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Chair: Mr. Danon (Israel)
later: Mr. Katota (Vice-Chair) (Zambia)
later: Mr. Danon (Chair) (Israel)

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

Statement by the Legal Counsel

1. **Mr. de Serpa Soares** (Under-Secretary-General for Legal Affairs, the Legal Counsel), speaking on behalf of the Secretary-General, said that he wished all participants in the Sixth Committee's work a successful continuation and completion of the session. While they represented the diverse and rich legal traditions of their own countries, they all spoke the common language of international law, forming a community of international lawyers working tirelessly to reach the goal of peace through law.

2. In the 70 years since it began its work, the Sixth Committee had progressively developed and codified international law in diverse domains. Its debates in the 1960s and 1970s had accompanied the evolution of a veritable international development law, culminating in the 2030 Agenda for Sustainable Development, in which the intersection between law and development was made manifest. In 2006, with the inclusion of the topic "The rule of law at the international and national levels", the Sixth Committee had revealed its vision of the rule of law as an indispensable foundation of a more peaceful, prosperous and just world.

3. As the current quinquennium of the International Law Commission drew to a close, the Commission should be commended for its dedicated work and indispensable contribution to the progressive development of international law and its codification. The articles on the responsibility of States for internationally wrongful acts, which had first been commended to the attention of Governments in 2001, had become an essential tool used by international courts and tribunals in the peaceful settlement of international disputes. The General Assembly, in its resolution 68/104, had called on the Sixth Committee, during its present session, to further examine, with a view to taking a decision, the question of a convention on responsibility of States for internationally wrongful acts or other appropriate action on the basis of the articles. On many other items on the Committee's agenda that had been supported by the work of the International Law Commission, further action by the Committee during the present session, including recommendations on the final form of draft articles and draft principles, could make a substantial impact on the

progressive development of international law and its codification.

4. On items such as the criminal accountability of United Nations officials and experts on mission and the scope and application of the principle of universal jurisdiction, he hoped that, despite existing differences, the Committee's work would provide impetus towards achieving progress. While negotiations on the draft comprehensive convention on measures to eliminate international terrorism had been challenging, he was convinced that the Committee could muster the resolve to complete the task. As the past year had sadly shown, terrorism remained one of the most serious threats to the maintenance of international peace and security.

5. Given the Committee's challenging agenda, the Office of Legal Affairs would provide it with all necessary support. He looked forward to working with the Committee in promoting international law as the foundation of a peaceful, secure and prosperous international community.

Agenda item 76: Report of the United Nations Commission on International Trade Law on the work of its forty-ninth session (continued) (A/71/17)

6. **Mr. Horna** (Peru) said that since most of the businesses in Peru were small enterprises, the Government welcomed the attention given by Working Group I (Micro, Small and Medium-sized Enterprises (MSMEs)) to the legal questions surrounding the creation of a simplified business entity. Working Groups III (Online Dispute Resolution) and VI (Security Interests) had made substantial progress with their projects: elaborating a non-binding descriptive document reflecting elements of an online dispute resolution process and preparing the UNCITRAL Model Law on Secured Transactions. Concerning the efforts by Working Group IV (Electronic Commerce) to prepare a Model Law on Electronic Transferable Records, he recalled that Peru was willing to share its own experience in that area. Given the recent rise in private investment in Peruvian infrastructure, his Government considered the creation of a new working group on public-private partnerships to be of particular interest.

7. **Ms. Wahhab** (Canada) said that her Government welcomed the completion of the Commission's work on secured transactions and organizing arbitral

proceedings and noted with appreciation the progress made on insolvency law. In relation to the enforcement of insolvency-related judgements, the work of the Hague Conference on Private International Law on enforcement of civil and commercial judgements should be followed closely, to avoid any incompatibility between the texts to be developed by the two bodies. The progress made towards preparing a legal instrument on enforcement of settlement agreements resulting from international commercial mediation sent a useful message to the business community regarding the importance of conciliation or mediation in resolving cross-border commercial disputes. In the field of electronic commerce, Canada continued to support work that had practical applications to real problems faced by commercial interests, particularly about cloud computing services.

8. **Ms. Kalb** (Austria) said that in 2016, the Commission had finalized and adopted the UNCITRAL Model Law on Secured Transactions, a product of due deliberations with stakeholders. It had also adopted a revision to the UNCITRAL Notes on Organizing Arbitral Proceedings and had finalized and adopted the UNCITRAL Technical Notes on Online Dispute Resolution. Her delegation commended the Commission for the progress made in those and other areas, such as micro, small and medium-sized enterprises, arbitration and conciliation, electronic commerce and insolvency law.

9. The Commission played an important role in support of the rule of law at the national and international levels. The panel discussion held during the forty-ninth session of UNCITRAL on its role in the implementation of international treaties had highlighted its strengths, including in treaty implementation relevant to promotion of the rule of law in commercial relations. In addition, the panel had addressed practical measures to facilitate access to justice in commercial law contexts and had highlighted the Commission's role in facilitating the resolution of disputes in an electronic commerce environment.

10. Her delegation recognized the need to strengthen support to Member States, upon their request, in the domestic implementation of their international obligations through enhanced technical assistance and capacity-building. In concluding, she said that Austria continued to attach the highest importance to the work

of UNCITRAL. It would continue to support the Commission and its Vienna-based secretariat, including through regular contributions to the Commission's trust fund for travel assistance to delegates from developing countries.

11. **Mr. Sawada** (Japan) said that Japan understood the importance of reducing legal obstacles faced by micro, small and medium-sized enterprises throughout their life cycle, particularly in developing economies. Working Group II (Online Dispute Resolution) was tackling challenging topics relating to the enforceability of settlement agreements; his delegation hoped it would continue to examine those topics, particularly the need for coordination with existing legislation in individual States. He trusted that the finalization and adoption of the UNCITRAL Technical Notes on Online Dispute Resolution would foster the development of online dispute resolution and assist the relevant administrators, platforms, neutrals and parties to proceedings. He congratulated UNCITRAL on the progress made in its work on electronic commerce, insolvency law and secured transactions. In conclusion, he expressed his Government's appreciation to the Commission for its promotion of the progressive harmonization and unification of international commercial law. Japan had been a member of the Commission since its inception and would continue to participate actively in its work.

12. **Mr. Stephen** (United Kingdom) said that his country had participated in Working Group I and supported its work to develop standards that would reduce the legal obstacles faced by small businesses. It had likewise participated in the activities of Working Group II and recognized that the enforcement of international commercial settlement agreements was an issue of concern to several member States. For many, however, the need for an instrument in that area had not yet been proved. As for Working Group IV, he said that the United Kingdom continued to support verified electronic identity and strong authentication in online digital transactions supporting international trade. Digital identity remained a significant concern internationally. Adopting standards for the verification and authentication of identity and ensuring interoperability between national electronic identity schemes was crucial to international trade. Any work produced by Working Group IV in that regard should provide a framework for international digital identity

interoperability without mandating a specific technical approach.

13. Working Group V (Insolvency Law) had made good progress in the development of model law provisions for multinational enterprise group insolvency and the recognition and enforcement of insolvency-related judgements and had made further refinements to the draft legislative guidance on the obligations of directors of enterprise group companies in the period approaching insolvency.

14. The United Kingdom had been pleased to participate in the final session of Working Group VI, during which the Model Law on Secured Transactions had been finalized. That important text could be of great assistance to States, particularly developing economies, in reforming their secured transactions law and thereby unlocking more plentiful and cheaper credit.

15. **Ms. Ben Avraham** (Israel) said that her country, an UNCITRAL member since 2004 whose membership had recently been renewed until 2022, remained highly appreciative of the Commission, which made an invaluable contribution to the development of international trade law. She welcomed the adoption of the updated 2016 UNCITRAL Notes on Organizing Arbitral Proceedings and reiterated her delegation's commitment to the work currently being undertaken by Working Group II, which she hoped would lead to a convention for the enforcement of international commercial settlement agreements resulting from conciliation. Such an instrument could provide for a significantly less costly dispute resolution process for cross-border transactions and promote the use of conciliation as a useful alternative dispute resolution mechanism on a global scale.

16. Her delegation likewise welcomed the adoption of the UNCITRAL Technical Notes on Online Dispute Resolution, the product of lengthy and challenging deliberations within Working Group III and of efforts by States and other stakeholders to finalize a comprehensive text within the time frame that had been allotted. The Notes provided an important starting point for the resolution of global disputes concerning high-volume, low-value transactions. However, they must now be endowed with additional visibility so that merchants and buyers, and especially consumers, could benefit from them. For that reason, the General

Assembly and States should formally endorse them, and private parties should be encouraged to promote their use.

17. **Mr. Celarie Landaverde** (El Salvador) said that each of the UNCITRAL working groups had made excellent progress in their respective fields of endeavour, making a valuable contribution to the codification and progressive modernization of international trade law. Working Groups II and VI deserved to be commended for the adoption of the UNCITRAL Notes on Organizing Arbitral Proceedings and the UNCITRAL Model Law on Secured Transactions, respectively. The Commission's composition and working methods ensured that the various geographical regions and principal economic and legal systems were represented. The success of the Commission's efforts was linked to that inclusive structure, which enabled all countries, including developing countries, to learn from practices used in the various legal systems worldwide and thereby to promote the development of international trade. The adoption of the texts prepared by UNCITRAL opened opportunities for countries like El Salvador to modernize their international trade practices and to establish a legal framework for greater participation in international trade activities.

18. **Ms. Thitthongkham** (Thailand) said that, in view of the important role that UNCITRAL played in helping developing countries revise and reform their domestic legislation to accommodate modern international commerce, Thailand would support its future work and share best practices with other members of the Commission. Its accomplishments over the past year, including the adoption of the UNCITRAL Model Law on Secured Transactions, the revised UNCITRAL Notes on Organizing Arbitral Proceedings and the UNCITRAL Technical Notes on Online Dispute Resolution, were both timely and of great relevance for the modernization of international trade law regimes. Thailand particularly welcomed the adoption of the last-mentioned instrument, which contained principles that had shaped its own development of a regulatory framework for online dispute resolution.

19. Her country had cooperated closely with the UNCITRAL Regional Centre for Asia and the Pacific in raising awareness of the Commission's activities in

that region. With regard to future work, she said that the development of international norms and guidelines on investor-State dispute settlement mechanisms, identity management and cloud computing would greatly contribute to the growth of international trade and investment and to promoting the rule of law in commercial relations. In view of the new forms of international commercial activities and the integration of information technology in business transactions, the Commission's work on the modernization and harmonization of international trade law had become more important now than ever before.

20. **Ms. Pierce** (United States of America) said that her Government welcomed the adoption, after years of work, of the UNCITRAL Model Law on Secured Transactions. Lack of access to credit was the main obstacle to growth for micro, small and medium-sized enterprises. Secured transaction reform was one of the most crucial steps that Governments could take to help small businesses prosper. The United States was pleased that the long-standing project of the UNCITRAL Technical Notes on Online Dispute Resolution had come to a successful conclusion. Online dispute resolution was essential to enhancing access to justice and promoting cross-border commerce. It could be particularly helpful to small businesses that lacked access to cost-effective dispute resolution remedies.

21. Her delegation hoped that the Commission's ongoing efforts relating to the recognition and enforcement of conciliated settlement agreements would soon result in a convention that could help to promote the use of conciliation internationally, in the same way that the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York Convention) had helped to promote the use of arbitration. Her delegation welcomed the fact that UNCITRAL was completing work on a model law to facilitate the use of electronic transferable records and was considering work on identity management and cloud computing, all of which were timely and important topics.

22. On other topics, UNCITRAL was continuing its efforts to develop legal instruments to help States encourage the growth of micro, small, and medium-sized enterprises, starting with the issue of simplified registration and incorporation. As the UNCITRAL

secretariat had pointed out, 90 per cent of such enterprises in developing countries operated in the informal sector, despite the need for formal legal status to enter into contracts and to obtain broader access to credit. Work was also continuing on insolvency issues and the recognition and enforcement of insolvency-related judgements. The United States believed that all those projects had the potential to result in instruments that significantly advanced international commercial law. To enhance the effectiveness of those efforts, however, UNCITRAL needed broad participation in all its working groups, so that the resulting instruments would meet the needs of countries from all regions and legal cultures. The United States had taken steps towards becoming a party to three conventions negotiated by UNCITRAL: the United Nations Convention on the Assignment of Receivables in International Trade, the United Nations Convention on Independent Guarantees and Stand-by Letters of Credit and the United Nations Convention on the Use of Electronic Communications in International Contracts.

23. **Mr. Yang Jaiho** (Republic of Korea) said that the UNCITRAL Model Law on Secured Transactions was expected to play a significant role in increasing the availability of secured credit across national borders, thus facilitating the development of international trade. It would also provide comprehensive guidance to States that were considering the modernization of their legislation on secured transactions. Working Group VI should complete the draft Guide to Enactment for adoption in 2017; it had the potential to facilitate a better understanding of each provision by States when they were considering its implementation. His delegation welcomed the adoption of the 2016 UNCITRAL Notes on Organizing Arbitral Proceedings and the UNCITRAL Technical Notes on Online Dispute Resolution and commended the Commission for the progress achieved in fields such as micro, small and medium-sized enterprises, arbitration and conciliation, electronic commerce and insolvency law.

24. There was a strong need to increase awareness in relevant United Nations bodies and the public of the important role of UNCITRAL. His delegation welcomed the various activities of the UNCITRAL Regional Centre for Asia and the Pacific, which were undertaken with a view to providing capacity-building and technical assistance for States in the region and support for public, private and civil society initiatives

to enhance international trade and development. His Government would continue to support the operation of the Regional Centre and would provide the services of a legal expert for technical cooperation and assistance. The globalized and interconnected economy called more than ever for enhanced transparency and predictability and the forging of increased cooperation in international society, endeavours in which UNCITRAL could and should take a leading role.

25. *Mr. Katota (Zambia), Vice-Chair, took the Chair.*

26. **Mr. Sevilla Borja** (Ecuador) said that major advances had been made in developing and harmonizing international trade law, but common efforts were needed in order to advance further in that field. His delegation supported the proposal to include the reform of the investor-State dispute settlement system in the future work of UNCITRAL. Such reform was necessary because of growing criticism of the existing international system of investor-State arbitration concerning such issues as lack of accountability of the arbitrators, lack of transparency of the procedure and the absence of consistency in the jurisprudence. Ecuador was committed to working with other member States within UNCITRAL on the reform of the international arbitration system. Among other elements that could be discussed in the reform process were the design of a permanent investment tribunal to replace the ad hoc arrangements currently made for each case and the creation of an appeal mechanism.

27. **Mr. Rao** (India), commending the Commission on the finalization and adoption of the UNCITRAL Model Law on Secured Transactions, said that if States harmonized their national laws based on that text, it would increase the availability of secured credit across national borders and contribute to the development of international trade. He welcomed the mandate given to Working Group VI to submit a draft Guide to Enactment of the Model Law, which would encourage States to consider incorporating the model law provisions into their laws on secured transactions. The UNCITRAL Technical Notes on Online Dispute Resolution represented yet another important instrument, whose purpose was to provide for simple, fast and flexible online dispute resolution without the need for the physical presence of the parties and to ensure impartiality, independence, due process and neutrality. A third important document adopted by the

Commission was the 2016 UNCITRAL Notes on Organizing Arbitral Proceedings, which were intended to be used regardless of whether or not the arbitration was administered by an arbitral institution.

28. India welcomed the fact that the Commission had three topics on its agenda for future consideration: concurrent proceedings, a code of conduct or ethics for arbitrators and reform of the investor-State dispute settlement system. On the last-mentioned topic, he recalled that a lack of consistency and transparency in arbitral proceedings, allegations of lack of impartiality and accountability and the perception that individuals were interchangeably acting as arbitrators and counsels had led to calls for reform. India welcomed the extension, through the end of 2017, of the pilot project whereby the UNCITRAL secretariat fulfilled the role of transparency repository.

29. In view of the importance of technical cooperation and assistance to the developing countries in the adaptation and use at the national level of texts adopted by the Commission, his delegation encouraged the secretariat to continue to provide such assistance to the broadest extent possible and to improve its outreach, especially to the developing countries. India was to host the congress to commemorate the Commission's fiftieth anniversary, one of the objectives of which was to raise awareness of the Commission's potential to support cross-border commerce. The congress would bring together lawyers and scholars from different regions and legal systems to discuss the role of UNCITRAL in strengthening international trade law.

30. **Mr. Varankov** (Belarus) said that the revised UNCITRAL Notes on Organizing Arbitral Proceedings reflected new trends in arbitral practice and contained practical recommendations that would be useful not only for arbitral institutions but also for participants in arbitration. The revised Notes were of great importance for business enterprises, too, since they made the general approach to organizing arbitration more transparent and understandable.

31. Belarus welcomed the completion of the work on the UNCITRAL Model Law on Secured Transactions. The harmonization of approaches to the regulation of such transactions offered advantages such as greater availability of credits and reduction in document flows and transaction costs. His delegation was glad to see

that the Model Law reflected the best practices of States with differing financial systems and could be successfully used in Belarus for the improvement of national legislation. Now that the Model Law had been adopted, the priorities of Working Group VI should include completion of the draft Guide to Enactment.

32. His delegation welcomed the adoption of the Technical Notes on Online Dispute Resolution, as a response to the sharp increase of online cross-border transactions. Online dispute resolution encompassed a broad range of approaches as well as hybrid processes comprising both online and offline elements. It could provide a simple, cost-effective alternative to traditional approaches to dispute resolution and offered significant opportunities for access to dispute resolution by buyers and sellers concluding cross-border commercial transactions, in both developed and developing countries.

33. The database of case law on UNCITRAL texts (CLOUT) was an effective and user-friendly instrument for the exchange of best practices and dissemination of information. In the past year, the Belarusian national correspondent had sent for inclusion in the database information on 10 cases that the International Court of Arbitration at the Belarusian Chamber of Commerce and Industry had considered in connection with the Protocol of 11 April 1980 to the United Nations Convention on Contracts for the International Sale and Purchase of Goods. His delegation welcomed the granting by UNCITRAL of observer status to the International Court of Arbitration at the Belarusian Chamber of Commerce and Industry, something that would enhance equitable geographical representation within UNCITRAL and promote expert contributions to the work of Working Group II (Arbitration and Conciliation).

34. Concerning the Commission's future work, his delegation fully supported the decision to retain the topics of concurrent proceedings, a code of ethics or conduct for arbitrators and public-private partnerships. It should be noted that the important role of UNCITRAL in promoting the rule of law at the national and international levels was facilitated by its proactive and depoliticized nature, something which could serve as an example for other bodies of the United Nations system.

35. **Mr. Medina Mejías** (Bolivarian Republic of Venezuela) said that the CLOUT system provided a user-friendly interface for precise and rapid searches for information on court rulings and arbitral awards connected with UNCITRAL texts. In the past 30 years, the number of treaties for the protection of foreign investments had grown exponentially, with grave consequences for many States. Foreign investors had used such treaties to make or threaten to make enormous demands. The problem was exacerbated by a new trend towards mega-awards that could easily bankrupt small States.

36. Many countries were calling for a thorough reform of the current investor-State dispute settlement system. His delegation advocated the creation of regional investment courts and an international appeals court to harmonize case law and ensure proper interpretation of the relevant international law. The existing system undermined national sovereignty, trade and development, allowing for abuses such as vulture funds, treaty shopping and decisions having no basis in public international law. In view of the system's many defects, the topic of its reform must be included in the future work programme of UNCITRAL. Lastly, adequate funding must be provided to the UNCITRAL secretariat so that the Commission could continue and expand its work, in view of the growing importance of international trade and the rapid pace of globalization.

37. *Mr. Danon (Israel) resumed the Chair.*

38. **Mr. Monthe** (Cameroon) said that his delegation welcomed the adoption at the forty-ninth session of UNCITRAL of three new instruments for the harmonization and modernization of international trade law. The purpose of the UNCITRAL Model Law on Secured Transactions was to facilitate access to credit and reduce associated costs, including for the benefit of small and medium-sized enterprises, particularly in the developing countries. The Technical Notes on Online Dispute Resolution were aimed at harmonizing the growing practice in an area of concern to professionals and consumers alike. The revised version of the UNCITRAL Notes on Organizing Arbitral Proceedings was aimed at promoting best practices in arbitration, including when it involved practitioners who lacked legal qualifications.

39. Also at the most recent session, the Commission had endorsed a draft guidance note on strengthening

United Nations support to States, upon their request, to implement sound commercial law reforms. The Commission had noted the extensive programme of technical assistance conducted by the secretariat with a view to realizing, through legal reforms, the Commission's recommendations on legislative policy. His own country had recently organized a side event with the goal of highlighting what was being done in the African region to harmonize international trade law by strengthening legal infrastructure. The specific features of African countries and the new efforts they were making in several areas of trade law deserved to be made known to other countries. He hoped that, as in the Asia and Pacific region, a structure could be set up in the African region to enhance the cooperation between UNCITRAL and African countries.

40. **Mr. Douanjni** (Chair of the United Nations Commission on International Trade Law) thanked delegations for their encouraging comments and stressed the commitment of UNCITRAL and its secretariat to continue working for the development of international trade.

General statements on requests for observer status

41. **Ms. Diéguez La O** (Cuba) said that the criteria set out in General Assembly decision 49/426 must be strictly applied in the granting of observer status in the General Assembly. Such status must be granted solely to intergovernmental organizations whose activities covered matters of interest to the Assembly. The matter was not a mere formality, and the procedures for analysing each request for such status must be fulfilled. It was not possible to decide whether to grant an organization such status unless a copy of its constitutive instruments and information on its objectives and membership were available. The discussion of such matters and the application of the relevant decisions should take place at a meeting specifically designated for that purpose, as was the case at present. She thanked the Secretariat for organizing the discussion of all requests for observer status at the current meeting, as her delegation had been suggesting for years. She reiterated the call for all organizations that submitted requests for observer status to meet the criteria outlined in the relevant decision.

Agenda item 166: Observer status for the Cooperation Council of Turkic-speaking States in the General Assembly (A/66/141; A/C.6/71/L.2)

Draft resolution A/C.6/71/L.2: Observer status for the Cooperation Council of Turkic-speaking States in the General Assembly

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

43. *It was so decided.*

Agenda item 167: Observer status for the Eurasian Economic Union in the General Assembly (A/70/141; A/C.6/71/L.9)

Draft resolution A/C.6/71/L.9: Observer status for the Eurasian Economic Union in the General Assembly

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

45. *It was so decided.*

Agenda item 168: Observer status for the Community of Democracies in the General Assembly (A/70/142; A/C.6/71/L.3)

Draft resolution A/C.6/71/L.3: Observer status for the Community of Democracies in the General Assembly

46. **The Chair** recalled that, at its seventieth session, the General Assembly had decided to defer to the current session a decision on the request for observer status for the Community of Democracies in the General Assembly (General Assembly decision 70/525). If he heard no objection, he would take it that

the Committee wished to recommend that the General Assembly defer to the seventy-second session a decision on the request.

47. *It was so decided.*

48. **Ms. Diéguez La O** (Cuba) said that although Cuba had joined the consensus on deferring a decision on the request for observer status, it wished to recall that at the seventieth session it had drawn attention to the failure on the part of the Community of Democracies to fulfil the requisite criteria laid down in General Assembly decision 49/426 and to its politically motivated actions against sovereign States Members of the United Nations. It would be a very adverse precedent for the General Assembly to grant observer status to that organization, and the item should be definitively withdrawn from the agenda of the Sixth Committee.

49. **Ms. Argüello González** (Nicaragua) said that her delegation had joined the consensus on deferring the decision until the seventy-second session of the General Assembly but wished to recall that observer status could not be granted unless the criteria laid down in General Assembly decision 49/426 were fulfilled. The organization in question had not submitted its founding document, without which it was impossible to determine or confirm its intergovernmental character. Observer status should be granted only to intergovernmental organizations whose activities covered matters of interest to the General Assembly. It would be a bad precedent to grant such status to an organization whose membership included youth organizations, civil society and the private sector, and consequently was not intergovernmental.

50. **Mr. Remaoun** (Algeria) said he agreed that the organization had not fulfilled the criteria set out in General Assembly decision 49/426. The situation was unlikely to change in the future, and therefore the request for observer status would be difficult to accept.

Agenda item 169: Observer status for the International Conference of Asian Political Parties in the General Assembly (A/70/194; A/C.6/71/L.4)

Draft resolution A/C.6/71/L.4: Observer status for the International Conference of Asian Political Parties in the General Assembly

51. **The Chair** recalled that, at its seventieth session, the General Assembly had decided to defer to the current session a decision on the request for observer status for the International Conference of Asian Political Parties in the General Assembly (General Assembly decision 70/526).

52. **Mr. Hahn** Chonghee (Republic of Korea), introducing draft resolution [A/C.6/71/L.4](#), said that Australia, Indonesia, Lebanon and Malaysia had become sponsors. The International Conference of Asian Political Parties (ICAPP) represented over 350 political parties in 55 countries in Asia and, since its inception in 2000, had become a positive political force for mutual understanding among Asian countries and peoples. It was a network of both ruling and opposition political parties which engaged substantively in the activities of government. The Conference could thus be characterized as a quasi-intergovernmental organization, starkly different from other NGOs.

53. As for its purposes and activities, he said that ICAPP had convened special conferences and workshops on key global issues such as poverty alleviation, environmental degradation, natural disasters, women's empowerment, human trafficking, green development, regional economic cooperation and prevention of corruption. In April 2016, it had hosted the first trilateral conference among political parties in Asia, Africa and Latin America, at which the participants had identified poverty and environmental degradation as the two most serious common challenges and agreed to work towards launching a global forum of political parties. ICAPP substantially and sufficiently met the criteria for granting observer status in the General Assembly. His delegation called upon members of the Committee to consider its application for observer status in a positive and forward-looking way.

54. **Ms. Samarasinghe** (Sri Lanka) said that since ICAPP had been launched in 2000, it had endeavoured to promote political cooperation and serve as a framework for building bridges and networks of mutual benefit among mainstream political parties in Asia, both ruling and in opposition. The essential role of parliaments in the implementation of the 2030 Agenda for Sustainable Development, and thus of the political parties that made up national parliaments,

could not be overemphasized. ICAPP had been a staunch and steady supporter of the United Nations; its own charter declared its unequivocal commitment to the principles and purposes of the Charter of the United Nations. She urged members of the Committee to support the draft resolution on granting observer status in the General Assembly to the International Conference of Asian Political Parties.

55. **Mr. Tuy** (Cambodia) said that the increased participation of political parties representing grassroots voices would translate into effective implementation of the 2030 Agenda. As an extensive network of Asian political parties that had close relations with political parties in other regions, ICAPP was well situated to contribute in that regard. Granting it observer status in the General Assembly would allow it to align its activities with the goals of the United Nations. Consensus on the question had nearly been achieved the previous year and he hoped it would be reached at the current session.

56. **Mr. Hitti** (Lebanon) said that Lebanon supported the draft resolution requesting observer status in the General Assembly for the International Conference of Asian Political Parties. Its activities contributed to the advancement of the purposes of the United Nations and covered matters of interest to the General Assembly. The Conference could meaningfully contribute to the implementation of the 2030 Agenda, which referred to the involvement of all stakeholders in all countries acting in a collaborative partnership. ICAPP perfectly exemplified the collaborative approach needed, and his delegation hoped that its request for observer status would result in a positive outcome.

57. **Mr. Bailen** (Philippines) said that ICAPP could be an effective and efficient channel between the General Assembly and governments in Asia. Its members played an important role in promoting and consolidating emerging democracies and had been working closely together in areas like environmental protection, natural disasters and poverty alleviation, all of which were priorities for the General Assembly. The Conference satisfied the criteria set out in General Assembly resolution 49/426: its members were government officials and members of parliament, thus giving the organization an intergovernmental character. The Philippines called on the Committee to consider the request in order finally to give it due course.

58. **Ms. Zeytinoglu Özkan** (Turkey) said that her delegation would be able to support a consensus on the request of the International Conference of Asian Political Parties for observer status in the General Assembly.

59. **Mr. Medina Mejías** (Bolivarian Republic of Venezuela) said that General Assembly decision 49/426 had indicated that observer status should be granted only to States and intergovernmental organizations whose activities covered issues of interest to the Assembly. The International Conference was a well-respected political organization that, regrettably, did not comply with the requirements of the decision, because it was not intergovernmental. Therefore, his delegation could not recommend granting observer status to the Conference, to which, nevertheless, it expressed utmost appreciation for its work.

60. **Mr. Musikhin** (Russian Federation) said that there was no doubt that the sphere of activity of the Conference was of great interest to the General Assembly. However, his delegation agreed with the previous speaker that the Conference did not correspond to one of the most important criteria for receiving the status of observer set out in decision 49/426: the organization must have an intergovernmental character. The Russian Federation based its position on the need to fully respect the conditions set by the General Assembly.

61. **Mr. Kabir** (Bangladesh) said that ICAPP provided a platform for diverse political parties to exchange views concerning their respective commitments and contributions to promoting democracy based on pluralism, tolerance and diversity in their respective national contexts. It also gave an opportunity for political parties to build a rapport among themselves on possible areas of cooperation and to exchange experiences for making valuable contributions to implementing the internationally agreed development goals. Bangladesh was committed to supporting its work and therefore saw merit in allowing it to attain observer status in the General Assembly.

62. **Mr. Al Arsan** (Syrian Arab Republic) said that his delegation was not in favour of granting observer status to ICAPP because the relevant criteria had not been met. The Conference's activities had not been shown to promote the objectives of the United Nations,

and it did not have an intergovernmental character. The item should be removed from the Sixth Committee's agenda because of lack of consensus.

63. **Mr. Garshasbi** (Islamic Republic of Iran) said that ICAPP had become a positive political force for mutual understanding among Asian countries and peoples. Its declared purpose was to contribute to the work of the United Nations and to be consistent with the principles and objectives of the United Nations while pursuing its own goals of building an Asian community through permanent peace and shared prosperity. Its participation in the work of the General Assembly would contribute to efforts to uphold the purposes and principles of the Charter. His delegation supported the participation of ICAPP in the proceedings of the General Assembly sessions in the capacity of observer.

Agenda item 170: Observer status for the Conference of Ministers of Justice of the Ibero-American Countries in the General Assembly (A/71/191; A/C.6/71/L.5)

Draft resolution A/C.6/71/L.5: Observer status for the Conference of Ministers of Justice of the Ibero-American Countries in the General Assembly

64. **Ms. Palacios Palacios** (Spain), introducing draft resolution [A/C.6/71/L.4](#), said that El Salvador had become a sponsor. The draft resolution was accompanied by supporting information, including a constituent agreement and headquarters agreement, which attested to the status of the Conference of Ministers of Justice of the Ibero-American Countries (COMJIB) as an intergovernmental organization. The Conference was open to all States members of the Ibero-American Community, represented by their Ministers of Justice or their equivalents. It helped to promote a common body of law and legal security in the region by maintaining a dialogue with all judicial institutions in its member States.

65. Its substantive priorities were the fight against transnational organized crime, the reform of prison systems, the modernization of the administration of justice, access to justice and the prevention of violence and crime. It aimed to consolidate an interconnected Ibero-American legal space, with justice indicators and targets. The Conference was a key player in the development of regional initiatives in the areas of

justice and security, with the capacity to provide technical and operational support to United Nations departments, programmes and agencies. For those reasons, her delegation requested the Sixth Committee to support the draft resolution before it.

66. **Mr. Horna** (Peru) said that his delegation supported the granting of observer status in the General Assembly to the Conference of Ministers of Justice of the Ibero-American Countries. The Conference was an intergovernmental organization made up of the States members of the Ibero-American Community. Its objective was to improve justice in the region by promoting the development of public policies that could be applied by member States and by forging regional and subregional alliances. Its work involved judicial reform, access to justice, new technologies, combating gender violence and transnational organized crime, and international judicial cooperation. Peru was convinced that cooperation between the United Nations and the Conference of Ministers of Justice of the Ibero-American Countries would reinforce the objective of promoting justice at the international level.

Agenda item 171: Observer status for the International Youth Organization for Ibero-America in the General Assembly (A/71/192; A/C.6/71/L.6)

Draft resolution A/C.6/71/L.6: Observer status for the International Youth Organization for Ibero-America in the General Assembly

67. **Ms. Palacios Palacios** (Spain), introducing draft resolution [A/C.6/71/L.6](#), said that Argentina, the Dominican Republic and El Salvador had become sponsors. The draft resolution was accompanied by supporting information, including the founding agreement, which attested to the status of the International Youth Organization for Ibero-America as an intergovernmental organization. The only public international youth organization in the world, it had spearheaded the drafting of the first international treaty on the protection of the rights of youth, the Ibero-American Convention on Youth Rights. It worked to formulate and implement public policies, opening channels of participation to include young people in decision-making and promote their role in social transformation processes.

68. It likewise worked to produce and disseminate knowledge and to create synergies between various social actors in order to promote regional cooperation initiatives and greater linkages with the international organizations, agencies and programmes of the United Nations system, development banks, civil society organizations and other stakeholders in Ibero-America. Its work thus reflected the principles and values proposed by the United Nations, especially with regard to attaining and guaranteeing rights within democratic and cohesive societies, from the standpoint of a comprehensive approach to youth. She requested the Sixth Committee to support the draft resolution before it.

69. **Mr. Horna** (Peru) said that his delegation supported the granting of observer status in the General Assembly to the International Youth Organization for Ibero-America. Its work was fully in line with the 2030 Agenda, which called for young people to be agents for change; as the Secretary-General had said, they were part of a worldwide impetus to break with the past and place the world on a path towards more sustainable development.

70. **Ms. Cerrato** (Honduras) said that her country was a member of the International Youth Organization for Ibero-America and supported its request for observer status, which would enable the organization to increase the frequency of deliberations on youth affairs and help sharpen the focus on the integral role of youth in the implementation of the 2030 Agenda for Sustainable Development. Honduras called on all delegations to support the request, in view of the valuable contribution made by Ibero-American youth to the design of initiatives that promoted the objectives of the United Nations.

Agenda item 172: Observer status for the Pacific Islands Development Forum in the General Assembly (A/71/231; A/C.6/71/L.8)

Draft resolution A/C.6/71/L.8: Observer status for the Pacific Islands Development Forum in the General Assembly

71. **Mr. Bai** (Fiji), introducing draft resolution [A/C.6/71/L.8](#), said that Sri Lanka and Tonga had become sponsors. The Pacific Islands Development Forum was a South-South platform for action on the green economy, a bold attempt to address the issues of

sustainable development through a structured and inclusive approach. It worked to empower the people of the Pacific as primary stakeholders in their development and to enable them to make joint decisions about its outcome. The Forum was an intergovernmental organization, created to focus on green and blue economies and on building island resilience to climate change and poverty eradication. Pacific islanders had long felt a sense of disconnect between the work carried out in the United Nations and that being done in the region. Most of the countries had been left behind in the implementation of the Millennium Development Goals, and the same must not be allowed to happen with the Sustainable Development Goals. The request for observer would address the root cause of the disconnect, bridging a critical gap to allow for a more integrated approach, and promoting the realization of meaningful sustainable development for all the people of the Pacific.

72. **Ms. Betham-Malielegaoi** (Samoa) said that although Samoa was part of the group of Pacific small island developing States, it was not a member of the Pacific Islands Development Forum. Referring to the background information provided with the draft resolution ([A/71/231](#), annex 1), which stated that the Forum was the regional counterpoint for the permanent missions of Pacific small island developing States to the United Nations in New York, she emphasized that the Forum represented only those small island developing States with permanent missions to the United Nations in New York.

73. **Mr. Hufanen Rai** (Papua New Guinea) said that his Government recognized the importance of regional and subregional organizations working within the United Nations to articulate issues of mutual interest. Papua New Guinea was not a member of the Pacific Islands Development Forum. It fully supported the Pacific Islands Forum, which was the pre-eminent Pacific regional organization and had been granted observer status in the General Assembly in 1995. His delegation would not, however, stand in the way of the Sixth Committee's favourable consideration, if it so wished, of the request for observer status by the Pacific Islands Development Forum.

74. **Ms. Zeytinoglu Özkan** (Turkey) said that her country was a foundational partner of the Pacific Islands Development Forum and would support a consensus that might be reached on its request for observer status in the General Assembly.

The meeting rose at 1 p.m.