned Countries, held in Margarita Island, Venezuela, from 17 to 18 September 2016. The Heads of State and Government reaffirmed that the Chagos archipelago, including Diego Garcia Island, which was illegally removed from the territory of Mauritius by the former colonial Power in violation of international law and resolutions 1514 (XV) of 14 December 1960 and 2066 (XX) of 16 December 1965 are an integral part of the territory of the Republic of Mauritius.

The Heads of State and Government noted with great concern that, despite the strong opposition expressed by the Republic of Mauritius, the United Kingdom sought to establish a marine protected area around the Chagos archipelago, further violating the sovereignty exercise of the Republic of Mauritius over the Chagos archipelago, as well as the exercise of the right of return for Mauritian citizens who were forcibly expelled from the archipelago by the United Kingdom. In this regard, they welcomed the judgment of the arbitral tribunal in the case brought by the Republic of Mauritius against the United Kingdom under the United Nations Convention on the Law of the Sea and according to which the marine protected area was established illegally, in accordance with international law.

The Heads of State and Government noted that, on 18 March, following the proceedings initiated by Mauritius against the United Kingdom under the United Nations Convention on the Law of the Sea to challenge the legality of the marine protected area, the arbitral tribunal established under annex VII of the United Nations Convention on the Law of the Sea unanimously ruled that the marine protected area violates international law. Aware that the Government of the Republic of Mauritius is committed to taking all measures necessary to affirm the territorial integrity of the Republic of Mauritius and its sovereignty over the Chagos archipelago under international law, the Heads of State and Government decided to support such measures, in particular any action that might be taken in this regard by the General Assembly.

The Non-Aligned Movement, in line with the positions adopted by the Heads of State and Government

during the Movement's seventeenth summit, held at Margarita Island, Venezuela, calls on all States members of the Movement to support the action initiated by the Group of African States, under item 87 of the General Assembly's agenda.

**Mr. Martins** (Angola): I have the honour to speak on behalf of the 15 States members of the Southern African Development Community (SADC), namely, Angola, Botswana, the Democratic Republic of the Congo, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe.

This statement is being delivered in connection with agenda item 87, entitled "Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965", under which draft resolution A/71/L.73 has been submitted by the Group of African States this morning.

We also wish to align ourselves with the statements delivered just now by the representatives of the Congo and Venezuela on behalf of the African Group and the Non-Aligned Movement, respectively.

The precursor organization of the Southern African Development Community, namely, the Frontline States, was formed in 1976 with the objective of assisting the Southern African countries to achieve independence both politically and economically. Although SADC has emerged today as one of the strongest regional economic blocs on the African continent, we have not foregone the primary objective for which the organization was established. As a region, SADC member States have experienced colonialism in different forms and lived through periods of minority Governments that catered to external interests rather than to the needs of the local people. In spite of all odds, challenges and pressures, we have stood by our brothers and sisters in Southern Africa and accompanied them in their journey towards freedom and liberation.

Today, the African Union is knocking at the door of the United Nations to request an advisory opinion from the International Court of Justice on the legal consequences of the separation of the Chagos archipelago prior to granting independence to Mauritius in 1965. It is therefore our moral duty, as SADC, to support the African Union in its endeavour to bring about the completion of the decolonization of Mauritius

and enable the exercise of effective control by that State over the Chagos archipelago.

The Chagos archipelago was illegally excised from the territory of Mauritius prior to its accession to independence, in a blatant breach of international law and resolution 1514 (XV) of 14 December 1960. Resolution 2066 (XX), adopted on 16 December 1965, which deals specifically with Mauritius, called upon the United Kingdom to take no action that would dismember the country of Mauritius and violate its territorial integrity. Nonetheless, the then-colonial Power proceeded with the dismemberment of the territory of Mauritius prior to its independence, an action that was clearly incompatible with the purposes and principles set forth in the United Nations Charter.

SADC has consistently supported Mauritius in its endeavour to exercise its full, effective control over the whole of its territory, which includes the Chagos archipelago. SADC summit declarations adopted in August 2014 and August 2015 firmly committed to all actions undertaken by Mauritius to complete its decolonization and

"endorsed international calls for the United Kingdom to expeditiously end its unlawful occupation of the Chagos Archipelago, including Diego Garcia, with a view to enabling Mauritius to effectively exercise its sovereignty over the Archipelago, without which the full decolonisation of Africa is not complete".

The SADC group is of the view that the continued occupation of the Chagos archipelago constitutes a challenge to the principles of the United Nations. As freedom, justice and dignity are the foundations of the United Nations and its institutions, any action that denies a nation its rights is deemed to be actually undermining the collective conscience and noble principles of the Organization.

Defending and supporting the right to self-determination and the completion of the decolonization process has always been a cardinal principle of SADC. True to that principle, SADC member States will vote in favour of the draft resolution A/71/L.73, entitled "Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos archipelago from Mauritius in 1965", and earnestly call on all States Members of the United Nations to also support the draft resolution to

uphold the principles of the United Nations Charter and international law.

**Mr. Rycroft** (United Kingdom): Last September, Mr. President, you asked the United Kingdom and Mauritius to engage in bilateral talks about the Chagos archipelago, which the United Kingdom administers as the British Indian Ocean Territory. We have done that in good faith. Only this week, our new Minister of State for the Commonwealth and the United Nations, Lord Ahmad, flew to New York to continue the bilateral dialogue and to meet the Minister Mentor of Mauritius, whose eloquent speech we have just heard.

You were right, Mr President, to ask us to talk bilaterally. We should, as a rule, talk bilaterally to try to settle bilateral differences, and questions on the British Indian Ocean Territory have long been a bilateral matter between the United Kingdom and Mauritius. We firmly hold that these questions should remain a bilateral matter, so I regret that this issue has come to the General Assembly. It saddens us that a dispute between two United Nations Members and Commonwealth partners should have reached the Hall in this way. A more constructive path is still available, and I call for the withdrawal of draft resolution A/71/L.73 to keep that path open.

Despite the terms of the draft resolution, this is not a matter of decolonization. Mauritius became independent in 1968 through mutual agreement between the Council of Ministers of Mauritius and the United Kingdom Government. In separate talks with the Council of Ministers, Mauritius had earlier accepted the detachment of the Chagos archipelago — an agreement that Mauritius continued to respect until the 1980s. The General Assembly has not discussed this matter for decades. And yet, here we are today, returning to the issue. Just think, how many other bilateral disputes left over from history could be brought before the General Assembly in this way? The present draft resolution could set a precedent that many in this Hall could come to regret.

We do not doubt the right of the General Assembly to ask the International Court of Justice for an advisory opinion on any legal question, but the fact that the General Assembly has not concerned itself with this matter for decades shows that today's debate has been called for other reasons. Put simply, the request for an advisory opinion is an attempt by the Government of Mauritius to circumvent the vital principle that a State

is not obliged to have its bilateral disputes submitted for judicial settlement without its consent. And let me be clear, we do not and we would not give that consent, because we are clear about what was agreed with Mauritius. If the draft resolution were adopted, the Court would of course have to decide whether it could properly respond to the request. Our view is that it could not do so, as it concerns a bilateral dispute between two Member States.

Many here today have told us privately that they too see this as bilateral business and have urged us to use bilateral means to resolve it. So in turn, let me urge all who have told us that — and others — to vote against the draft resolution today. In particular, I would ask any planning to abstain because this is a bilateral matter to please vote against it precisely for that reason.

We have made every constructive effort to engage and encourage the Government of Mauritius not to proceed with this plenary meeting today. Precisely because it is a bilateral matter, we entered into bilateral talks in good faith, determined to make them work. Since September, we have had three substantive rounds of talks, and as I said we held discussions with Mauritius at the Ministerial level here in New York this week. Despite every effort by the United Kingdom, we have not yet succeeded in bridging the differences between us. I regret that, but we remain committed to bilateral discussion.

The Assembly should also know that we have made significant offers to Mauritius. In 1965, we made a binding commitment to cede sovereignty of the Chagos archipelago to Mauritius when the archipelago is no longer needed for defence purposes. In the recent bilateral talks, our offers to Mauritius signalled very clearly that we acknowledge Mauritius's long-term interest in the archipelago. And we used the talks to try to increase mutual confidence between us, on those very matters that divide us.

So we offered, without prejudice to our sovereignty, a framework for the joint management, in environment and scientific study, of all the islands of the territory except for Diego Garcia. And we offered strategic and tactical forms of bilateral security cooperation. Those offers were relevant to the dispute and were seriously made. I regret that Mauritius did not engage with them, because they could have made a big difference to our mutual confidence and they would give Mauritius a

more tangible and direct stake in the archipelago than it has ever had.

It was a surprise to us to see that the draft resolution links the former inhabitants of the Chagos archipelago, the Chagossians, with our sovereignty. It is a surprise, because Mauritius has not made more than a passing reference to the cause of the Chagossians during all our bilateral talks. The Mauritian focus throughout the talks was its demand for a transfer of sovereignty. Nevertheless, the welfare of the Chagossians is an extremely important matter and a real concern to us, and I want to be clear about my Government's position.

Like successive Governments before it, the present United Kingdom Government has expressed sincere regret about the manner in which Chagossians were removed from the British Indian Ocean Territory in the late 1960s and early 1970s. And we have shown that regret through practical action and support for the Chagossians ever since. In 1973, the then British Government gave funds directly to the Government of Mauritius to assist with their resettlement. In 1982, a further payment was made through a trust fund.

More recently, we have considered very closely the matter of resettlement. We commissioned an independent feasibility study and undertook a public consultation. Those found that there is an aspiration among some Chagossian communities for resettlement, but demand appears to fall substantially when those consulted understand more about the likely conditions of civilian life on what are very remote and low-lying islands.

The Government has considered all the available information and has decided against resettlement on the grounds of feasibility, cost and defence and security interests. While we have ruled out resettlement, we are determined to address the Chagossians' desire for better lives and their desire for connections with the territory, so we are implementing a \$50-million support package that is being designed to improve Chagossian livelihoods in the communities where they now live — in Mauritius, the Seychelles and the United Kingdom. We have already consulted Chagossian groups in all three countries and will continue to do so.

As I say, the Mauritian focus throughout the talks has not been the Chagossians, but Mauritius's claim of sovereignty over the Chagos archipelago. The Government of Mauritius has repeatedly pressed us to specify a date for the transfer of sovereignty. We have

explained to them why we cannot do that. We made an agreement in 1965 and the United Kingdom is standing by that agreement.

We created the British Indian Ocean Territory for defence purposes, and in 1966 concluded an agreement with the United States of America for joint defence use of the territory. The extensive facilities that have since been established are primarily used as a forward operating location for aircraft and ships, and they make an essential contribution to regional and global security and stability. Moreover, they contribute to guaranteeing the security of the Indian Ocean itself, from which all neighbouring States benefit, including Mauritius. The facilities play a critical role in combating some of the most difficult and urgent problems of the twenty-first century, such as terrorism, international criminality, piracy and instability in its many forms.

Our current agreement with the United States lasts until 2036. We cannot, 19 years away, predict exactly what our defence purposes will require beyond that date. We should not and will not make arbitrary, ill-informed or premature decisions. We cannot gamble with the future of regional and global security. Mauritius's attempted assurances on the base's future lack credibility. In contrast, the United Kingdom stands by its commitment. When we no longer need the territory for defence purposes, sovereignty will pass. That, by the way, is exactly what we did in relation to the very similar agreement reached with Seychelles in 1965. We ceded sovereignty of islands to Seychelles when we no longer needed them for defence purposes.

In our dealings with Mauritius, we have tried to set out bilateral relations on a positive future path rather than focus on the past. But we should be clear about the past. The simple fact is that we negotiated the detachment of the Chagos archipelago with the elected representatives of Mauritius — the same people with whom we were separately negotiating the independence of Mauritius. The representatives of the Mauritian people had authority to negotiate with us in both negotiations, and in both cases they reached agreements with us. On the detachment of the Chagos archipelago, they negotiated, first, compensation, which we paid; secondly, various rights for Mauritius; and, thirdly, the long-term commitment to cede the islands to Mauritius when they were no longer needed for our defence purposes.



Our promise to cede sovereignty of the islands to Mauritius when they are no longer needed for defence purposes is not a sign that we lack confidence in our sovereignty. On the contrary, we were and remain confident about our sovereignty. In its recent arbitral award, the tribunal constituted under the United Nations Convention on the Law of the Sea found that it had no jurisdiction to rule on the Mauritius sovereignty claim, contrary to what Mauritius has sought to imply in its notes to members of the General Assembly.

In 1965, we undertook to cede the territory in due course because we were setting it up for a specific purpose but could envisage a future situation in which the territory might no longer make a useful contribution to defence purposes. That moment has not yet come. The base is playing a vital role. Until that moment does come, and subsequently, we want to enjoy positive, friendly and constructive relations with the people and the Government of Mauritius. We have much in common and many reasons to work together. For our part, we are always willing to sit down and talk to our partners about contentious bilateral matters that divide us. Although our efforts so far have not been successful, I repeat that offer now to the Government of Mauritius. This is a bilateral matter for bilateral talks. It is not a matter for an advisory opinion to be given to the General Assembly.

The United Kingdom has always been and continues to be a strong upholder of international law. We are not opposing this draft resolution because we have changed our principles or because we believe the rule of law does not apply in this case. Rather, we oppose the draft resolution because referring a bilateral dispute to the International Court of Justice is not the appropriate course of action.

In conclusion, for all of these reasons, we strongly oppose the draft resolution. A request for an advisory opinion would be a distraction and, I fear, an obstacle to the path of bilateral talks, which is our preferred course of action. And it would set a terrible precedent, both for the General Assembly and for the Court. If Mauritius will not withdraw it, I urge Members to vote against the draft resolution.

**Ms. Sison** (United States of America): The draft resolution before us today (A/71/L.73) seeks to place before the International Court of Justice a bilateral territorial dispute concerning sovereignty over the Chagos archipelago, which the United Kingdom

administers as the British Indian Ocean Territory. By pursuing the draft resolution, Mauritius seeks to invoke the Court's advisory opinion jurisdiction not for its intended purpose but rather to circumvent the Court's lack of contentious jurisdiction over this purely bilateral matter.

The United States has consistently recognized United Kingdom sovereignty over the Chagos archipelago, which has been under continuous British sovereignty since 1814. For nearly four decades, the United States and the United Kingdom have operated a military base on Diego Garcia in the Chagos archipelago, which contributes considerably to regional and international security.

The General Assembly's power to request advisory opinions is an important one. It allows the General Assembly to seek assistance from the International Court of Justice in carrying out its functions under the Charter of the United Nations. However, we must be cautious not to allow this important power to be misused for the political gain of individual States. While Mauritius is attempting to frame this as an issue of decolonization relevant to the international community, at its heart it is a bilateral territorial dispute, and the United Kingdom has not consented to the jurisdiction of the International Court of Justice.

Were Mauritius's request to proceed, it would undermine the Court's advisory function and circumvent the right of States to determine for themselves the means by which to peacefully settle their disputes. Any State currently engaged in efforts to resolve a bilateral dispute should vote against the draft resolution in recognition of the risk that supporting it suggests that any such dispute could be referred to the Court in this manner, without a State's consent, when the other party does not like how talks are proceeding. Establishing such a precedent is dangerous for all States Members of the United Nations. It could lead to the normalization of litigating bilateral disputes through General Assembly advisory opinion requests, even when a State directly involved has not consented to the jurisdiction of the International Court of Justice.

If, despite these serious concerns, the draft resolution were adopted, the International Court of Justice would need to consider whether it would be appropriate for it to respond to this request. In our view, it would not. The advisory function of the International Court of Justice was not intended to settle disputes between States. A

decision to refer this dispute to the International Court of Justice would also interfere with ongoing efforts to achieve a solution through bilateral channels.

As our colleague from the United Kingdom has discussed, the United Kingdom has engaged in extensive and ongoing dialogue with Mauritius in an effort to address Mauritius's stated reasons for pursuing sovereignty and has made reasonable offers to Mauritius. We regret that Mauritius has chosen to circumvent these bilateral talks and we continue to believe that this issue can be addressed only through efforts from both sides to negotiate a solution in good faith.

For the foregoing reasons, the United States will vote against this draft resolution and encourages all Member States to do the same.

**Mr. Akbaruddin** (India): When the United Nations was established in 1945, more than seven decades ago, almost a third of the world's population lived in territories that were non-self-governing and dependent on colonial Powers. As a country that has gone through the throes of decolonization, India, since its own independence in 1947, has always been in the forefront of the struggle against colonialism and apartheid.

India was a sponsor of the landmark 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples, adopted by the General Assembly, which proclaimed the need to unconditionally end colonialism in all its forms and manifestations. In 1962, India was elected as the first Chair of the Decolonization Committee, also known as the Committee of 24, which was established to monitor implementation of the 1960 Declaration and to make recommendations on its application. We continue to be an active member of that Committee today. Our ceaseless efforts to put an end to colonialism are therefore now a matter of record.

As a result of the sustained collective efforts of the United Nations membership, today fewer than 2 million people live in non-self-governing territories, according to United Nations documentation. Since the creation of the United Nations, more than 80 former colonies have gained their independence and taken their rightful place in the General Assembly. However, the process of decolonization that began with our own independence is still unfinished, seven decades later. In fact, in 2011 the Assembly proclaimed the decade 2011-2020 to be the third International Decade for the Eradication of

Colonialism. We would like to see that long-drawn-out process concluded.

That said, India shares the international community's concerns about security in the Indian Ocean. We are conscious of our collective commitment to ensuring the security and prosperity of our oceanic space. On balance, however, it is a matter of principle for India to uphold the process of decolonization and respect for the sovereignty of nations. As part of our long-standing support to all peoples striving for decolonization, we have also consistently supported Mauritius, a fellow developing country in Africa with whom we have age-old people-to-people bonds, in that country's quest for the restoration of its sovereignty over the Chagos archipelago.

Continuing our consistent approach to this important issue of decolonization, India supports draft resolution A/71/L.73, proposed by Mauritius and co-sponsored on behalf of the members of the Group of African States, and will vote in favour of it.

**Mr. Aboulatta** (Egypt) (*spoke in Arabic*): My delegation will cast its vote on draft resolution A/71/L.73 today based on the following reasons.

First, we are committed to the common African position on the issue, as reflected in the relevant resolution adopted by the African Union in January at its twenty-eighth Summit. Secondly, the Movement of Non-Aligned Countries (NAM) is committed to the issue, as reflected in NAM's final declaration at its Summit held on Margarita Island, Venezuela, in September 2016. Thirdly, this is one of the pending issues that are preventing us from putting an end to colonization, and we therefore hope that we can find an appropriate solution to it that accords with the Charter of the United Nations and the principles of international law.

**Mr. Kamau** (Kenya): Kenya aligns itself with the statements delivered earlier by the representatives of the Republic of the Congo, on behalf of the Group of African States, and Venezuela, on behalf of the Movement of Non-Aligned Countries.

Today we shall join all 54 States members of the African Union in voting in favour of draft resolution A/71/L.73, on the separation of the Chagos archipelago from Mauritius. For Kenya, this vote is a historical imperative in our solidarity with a sister African nation, born of the suffering and the blood that was shed in the

struggle for our own country's independence, and of the need to uphold freedom, liberty and human rights in Africa and the rest of the world. The solidarity of the African Union on the issue signifies and exemplifies the depth of our eagerness to ensure the swift, permanent and peaceful resolution of the matter of the Chagos archipelago, and to see the restoration of Mauritius's national sovereignty over its rightful historical territory.

The historical injustice and deep scars of the human rights abuses that have accompanied the occupation and exploitation of the archipelago demand that all nations that believe in the principles of the Charter of the United Nations should stand up to be counted in support of today's draft resolution. After all, all that is being asked for here is an advisory opinion from the International Court of Justice — a mere advisory opinion of an international court that we all respect. What could possibly be so unpalatable about that? There can be no difference, indeed no moral or ethical space, between a commitment to human rights today and the correction of grave historical injustices perpetrated in the past, no matter how embarrassing or how high the cost. We believe that our civilization and our membership in the United Nations demand this of us.

**Mr. Mero** (United Republic of Tanzania): My delegation appreciates your leadership in convening today's meeting, Mr. President. This is the right time to consider this issue in the wake of the consultations and discussions held by the contending parties.

We are convening today to consider the issue of the Chagos islands as raised by the African Union. My delegation aligns itself with the statements delivered earlier by the representatives of Venezuela, on behalf of the Movement of Non-Aligned Countries, the Republic of the Congo, on behalf of the Group of African States, and Angola, on behalf of the Southern African Development Community.

In principle, we believe that the process of decolonization is essential and that consultations are a recipe for arriving at a solution wherever there is disagreement among the parties. The arguments on both sides show that consultations have taken place and that bilateral arrangements to resolve the issue have been discussed. In the wake of today's meeting and the statement made by the representative of the United Kingdom, my delegation feels that the time has come for the two countries to convene and address the process of decolonizing the Chagos islands.

In conclusion, we wish to encourage the parties to consent to reach a final resolution of the issue of the Chagos islands. Tanzania joins the other countries of Africa in supporting Mauritius.

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

We shall now proceed to consider draft resolution A/71/L.73.

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

**Ms. De Miranda** (Department for General Assembly and Conference Management): This statement is made in accordance with rule 153 of the rules of procedure of the General Assembly and has also been made available on the PaperSmart portal.

The implementation of the mandates contained in draft resolution A/71/L.73, entitled "Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos archipelago from Mauritius in 1965", would give rise to additional resource requirements under the regular budget. However, the work associated with rendering the requested advisory opinion would require further assessment and consultations with stakeholders in order to determine the detailed related costs. Accordingly, it is not possible for the Secretariat to determine at this stage the full extent of the programme budget implications arising from the draft resolution.

However, based on precedents set by recent advisory opinions delivered by the International Court of Justice, it is estimated that the cost of an advisory opinion concerning the Chagos archipelago could range from approximately \$450,000 to \$600,000. Should the General Assembly adopt the draft resolution, the Secretary-General would submit a detailed revised estimates report for the proposed programme budget for the biennium 2018-2019 to the General Assembly for its consideration at the seventy-second session of the General Assembly.

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

**Mr. Rycroft** (United Kingdom): The Assembly will understand that, for the reasons given in my statement

earlier, the United Kingdom strongly opposes draft resolution A/71/L.73. I will not repeat all those reasons now.

However, I must underline again that this is a bilateral dispute between two States, the United Kingdom and Mauritius. Both the United Kingdom and Mauritius have excluded disputes with other Commonwealth States from their acceptance of the compulsory jurisdiction of the International Court of Justice. The draft resolution is therefore a back-door route to the Court. The General Assembly is being used to cut across the principle that States are not obliged to have their bilateral disputes submitted for judicial settlement without their consent. Doing so would set a dangerous precedent, and it would be an obstacle to bilateral discussions, which are the right way to resolve this dispute. We therefore call on all members of the Assembly to join us in voting against the draft resolution.

**Ms. Sison** (United States of America): As we stated in our earlier remarks, the United States continues to view this as a purely bilateral matter that would have more appropriately been resolved through continued diplomatic engagement. Voting in favour of draft resolution A/71/L.73 would set a dangerous precedent, suggesting that the General Assembly could refer a bilateral dispute for an advisory opinion anytime one party chooses that path over engaging in good-faith negotiations. We urge all Member States to carefully consider the consequences of such a decision and to vote against this draft resolution.

**Mr. Barros Melet** (Chile) (*spoke in Spanish*): With respect to agenda item 87 on the Republic of Mauritius's request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos archipelago from that country in 1965, Chile would like to inform the Assembly that it does not associate itself with the statement delivered by the representative of the Bolivarian Republic of Venezuela, who spoke in his capacity as the Chairman of the Coordinating Bureau of the Non-Aligned Movement (NAM). Our position is in accordance with the reservation expressed by our country under chapter II of the final document of the seventeenth summit of the Heads of State and Government of the NAM, which took place at Margarita Island, Venezuela, in September 2016.

Chile bases its national position on international law, whose values and purposes serve as a guarantee for the sovereign equality of States, as well as their integrity and the peaceful settlement of disputes. Similarly, Chile has promoted and continues to promote the rule of law as a pillar of international relations. Today, pursuant to that principle, Chile takes note of the request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos archipelago from Mauritius in 1965, which includes matters that may be dealt with bilaterally in compliance with the rules of international law.

Chile also wishes to observe that the question posed by Mauritius points to a solution that is defined within the decolonization process, regarding which the international community has an interest that it be interpreted within the terms and principles set forth in resolution 1514 (XV). For those reasons, Chile will abstain in the voting on draft resolution A/71/L.73.

**Mr. Drobñjak** (Croatia): Croatia remains a strong and unequivocal advocate of decolonization and firmly supports respect for the resolutions to that effect adopted by the General Assembly, including the pivotal resolution on the granting of independence to colonial countries and peoples, namely, resolution 1514 (XV).

At the same time, with regard to bilateral disputes between States, we believe in the proper application of international law and the use of appropriate avenues for addressing such disputes. In that connection, as the jurisprudence within the architecture of applicable international law must be stable and predictable, so must also be the ways of reaching such international resources. It is for that reason that we shall vote against the draft resolution before us (A/71/L.73) and continue to support the pursuit of direct talks in good faith between Mauritius and the United Kingdom on all outstanding issues.

**Mr. Delattre** (France) (*spoke in French*): The situation at the heart of draft resolution A/71/L.73, submitted by the Group of African States, is a bilateral dispute, for which we can only hope for a solution. For some months now we have called on our Mauritian and British friends to reach such a solution through negotiation. We regret that they have not yet reached a settlement, but we believe that the possibilities offered by negotiation have certainly not been completely exhausted.

In that context, we are not convinced that the adoption of a request for an advisory opinion of the International Court of Justice would facilitate such a settlement. A sovereignty dispute between States, which is the case here, should be resolved in accordance with the principle of the concerned States' consent to court adjudication. We must all be attentive to respecting a principle that the International Court of Justice has considered to be fundamental.

That is why the French delegation is unable to vote in favour of the draft resolution before us. However, we wish to express our hope that the parties to the dispute will continue to make efforts to reach a negotiated solution. We therefore hope that in the near future the parties will be able to reach an agreed solution that is in their interests and in the interests of their partners and friends, of which France is one.

**Ms. Beckles** (Trinidad and Tobago): Trinidad and Tobago wishes to give the following explanation of vote prior to the voting on draft resolution A/71/L.73, submitted under agenda item 87, "Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos archipelago from Mauritius in 1965".

At the outset, Trinidad and Tobago wishes to reiterate its commitment to the Non-Aligned Movement and to the peaceful settlement of disputes. At the same time, we also recognize that the opinion of the Court is not binding and serves to further advance international law and bring about an independent solution to the issue at hand. For those reasons, Trinidad and Tobago will vote in favour of draft resolution A/71/L.73.

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

The Assembly will now take a decision on draft resolution A/71/L.73, entitled "Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965".

For members' information, the draft resolution has closed for e-sponsorship.

I give the floor to the representative of the Secretariat.

**Ms. De Miranda** (Department for General Assembly and Conference Management): I should like to announce that since the submission of the draft

resolution, and in addition to those delegations listed in the document, the following countries have also become sponsors of A/71/L.73: Argentina, Bolivia, Cuba, Ecuador, Nicaragua and Venezuela.

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

*A recorded vote was taken.*

*In favour:*

Algeria, Angola, Argentina, Azerbaijan, Bahamas, Bangladesh, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Burkina Faso, Burundi, Cabo Verde, Cameroon, Central African Republic, Chad, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, India, Jordan, Kenya, Kiribati, Lebanon, Lesotho, Liberia, Madagascar, Malawi, Malaysia, Mali, Marshall Islands, Mauritania, Mauritius, Mozambique, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Papua New Guinea, Peru, Philippines, Republic of Moldova, Rwanda, Sao Tome and Principe, Saudi Arabia, Serbia, Seychelles, Sierra Leone, South Africa, South Sudan, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

*Against:*

Afghanistan, Albania, Australia, Bulgaria, Croatia, Hungary, Israel, Japan, Lithuania, Maldives, Montenegro, New Zealand, Republic of Korea, United Kingdom of Great Britain and Northern Ireland, United States of America

*Abstaining:*

Andorra, Armenia, Austria, Bahrain, Barbados, Belgium, Bosnia and Herzegovina, Brunei Darussalam, Canada, Chile, China, Colombia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Grenada, Iceland, Indonesia, Iraq, Ireland, Italy, Jamaica, Kazakhstan, Kuwait, Kyrgyzstan, Latvia, Liechtenstein, Luxembourg, Malta, Mexico, Micronesia (Federated States

of), Mongolia, Myanmar, Netherlands, Norway, Oman, Palau, Panama, Paraguay, Poland, Portugal, Qatar, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sri Lanka, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Tuvalu

*Draft resolution A/71/L.73 was adopted by 94 votes to 15, with 65 abstentions (resolution 71/292).*

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

**Ms. Bird (Australia):** Australia acknowledges the range of carefully considered positions on the matter before us and wishes to take this opportunity to explain its vote.

We respect the decision of the Government of Mauritius to bring forward resolution 71/292, which we appreciate was sponsored by all members of the Group of African States.

Australia has been a strong supporter of the United Nations decolonization agenda over many decades. We are deeply conscious that the decolonization process around the globe is not complete, and we have sympathy for the desire of Mauritius to resolve outstanding issues in relation to the Chagos archipelago, consistent with the 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples.

In Australia's view, however, the vote raised a more specific question, namely, whether it is appropriate to request the International Court of Justice to render an advisory opinion on very specific issues that directly concern the rights and interests of two nations, Mauritius and the United Kingdom. On that question, Australia's long-standing position is that it is not appropriate for the advisory opinion jurisdiction of the Court to be used to determine the rights and interests of States arising in a specific context.

We also note that the Diego Garcia military base plays a pivotal role in the global fight against terrorism. We consider that it is in the interest of all members of the General Assembly to ensure that there is no uncertainty

about the status of that base that could jeopardize its contribution to international peace and security.

For those specific reasons, Australia voted against today's resolution. We nevertheless encourage both Mauritius and the United Kingdom to intensify their dialogue, with a view to achieving a durable solution consistent with both countries' commitment to the international rules-based order.

**Mrs. Carrión (Uruguay)** (*spoke in Spanish*): Uruguay, in line with its tradition of respect for international law and its support for the request for the advisory opinion of the International Court of Justice, as well as its support for the decolonization processes and the sovereignty and territorial integrity claims of peoples, voted in favour of resolution 71/292 submitted for the consideration of the Assembly.

Uruguay values the initiative of the Republic of Mauritius in requesting an advisory opinion of the International Court of Justice. Similarly, Uruguay continues to encourage dialogue in the search for just and lasting settlements to disputes.

**Mrs. Puerschel (Germany):** Germany's abstention in the voting on resolution 71/292 is not to be understood as expressing any view whatsoever on the legal consequences of the matters in question. In our view, the dispute between Mauritius and the United Kingdom is bilateral in character.

We welcome the fact that both parties are willing to settle the issue peacefully, as provided for in the Charter of the United Nations. We note, however, that one party to the dispute has expressly not agreed to involve the International Court of Justice in this matter, which is in conformity with the Court's Statute.

**Mr. Li Yongsheng (China)** (*spoke in Chinese*): China abstained in the voting on resolution 71/292, which was just adopted.

I wish to reiterate China's firm support for the decolonization process and its understanding of the position of Mauritius on the question of decolonization.

Recently, the countries concerned made efforts, through consultation and negotiation, to seek solutions to the question concerning the Chagos archipelago. China notes that the aforementioned negotiation has not yielded progress. China calls upon the countries concerned to continue to make efforts in good faith and to continue to carry out bilateral negotiations and

consultations, so as to seek an appropriate solution to the question of Chagos archipelago as soon as possible.

**Mr. Gómez Camacho** (Mexico) (*spoke in Spanish*): Mexico recognizes the International Court of Justice as the supreme jurisdictional body in charge of peacefully resolving disputes through the application of international law. My country has accepted the jurisdiction of the Court and acknowledges its contribution to the strengthening of the rule of law through the issuance of advisory opinions.

Mexico has turned to and supported the use of the Court for the issuance of advisory opinions in significant cases of international law. The advisory opinion requested by Mauritius complies with the requirements established by the Charter of the United Nations and by the Statute of the Court, and implies the establishment of dialogue, as well as the search for a negotiated bilateral solution beyond the opinion that the Court could offer.

My delegation abstained in the voting on resolution 71/292, because we consider that, regardless of the opinion that could be issued by the Court, the solution to this case must, in fact, be found at the bilateral level. Mexico calls on the United Kingdom and the Government of Mauritius to seek, with political determination, a swift solution to this case, which is important since both are member States of the Commonwealth of Nations.

**Mr. Van Bohemen** (New Zealand): New Zealand is a strong supporter of the international rule of law and the peaceful settlement of international disputes through recourse to international courts and judicial mechanisms. However, we do not believe that the advisory jurisdiction of the International Court of Justice offers a useful method for clarifying the issues in this case. While advisory opinions can provide valuable guidance to the United Nations organ requesting the opinion, we do not see the jurisdiction as appropriate in this dispute.

**Mr. Lundkvist** (Sweden): Sweden firmly supports the International Court of Justice and its role in settling disputes submitted to the Court in accordance with article 36 of its Statute. Sweden also supports and encourages the use of advisory opinions in accordance with article 65 of the Statute. In our view, the competence of the Court in disputes referred to it by States and the mandate of the Court to give an advisory

opinion are two different functions under the Statute of the Court and should be kept apart.

While issues of decolonization and the right to self-determination are of concern to the international community, bilateral disputes over sovereignty should be dealt with in accordance with article 36 of the Statute. For those reasons Sweden abstained in the voting on resolution 71/292 just adopted.

**Mr. Zamora Rivas** (El Salvador) (*spoke in Spanish*): The topic under discussion today is undoubtedly one that involves bilateral relations. The problem is that the discussion has not gone deep enough; the actual root of the problem — namely, why is there a relationship between Mauritius and the United Kingdom at the bilateral level— has not been addressed? This issue is not the same as cases when our countries have bilateral discussions on territorial or border issues. The International Court of Justice exists to resolve those types of problems.

But what is before us is something else altogether, as it deals with sovereignty. As almost everyone here has acknowledged, the problem is not the borders between one country and another, in this case countries that are thousands of kilometres away from each other. They have no common borders at all. Rather, it is a problem of decolonization. It is a problem of the sovereignty of one country that had part of its territory removed before independence was granted. That is an issue for the United Nations. Therefore, we do have jurisdiction. If we deny that, then we have to deny the Special Committee of 24 and the Fourth Committee, as if they had nothing to do with such matters. The issue before us involves bilateral relations between a colonizing Power and a colonized country.

In that respect, we would like to thank both the United Kingdom and the United States for their visits. The United Kingdom visited us personally in our Mission to present their position. We would also like to thank the Government of Mauritius, which did the same. With one side asking us to vote in favour, while the other said we should vote against, we examined the proposal and decided to vote in favour of the proposal for an advisory opinion, because we believe that this case is a problem between a colonial Power that appropriated the right to cut off a part of the territory of a former British colony before accepting the independence of Mauritius. This problem is of a political nature. It has to do with decolonization. However, it is also of a legal nature. As

a result, just like with any legal problem, the General Assembly has the right under the Charter, as we have seen this morning, to request an advisory opinion.

We are not requesting the submission of the problem of Mauritius with the United Kingdom to the International Court of Justice. We are asking for an advisory opinion from the Court. That is a right that we all enjoy, and it is a right that needs to be exercised. It is also a right that has already been exercised by the Assembly. In June of 1971, the International Court of Justice, at the request of the General Assembly and the Security Council, issued an advisory opinion on the case of Namibia, stating that the interference of a neighbouring country in a territory that was going to be declared independent was against international law, by a vote of 13 in favour and two against, the Court took a decision that was in favour of what the Security Council had requested, namely, an advisory opinion by the Court.

We also had the case in 1975 on the matter of a territory that was colonized by Spain, Western Sahara. That issue was the subject of consultations, and the International Court of Justice accepted the case and provided a legal response. That is all we are asking the Court to do now. The Court is not going to resolve the matter, because such issues are not resolved in the Court. However, the Court, as the supreme jurisdictional body of the United Nations, can be requested by the General Assembly and therefore has the obligation to provide a legal response on the issue, which is all that Mauritius is asking for right now.

As a result, the request is legitimate. The resolution is a legally sustainable request supported by our legislation. In that respect, and expressing our gratitude once again for the opinions of both sides, El Salvador voted in favour of the request of Mauritius, because we believe that it is the only alternative that is in accordance with international law.

Allow me to say that as a small country, we are protected by international law. We do not have nuclear weapons; we do not have big armies to defend our sovereignty. It is international law that defends us, and as a result we have the obligation to support everything that is being done to enhance international law. Resolution 71/292, just adopted this morning, is a resolution that enhances the role of international law in the resolution of disputes.

We must stress that discussions should continue between the United Kingdom and Mauritius; however, those discussions must include the question of sovereignty. The representative of the United Kingdom here in New York explained very clearly to me that they are ready to negotiate and talk about cooperation. He said that they are offering assistance to Mauritius. He said that they were willing to offer security guarantees to Mauritius, and they have ask Mauritius to participate in the marine reserve that the British unilaterally set up and which, according to certain judges, violated international law. But he told me that he categorically refused to discuss sovereignty. Unfortunately, that is the current problem. That is why we believe that it is necessary to seek the advisory opinion of the International Court of Justice.

**Mr. Blanchard** (Canada): Canada abstained today because it does not take sides in foreign territorial disputes. However, as friends to both Mauritius and the United Kingdom, Canada encourages those two States to resolve or manage their dispute peacefully and amicably. I would like, however, to add a few points that I think are important in this instance.

Canada supports the International Court of Justice and the important role it can play in the peaceful settlement of disputes. But it is a fundamental principle and key to the effectiveness of the Court's work that the settlement of contentious cases between States through the International Court of Justice requires the consent of both parties. Seeking the referral of a contentious case between States through the General Assembly's power to request an advisory opinion circumvents that fundamental principle, in our view.

**Mrs. Pucarinho** (Portugal): Portugal abstained in the voting on resolution 71/292, adopted today. Portugal supports the goal of non-self-governing territories to exercise the right to self-determination, in accordance with international law and the Charter of the United Nations, including the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in resolution 1514 (XV) and adopted on 14 December 1960.

Portugal is also a firm believer in the principle of the peaceful settlement of disputes and, in particular, in the role played, in that regard, by the International Court of Justice. Portugal expresses its hope that the parties will continue pursuing all means aimed at reaching a



peaceful settlement of the dispute so as to resolve that matter in accordance with international law.

**Mr. Heumann** (Israel): Without addressing the substantive issues raised in resolution 71/292, Israel is of the view that the resolution seeks to refer a bilateral dispute to the International Court of Justice. In our view, it is inappropriate to have recourse to the advisory opinion mechanism in order to involve the International Court of Justice in a territorial dispute that is essentially bilateral in nature. The underlying approach reflected in the resolution represents, in our view, a misuse of the advisory opinion provision under Article 96 of the Charter of the United Nations and undermines the principal distinction between the jurisdiction of the Court in contentious cases and its advisory jurisdiction — a distinction that should be maintained for the sake of the United Nations and the International Court of Justice itself. It is for that reason that Israel voted against the resolution.

**Mr. Vieira** (Brazil): Brazil voted in favour of resolution 71/292. We continue to encourage all of the parties involved to remain genuinely engaged in dialogue and committed to the peaceful settlement of this issue.

Decolonization constitutes one of the unfinished tasks of the United Nations and is therefore an issue of interest to the international community as a whole. The General Assembly has a crucial role to play in advancing the process of decolonization. One of the tools at its disposal, as set out in the Charter of the United Nations, is to request that the International Court of Justice provide clarification on legal issues through its advisory jurisdiction.

A vote in favour of this resolution does not mean a commitment to any particular interpretation of the underlying issue. It means a request for the principal legal body of the United Nations to provide, through a non-binding opinion, legal elements that may guide all parties to definitively settle this question.

**Mr. Suan** (Myanmar): Myanmar has always been a steadfast advocate of decolonization. We stand by, in good faith, the 1960 United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples. However, we believe that the ongoing bilateral negotiations represent the best way to avoid confrontation and to bring a mutually accepted solution

to Mauritius and the United Kingdom. Myanmar therefore abstained in the voting on resolution 71/292.

**Mr. Habib** (Indonesia): Indonesia is among the countries that went through a long and difficult process of decolonization. For that reason, we understand fully what it means for the people of a nation to obtain their rightful independence and sovereignty from their former colonial Power.

Such was the mandate of our Constitution, which underlined that it is the inalienable right of all nations to achieve their independence. Furthermore, we are of the strong view that the principle of territorial integrity is a fundamental right of any sovereign State, as stipulated in the Charter of the United Nations.

The sovereignty of Mauritius over the Chagos archipelago is well recognized, and every effort should be undertaken to realize the fulfilment of the legitimate rights of Mauritius. In that regard, we appeal to all concerned parties to explore all diplomatic negotiation tools based on the principles of reconciliation and the peaceful settlement of disputes, with the aim of fulfilling the mandates of the relevant General Assembly resolutions, including resolution 1514 (XV) of 14 December 1960, and resolution 2066 (XX) of 16 December 1965.

Furthermore, it is necessary to establish a clear time frame for the return of the territory under discussion. In that regard, a long-lasting solution that is mutually agreed by all concerned parties must be fully upheld as the noble goal of that negotiation. The parties involved in this matter need to show their genuine intention and strong commitment to bringing an acceptable win-win solution to the table.

Based on those considerations, as a friend to all concerned States and in order to ensure that the outcome of this matter can be obtained through peaceful negotiations and after carefully examining the proposal and its implications, my delegation abstained in the voting on resolution 71/292.

**The President:** We have heard the last speaker in explanation of vote. May I take it that the General Assembly wishes to conclude its consideration of agenda item 87?

*It was so decided.*

*The meeting rose at 1 p.m.*



# General Assembly

Distr.: General  
22 June 2017

Seventy-first session  
Agenda item 87

## Resolution adopted by the General Assembly on 22 June 2017

[without reference to a Main Committee (A/71/L.73 and Add.1)]

### 71/292. Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965

*The General Assembly,*

*Reaffirming* that all peoples have an inalienable right to the exercise of their sovereignty and the integrity of their national territory,

*Recalling* the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 1514 (XV) of 14 December 1960, and in particular paragraph 6 thereof, which states that any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations,

*Recalling also* its resolution 2066 (XX) of 16 December 1965, in which it invited the Government of the United Kingdom of Great Britain and Northern Ireland to take effective measures with a view to the immediate and full implementation of resolution 1514 (XV) and to take no action which would dismember the Territory of Mauritius and violate its territorial integrity, and its resolutions 2232 (XXI) of 20 December 1966 and 2357 (XXII) of 19 December 1967,

*Bearing in mind* its resolution 65/118 of 10 December 2010 on the fiftieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples, reiterating its view that it is incumbent on the United Nations to continue to play an active role in the process of decolonization, and noting that the process of decolonization is not yet complete,

*Recalling* its resolution 65/119 of 10 December 2010, in which it declared the period 2011–2020 the Third International Decade for the Eradication of Colonialism, and its resolution 71/122 of 6 December 2016, in which it called for the immediate and full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,



*Noting* the resolutions on the Chagos Archipelago adopted by the Organization of African Unity and the African Union since 1980, most recently at the twenty-eighth ordinary session of the Assembly of the Union, held in Addis Ababa on 30 and 31 January 2017, and the resolutions on the Chagos Archipelago adopted by the Movement of Non-Aligned Countries since 1983, most recently at the Seventeenth Conference of Heads of State or Government of Non-Aligned Countries, held on Margarita Island, Bolivarian Republic of Venezuela, from 13 to 18 September 2016, and in particular the deep concern expressed therein at the forcible removal by the United Kingdom of Great Britain and Northern Ireland of all the inhabitants of the Chagos Archipelago,

*Noting also* its decision of 16 September 2016 to include in the agenda of its seventy-first session the item entitled “Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965”, on the understanding that there would be no consideration of this item before June 2017,

*Decides*, in accordance with Article 96 of the Charter of the United Nations, to request the International Court of Justice, pursuant to Article 65 of the Statute of the Court, to render an advisory opinion on the following questions:

(a) “Was the process of decolonization of Mauritius lawfully completed when Mauritius was granted independence in 1968, following the separation of the Chagos Archipelago from Mauritius and having regard to international law, including obligations reflected in General Assembly resolutions 1514 (XV) of 14 December 1960, 2066 (XX) of 16 December 1965, 2232 (XXI) of 20 December 1966 and 2357 (XXII) of 19 December 1967?”;

(b) “What are the consequences under international law, including obligations reflected in the above-mentioned resolutions, arising from the continued administration by the United Kingdom of Great Britain and Northern Ireland of the Chagos Archipelago, including with respect to the inability of Mauritius to implement a programme for the resettlement on the Chagos Archipelago of its nationals, in particular those of Chagossian origin?”.

*88th plenary meeting  
22 June 2017*