



# General Assembly

Seventy-sixth session

**23**<sup>rd</sup> plenary meeting  
Thursday, 28 October 2021, 3 p.m.  
New York

Official Records

*President:* Mr. Shahid ..... (Maldives)

*In the absence of the President, Mr. Blanco Conde (Dominican Republic), Vice-President, took the Chair.*

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

## Agenda item 76 (continued)

### Report of the International Court of Justice

(a) Report of the International Court of Justice (A/76/4)

(b) Report of the Secretary-General (A/76/196)

(c) Note by the Secretariat (A/76/431)

**Mr. Jiménez** (Nicaragua) (*spoke in Spanish*): I would like to congratulate the President of the General Assembly on his election and to associate myself with the statement made by the representative of Azerbaijan on behalf of the Movement of Non-Aligned Countries (see A/76/PV.22).

Nicaragua thanks the President of the International Court of Justice for her detailed report (A/76/4), which shows that the workload of the principal judicial organ of the Organization has increased despite the global effects of the pandemic. In the period covered by the report, the Court issued nine orders, held four public hearings and delivered four judgments, all within the approved budget for the period in question. With regard to the budgetary issue, the delegation of Nicaragua is pleased to note that this year, as was the case last year, there was no impact, particularly on key areas for the administration of justice, such as the appointment of

experts by the Court, and that the Court was again able to avail itself of this power, in accordance with article 50 of its Statute.

Similarly, the adaptation of other procedural aspects to the new reality is commendable, as is the amendment of the rules of procedure clarifying the Court's power to conduct hearings and read judgments by video-conference, along with the consequent drafting of guidelines for the parties on the organization of such virtual or hybrid hearings, while taking care not to affect the equality of arms or due process. In particular, our delegation would like to recognize the effectiveness and practicality of the reduced length of oral hearings, the reduction of annexes to a maximum of 750 pages and the full digitization of the documents provided by the parties. Meanwhile, Nicaragua takes note of the establishment of a special committee of three judges to monitor the implementation of provisional measures ordered by the Court, and acknowledges the contribution that those measures will make to strengthening the rule of law at the international level.

As of 31 July, there were 14 cases pending before the Court, including one new contentious case, to which eight Latin American nations are State parties. Nicaragua takes this opportunity to reaffirm that in all the cases to which it has been party, it has always faithfully complied with its international obligations, and that it expects reciprocity in that regard.

Nicaragua also welcomes the establishment of the trust fund for the Fellowship Programme of the International Court of Justice, one of the main objectives

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21-30948 (E)



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of which is involving young people in the activities of the principal judicial organ of the United Nations, and in particular to facilitate the participation of young people from developing countries such as those in Latin America and the Caribbean. In addition, we note with satisfaction the actions taken to improve coordination between the Court and the Secretariat, which has allowed for greater and more effective dissemination of judgments, orders, scheduling of hearings and reading of judgments. Similarly, we note the Court's effort to make practical use of available social media, contributing to the promotion of the teaching, study, dissemination and wider understanding of international law.

In conclusion, we call for increased voluntary contributions to the trust fund to assist States in the settlement of disputes through the International Court of Justice. In that regard, we regret the trend to put the burden the costs of certain proceedings on the disputing countries, most of them developing countries, as the report suggests.

Nicaragua again invites other Member States to bear in mind, when approving budgets, that the peaceful resolution of disputes is the foundation of the maintenance of peace and the rule of law at the international level. Without the work of the Court, the international judicial system would collapse and confidence in it would disappear.

**Mr. Lefeber** (Netherlands): Let me first thank Her Excellency Ms. Joan Donoghue, President of the International Court of Justice, for her presentation of the report of the International Court of Justice (A/76/4) and the outstanding work of the Court as the principal judicial organ of the United Nations. The Kingdom of the Netherlands is, as ever, proud to be the host country of the Court.

With 15 pending cases, ranging from disputes concerning the demarcation of boundaries and the use of watercourses to those concerning the alleged use of force and violations of human rights, the Court has a full docket. The increase in the Court's caseload and the diversity of cases brought before it, both in terms of the parties to the disputes and the subjects of those disputes, demonstrate the increasing confidence vested in the Court by the international community. The outlawing of the use of force, and the corollary obligation to settle disputes by peaceful means, is one of the great achievements of the United Nations, and the International Court of Justice has had an essential

role in that process. The observance of its decisions by the parties to contentious cases as well as the authority attached to its advisory opinions by the international community attest to the quality and gravitas of the Court.

My Government would like to recall the importance of the acceptance of the compulsory jurisdiction of the Court by all States Members of the United Nations. We therefore once again encourage all Member States that have not yet done so to accept the compulsory jurisdiction of the Court by issuing a declaration under paragraph 2 of article 36 of the Statute, and to do so with as few reservations as possible. In that context, I would like to reiterate that in my Government's own declaration accepting the compulsory jurisdiction of the Court, limitations to the jurisdiction of the Court in contentious cases involving the Kingdom of the Netherlands have been eliminated as far as possible. Our only reservation to the jurisdiction is temporal — the Netherlands will accept all disputes arising out of situations or facts as long as they took place no earlier than 100 years before the dispute was brought before the Court.

To ensure that the Court continues to be a true world court with general jurisdiction, acceptance of the Court's jurisdiction as expressed through a declaration under paragraph 2 of article 36 of the Statute is to be preferred. Only when given a broad mandate will the Court be able to fulfil its mandate as the primary judicial organ of the world community. A compromissory clause in a treaty may limit the jurisdiction to such an extent as to force the Court to declare itself without jurisdiction when a legal dispute is complex, or it may force the Court to consider only part of a dispute. In the opinion of my Government, such situations should be avoided.

The Netherlands welcomes the establishment of the trust fund for the Judicial Fellowship Programme of the International Court of Justice. The Judicial Fellowship Programme provides a unique opportunity to young jurists to gain professional experience at the Court and improve their knowledge of the peaceful settlement of disputes through law. That opportunity should be open to eligible candidates from all countries, including from developing countries. In that regard, the trust fund is of crucial importance. The Netherlands supports the trust fund and is proud to confirm that it will make a financial contribution of €100,000 in 2021.

Finally, I would like to take this opportunity to raise the issue of the importance of reasoned decisions. In view of ensuring the continuing cooperation of States parties with the Court and their compliance with the Court's decisions, reasoned decisions and the resulting transparency are increasingly important. The Court provides the reasoning for its decisions on provisional measures and for its judgments. However, my Government considers that reasoning should also be provided for other decisions, including matters of procedure that involve a weighing of interests, such as requests for access to, or the production of, documents. That would apply in particular when a request is denied. The enhanced transparency would enable States parties to better predict what is expected of them in terms of procedural requirements. That in turn should improve the efficiency of the Court and the sound administration of justice. Taking into account the Court's increasing workload, my Government therefore respectfully suggests that the Court consider making the reasons for decisions that affect the States parties involved available to them.

**Mr. Devillaine** (Chile) (*spoke in Spanish*): Allow me to begin by conveying my country's greetings to the President of the International Court of Justice, Judge Joan E. Donoghue, and through her to the other judges of this high court. At the outset, we would like to express our condolences on the death of Judge James Crawford. We appreciate the enormous contribution of this eminent jurist to international law, and we thank him for his service to the Court.

Chile welcomes the full report (A/76/4) presented to the Assembly on the significant activities carried out by the Court, in particular those relating to the reporting period in 2020 and 2021. We want to underline that the development of international law is particularly well served by the broad diversity of issues that have been addressed by the Court in both its jurisdictional and advisory functions. That attests to the intensive and valuable work that it has done in carrying out its important duties.

We note that the increase in the Court's activities, as set out in the report, is in our view an accurate reflection of the trust that States have placed in its robust institutional framework, particularly given the voluntary nature of resort to the Court. We firmly believe that States value the jurisprudence that the Court has developed as a result of its activities, which is the subject of increasing interest in academic

centres worldwide. It is vital for the strengthening of its competence that States have a full guarantee of its impartiality and independence, values and principles that we believe are clearly reflected in the Court's proceedings. Chile highlights that commitment to credibility by referring issues of the greatest legal importance and relevance for its consideration and resolution. We currently have pending before the Court a *Dispute over the Status and Use of the Waters of the Silala (Chile v. Bolivia)*.

We would like to highlight that during the specific period covered by the report, the Court handed down four judgments and nine procedural orders for the settlement of various contentious cases that are in process. We want to emphasize those tremendous efforts, given the complex situation that the pandemic has created with respect to the Court's work. Despite the difficulties of carrying out their tasks in such a situation, the work of the judges and staff did not diminish.

We greatly value the lofty responsibilities of the International Court of Justice and its mission. As Chile has said many times in the Assembly, the Court's work must reflect the pre-eminence of international law in order to ensure the legitimacy of the system for the settlement of legal disputes. As the principal judicial organ of the United Nations, the Court plays a fundamental role in the interpretation and application of international law as an instrument for strengthening the peaceful coexistence of States. In that context, full and good-faith compliance with the international obligations emanating from its decisions is as an imperative for our country, to which we fully adhere in compliance with the provisions of Article 94 of the Charter of the United Nations.

We would like to highlight in particular the efforts and measures adopted to enable the Court to continue to perform its functions, taking into account this time of health emergency. The first is the amendment to the Court's rules clarifying that hearings and readings of its judgments can be conducted by video-conference when necessary for health, security or other compelling reasons. The Court therefore began to hold its sessions by video-conference in June 2020, and subsequently in hybrid format.

The second aspect that Chile would like to highlight is the Court's Judicial Fellowship Programme, which enables universities in developing countries to nominate candidates from among their law graduates

to continue their legal training at the Court for 10 months. That major initiative, which Chile welcomes, is financed through a trust fund established in 2021 and administered by the Secretary-General, which seems to have a promising future, following the first round of contributions. We urge the Court to continue this important programme. We believe it to be an innovative and interesting way for the Court to contribute to deepening legal knowledge, making it possible for it to disseminate its work beyond States and ministries and thereby showing the importance of its function and ensuring a fuller understanding of international law. Such initiatives bring society as a whole closer to the work of the Court, an aspect that has long been of particular concern to the United Nations.

In conclusion, as we have done when speaking on reports such as this on previous occasions, we would like to echo the voices of support for the Court and trust that the United Nations, of which the International Court of Justice is the principal judicial organ, will continue to provide it with the human and material resources it needs to continue to carry out its work with due attention to its requirements, so that the Court's vital role can continue to be fully discharged.

**Mr. Dang** (Viet Nam): I would like to start by thanking Judge Donoghue, President of the International Court of Justice, for her presentation and informative report (A/76/4) on the activities of the Court. We are delighted to see her here in the General Assembly, something that has not been possible in the past two years owing to the coronavirus disease pandemic. I also want to take this opportunity to pay tribute to Judge James Crawford, who served the Court with distinction before his passing in May. Judge Crawford was a leading public international law scholar and jurist of his generation and made a substantial contribution to international law.

My delegation associates itself with the statement delivered by the representative of Azerbaijan on behalf of the Movement of Non-Aligned Countries (see A/76/PV.22), and I would like to make the following points in my national capacity.

The International Court of Justice was established as the principal judicial organ of the United Nations. Over the years it has played an indispensable part in the peaceful settlement of disputes through its judgments in contentious cases and advisory opinions on legal questions brought before it. The Court has in its current

docket an impressive workload of 14 cases. They deal with a variety of subjects, including territorial and maritime disputes, environmental protection, diplomatic missions, consular offices and human rights, among other things, and involve Member States from all five geographical groups. Those facts attest to the universal character of the Court. They demonstrate the renewed confidence and trust that Member States have in the Court's leading role in the interpretation and application of international law. It is therefore essential to continue to ensure the quality of the Court's pronouncements, its efficiency and the impartiality of its judges so that it can live up to its exemplary mandate. In that regard, we warmly welcome the Court's efforts to continually review its procedures and working methods, such as monitoring the implementation of its provisional measures, enhancing case management and allowing the use of technology in its hearings.

In a broader perspective, the Court contributes through its jurisprudence to solidifying the role of international law and the rule of law as a foundation for peaceful coexistence among States. International peace and security cannot be maintained without full respect for international law and the rule of law. There is ample space to increase cooperation between the Court and other main organs of the United Nations, especially the General Assembly and the Security Council, in realizing those purposes of the United Nations. The obligation to settle disputes by peaceful means requires States' good-faith implementation of the Court's judgments, awards, orders and other decisions once they have consented to the process.

Last but not least, it is in our common interest to raise awareness of the use of judicial bodies as a means for the peaceful settlement of disputes and building national capacity to that end. We welcome the Court's public outreach activities and in particular its interest and investment in young people. We support all efforts to make the Judicial Fellows Programme and other educational opportunities more accessible to young academics from developing countries. A trust fund has been dedicated to that purpose in accordance with resolution 75/129. We hope that it will soon be brought into operation and make a meaningful contribution to helping practitioners in international law from developing countries to study and practice.

Viet Nam reiterates its consistent position regarding the principles of international law, including the peaceful settlement of disputes. We have great

respect for the work of international legal bodies in the promotion of friendly relations among nations and the maintenance of international peace and security. We have participated in and contributed to the work of the Court in several legal processes. I would like to take this opportunity to renew our strong commitment to upholding international law and to assure the Court of our full support.

**Ms. Zolotaryova** (Ukraine): Ukraine welcomes the report of the International Court of Justice covering the period from 1 August 2020 to 31 July 2021 (A/76/4). As the principal judicial body of the United Nations, the Court has been an authoritative forum for the peaceful settlement of disputes for 75 years. During that time, it has considered more than 100 inter-State disputes and received more than 25 requests for advisory opinions, proving that there is no alternative to the peaceful settlement of disputes.

The Court demonstrates that it keeps up with the times not only through the variety and number of cases under its consideration but also through its efforts to address current challenges. This year's report confirms that over the past two decades the Court's workload has continued to grow. The geographical spread and varied subject matter of the cases are also a clear sign of the importance and universality of the judicial authority and the general character of its jurisdiction. During the pandemic the Court remained fully accessible and operating, although naturally some of its proceedings, including written submissions, may have been affected by some postponements. We welcome the Court's ability to adapt its working methods and enable its effectiveness in such difficult times.

The decisions of the Court are of paramount significance in promoting and establishing the rule of law, as well as becoming sources of international law that both States and international organizations can rely on to manage day-to-day behaviour. Other adaptations of the Court's procedures and working methods, such as its adoption of a new article 11 of the Resolution concerning the Internal Judicial Practice of the Court, also reflect its effort to take into account the trends it encounters in its work. The introduction of new methods of internal judicial control over the implementation of provisional measures under article 11 is therefore another confirmation of the serious and binding nature of the provisional measures ordered by the Court. As such, its efforts to strengthen their implementation can only be commended.

Ukraine welcomes the Court's activities designed to ensure that its decisions are well understood and publicized worldwide. It is particularly important to draw the Court's communications to the attention to the Security Council, which is directly mandated under the Charter of the United Nations to secure compliance with the Court's decisions. That requirement is clearly defined by the provisions of the Charter and the Court's Statute, the Rules of Court and the Council's provisional rules of procedure. Ukraine strongly believes in international law. We are therefore pleased to note that the trust fund established for the Judicial Fellowship Programme has been successfully launched. We hope it will help to further enhance and strengthen the Court's capacity.

There is no room for doubt that provisional measures ordered by the Court as a matter of urgency and for the purpose of safeguarding the rights of the parties are binding. It is the Court's practice to reaffirm and emphasize, through its orders on provisional measures, based on article 41 of the Statute, the international legal obligations created for the parties to whom the provisional measures are addressed. Unfortunately, not all States respect the Court's orders or take real measures to implement those orders in good faith.

Following its occupation of Crimea, Russia launched a wide-ranging campaign of cultural erasure directed at the Crimean Tatar and Ukrainian communities. It has engaged in the collective punishment of entire ethnic groups in Crimea. People in Crimea continue to be unlawfully detained and to disappear, culturally important gatherings are suppressed, education in the Crimean Tatar and Ukrainian languages is restricted and media from those disfavoured communities are intimidated. That constitutes a massive violation of the International Convention on the Elimination of all Forms of Racial Discrimination. In that regard, I would like to recall the Court's order of 19 April 2017 for provisional measures in the case brought by Ukraine against the Russian Federation on the interpretation and application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (*Ukraine v. Russian Federation*). In its decision, the Court required Russia, among other things, to

“refrain from maintaining or imposing limitations on the ability of the Crimean Tatar community to

preserve its representative institutions, including the Mejlis”.

More than four years have passed, and it has become apparent that Russia does not believe that it is obliged to suspend its discriminatory ban on the Mejlis under the plain language of the Court’s order. Moreover, on 1 June, in the case of the so-called mass riots in 2014, the so-called Supreme Court of Crimea, controlled by Moscow, sentenced the Chairman of the Mejlis of the Crimean Tatar people, Mr. Refat Chubarov, to six years in prison in absentia. And the editor-in-chief of the newspaper *Qırım*, Bekir Mamutov, was fined by the Russian occupation authorities for publishing a report by the Secretary-General (A/75/334) that merely mentioned the Mejlis.

In the other part of the order, the Court ordered the Russian Federation to “ensure the availability of education in the Ukrainian language”. We know that this provision has not been implemented either. That order continues to be ignored, despite its binding nature. The failure of the Russian Federation to comply with it is reflected in the relevant General Assembly resolutions. Moreover, the General Assembly has strongly condemned the Russian Federation’s continuing total disregard for its obligations under the Charter and international law regarding its legal responsibility for the occupied Ukrainian territory. By ignoring the International Court of Justice’s order, Russia has continued to violate a binding decision, revealing a deplorable attitude to the Court, the Charter and international law.

In his recent report entitled “Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine” (A/76/260), which was submitted pursuant to resolution 75/192, the Secretary-General called on the Russian Federation to uphold its obligations in Crimea under international human rights law and international humanitarian law. In the Joint Declaration of the International Crimea Platform, held in Kyiv on 23 August, the participants also urged the Russian Federation to bring an immediate end to all violations and abuses of human rights of the residents of Crimea and to provide full and unimpeded access to Crimea for established regional and international monitoring mechanisms, in particular the United Nations human rights monitoring mission in Ukraine and the Special Monitoring Mission to Ukraine of the Organization for Security and Cooperation in Europe, as provided for in their existing mandates, which cover

the entire territory of Ukraine, including Crimea. In that regard, we urge the international community to insist that Russia abide by international law, including the binding rulings of the International Court of Justice.

Ukraine will not change its firm commitment to the rule of law and the peaceful settlement of disputes and will not stray from the path of using all available legal mechanisms to hold accountable States that violate the rule of law. During this session, considering the ongoing deterioration of human rights in Crimea, Ukraine is planning to submit for the consideration of the Third Committee and the General Assembly a revised draft resolution entitled “Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine”, based on last year’s resolution 75/192 and the recommendations of the Secretary-General and the Office of the United Nations High Commissioner for Human Rights. Ukraine would greatly appreciate Member States’ valuable support and sponsorship of the updated document.

**Ms. Chan Valverde** (Costa Rica) (*spoke in Spanish*): Costa Rica mourns the untimely loss of Judge James Crawford, who was undoubtedly one of the most brilliant minds in public international law of recent decades. We trust that his legacy will live on and influence a new generation of judges and practitioners. We would also like to congratulate Judge Joan E. Donoghue on her election as President of the International Court of Justice. My delegation welcomes the leadership of a woman in such an important institution for the administration of justice, the only international court of a universal nature with general jurisdiction. I also want to take this opportunity to thank her for the report on the activities carried out by the Court during the period from August 2020 through July 2021 (A/76/4). Her presence in this Hall will not go by unremarked.

Costa Rica commends the measures taken by the Court to address the effects of the coronavirus disease pandemic on its important activities. As detailed in the annual report, public hearings were held by videoconference or in hybrid format, and despite the circumstances, four judgments were issued in pending cases. Its ability to deliver judgments and hold oral hearings this year is testimony to the Court’s dedication to the cause of international justice and the maintenance of peaceful relations among nations.

The peaceful settlement of disputes between States Members of the United Nations is an essential purpose of both the Court and the larger United Nations. To maintain that, it is crucial that the United Nations and its Member States — all of which are de facto parties to the Court — support the Court in the fulfilment of its core mandated tasks of adjudicating disputes and providing legal guidance to the General Assembly and other United Nations bodies. That support requires the United Nations and the Assembly to ensure that the Court continues to address efficiently and objectively, and with absolute legal and procedural independence, the cases submitted for its consideration and the advisory opinions requested. That is only possible to the extent that the Court is guaranteed the necessary resources to fulfil its mandate.

The Court is currently considering 14 cases of the most diverse nature, such as complaints regarding treaty violations, requests for the definition of maritime boundaries, territorial disputes and requests for the definition of the continental shelf, among others. Similarly, since its creation more than 70 years ago as the judicial organ of the United Nations, the Court has played a fundamental role in the development, interpretation and dissemination of customary international law. Costa Rica would like to highlight two aspects that should be strengthened in order to reinforce that role.

First, the Court's jurisdiction over States before it is voluntary in nature. Without the consent of the States involved, the Court cannot exercise its judicial function, which considerably limits its action. In the event of a dispute, if one of the parties does not accept compulsory jurisdiction, the matter cannot be settled by the Court. It is therefore essential that Member States act to encourage jurisdiction binding on States parties to a dispute, either by express declarations of acceptance or by including clauses in bilateral treaties. Although 193 countries are officially parties to the Statute of the Court, only 73 have made declarations recognizing the Court's compulsory jurisdiction in accordance with paragraphs 2 and 5 of article 36 of the Statute. In that regard, Costa Rica, which has accepted compulsory jurisdiction without reservation since 1973, calls on States that have not done so to recognize that jurisdiction as compulsory in all the relevant disputes and above all to always be willing to resort to the Court when bilateral negotiations prove unsuccessful.

Our second concern relates to reporting on disputes accepted for decision by the Court. Since the nature and complexity of the matters submitted to the Court has been evolving, transparency is a very important aspect for Costa Rica. We believe that the reports submitted by countries on compliance with any provisional measures imposed by the Court pending a final judgment, especially in cases with clear and compelling human rights implications, should be made public.

A basic requirement for strengthening the rule of law and the Court itself is to ensure that States that have accepted compulsory jurisdiction demonstrate respect for the judgments of the Court and agree to abide by its decisions in good faith. Such compliance must be in full in order to guarantee the integrity of each process and consolidate the Court's indisputable role in ensuring the just and peaceful resolution of disputes between States. In that regard, the United Nations should consider the possibility of following up on the Court's decisions and highlight cases of non-compliance in order to avoid situations where States that have accepted compulsory jurisdiction then choose to ignore the court's judgments and thereby compromise the rule of law. On the same subject, Costa Rica would like to acknowledge the Court's adoption of a new article 11 of the Resolution concerning the Internal Judicial Practice of the Court. And we welcome the creation of the ad hoc committee provided for in the article in order to follow up on the implementation of provisional measures imposed by the Court. That is a great step forward.

Over the years, since it resolved its first dispute, concerning the Corfu Canal, the Court has made significant contributions to the development of international law through its judgments and advisory opinions. Costa Rica has been a party to several cases heard by the International Court of Justice, particularly between 2005 and 2018. Our experience bears witness to the many virtues and advantages of submitting disputes with other States to the Court. As a country without an army, dependent for its security on multilateral instruments and international law, Costa Rica would like to take advantage of today's debate to reaffirm its support for the work of the Court, both in its function of a settler of disputes and in its advisory role, both of which have been of great value to the Assembly and the entire United Nations system.

It would not be possible for Costa Rica to live in peace and tranquillity without the confidence that comes from adherence to the rule of law and

the protection derived from adopted international instruments and other concrete signs of respect for the United Nations and its institutions. We reaffirm our absolute support for the work of the Court in clarifying the legal obligations of States and in settling disputes between nations without resorting to weapons or the armies that wield them.

**Mrs. Theofili** (Greece): Greece would like to express its gratitude to Judge Joan Donoghue, the President of the International Court of Justice, for her detailed presentation of the Court's annual report to the General Assembly (A/76/4), as well as for the high level of activity once again sustained over the past year.

Greece is a strong supporter of the Court as a mechanism established by the Charter of the United Nations for the peaceful settlement of inter-State disputes in accordance with international law, thereby contributing to the maintenance of international peace and security in general. Greece has always been a staunch proponent of the principle of the peaceful resolution of inter-State disputes and the prohibition of the threat or use of force by States in accordance with paragraph 4 of Article 2 of the Charter of the United Nations, the latter being a *jus cogens* rule and a cornerstone of the preservation of peace and stability throughout the world. We are also mindful of the Court's critical role in preventing conflicts through its delivery of advisory opinions on legal questions referred to it by duly authorized United Nations organs and agencies, thereby strengthening legal stability and certainty, which in turn contribute to the prevention of disputes.

In that respect, as early as 1994 we actively demonstrated our trust and confidence in the International Court of Justice by accepting the compulsory jurisdiction of the Court under paragraph 2 of article 36 of its Statute. That acceptance was subsequently reviewed, and in 2015 we submitted a new declaration of acceptance of the Court's jurisdiction that is still in force. Similarly, Greece acknowledges with deep appreciation the Court's outstanding contribution, through its jurisprudence, to the determination of the applicable rules of law and more generally to the development of international law and the promotion of the rule of law.

We attach great importance to the prominent position that the Court holds in today's international justice system. Indeed, the International Court of Justice is the only international court with both general

and universal jurisdiction, as evidenced by the diverse geographical spread of the cases decided or currently pending before it and the wide variety of the subjects they cover. In the same vein, the considerable increase in the Court's workload over the past 20 years, as indicated in its annual report, is illustrative of the trust and confidence that States from different regions of the world have in it, as well as of the vitality of the institution itself. In that regard, Greece would like to highlight and pay tribute to the Court's response to the coronavirus disease pandemic in making the necessary arrangements to adapt its working methods in a timely manner, which has enabled it to perform its judicial functions efficiently, despite the multiple challenges created by the ongoing public health crisis.

Furthermore, recognizing that full compliance with the decisions of the Court is not only an obligation of the Member States under the Charter of the United Nations but also a prerequisite for the Court's effective performance of its important functions, and therefore an essential element in the maintenance of the international legal order, Greece welcomes the establishment by the Court of an *ad hoc* committee composed of three judges, with a mandate to assist in monitoring the implementation of the provisional measures indicated by the Court.

Finally, I would like to refer in that context to the candidacy of Mr. Linos Alexander Sicilianos, Professor and current Dean at the University of Athens and, until recently, President of the European Court of Human Rights, for the position of judge in the International Court of Justice at the election to be held next week in the General Assembly and the Security Council. Professor Sicilianos is an academic known worldwide with thorough knowledge of international law. He combines his 30-year academic expertise with long judicial experience as an international judge. Furthermore, he has served in various bodies of the United Nations as an independent expert. He is also fluent in French and English, thereby fulfilling the requirements of article 39 of the Statute of the International Court of Justice. Given the nature of the Court and the importance of the cases it deals with, we strongly believe that expertise and experience really matter. For all those reasons, Greece is convinced that Professor Sicilianos is an excellent candidate with the ability to contribute to the demanding work of the principal judicial organ of the United Nations. As members are aware, there is a large void to be filled following the



sad passing of Judge Crawford, who contributed a great deal to the functioning of the Court. To that end, it is important to maintain the standards of international justice at the highest level. That is why we ask for the Assembly's support.

**Mr. Carnahan** (United States of America): I thank President Donoghue for her informative briefing today. We are also pleased to join so many others today in extending our thanks and commendation to President Donoghue in her first year as President of the Court and to her fellow judges and all of the staff of the International Court of Justice for their tireless dedication to international law and for carrying out the vital role of the Court. The United States also extends its condolences on the passing of Judge James Crawford, a distinguished jurist and scholar of international law whose work made a lasting impact by advancing the peaceful settlement of international disputes.

The International Court of Justice stands at the pinnacle of the international judicial system. We are pleased to continue to recognize its contributions to the realization of the purposes and principles of the United Nations. As in years past, we see States increasingly turning to the Court and to other regional courts and international judicial tribunals to resolve their disputes. By providing a trusted channel for States to resolve some disputes upfront, and helping to defuse others before they escalate, the Court continues to fulfil its mandate under Chapter XIV of the Charter of the United Nations, playing a vital role in promoting and preserving the rule of law and in advancing international peace and security through the peaceful resolution of disputes. It is gratifying to know that for the Member States that accept its jurisdiction, the Court stands ready to adjudicate their disputes.

At the same time, it is important to continue to emphasize that consent is central to maintaining the credibility of the Court's work. In that regard, it is also critical to maintain the distinction between the Court's contentious and advisory jurisdiction, as set out in its Statute. The General Assembly's ability to request advisory opinions is an important one. It allows the General Assembly to seek assistance from the Court in carrying out its functions under the Charter. However, we must be careful not to allow this important tool to be misused for political gain or to circumvent the Court's jurisdiction over contentious proceedings. The advisory function of the International Court of Justice was not intended to settle disputes between States.

In conclusion, this year we again commend the efforts of the Court to ensure the continuity of its work in the light of the challenges posed by the coronavirus disease pandemic. We hope that the Court's experiences in adopting innovations to continue its work under these challenging circumstances will prove beneficial in the future.

**Mr. Hadjichrysanthou** (Cyprus): At the outset, allow me to thank the President of the International Court of Justice, Judge Donoghue, for her presentation of this year's report of the International Court of Justice (A/76/4), and to welcome the Court's increased workload during the reporting period, which includes the handing down of four judgments and nine orders as well as the acceptance of one new contentious case. We note the diversity of the subjects involved in the cases submitted to the Court, from territorial and maritime delimitation to human rights and reparation for internationally wrongful acts, illustrating once more the general character of the Court's jurisdiction. Furthermore, we welcome the diverse geographical spread of the Court's cases, confirming yet again the universal character of the jurisdiction of the principal judicial organ of the United Nations.

As President Donoghue indicated in April in her reflections on the Court's seventy-fifth anniversary, the strength of the Court, measured in terms of the quality of its jurisprudence and the received legitimacy of its judgments, depends primarily on selecting judges who are impeccably qualified to serve on the Court. In that respect, Cyprus stresses the importance of selecting the most prominent jurists of high merit from every region of the world and from diverse legal traditions to serve as judges at the International Court of Justice. The loss of Judge Crawford, an authoritative world figure of international law, is a heavy blow to the Court and the broader international legal community.

We commend the Court for reviewing its procedures and working methods during the period under review in order to ensure the sound administration of justice, particularly as regards the adoption of a series of measures in response to the coronavirus disease pandemic that enabled it to continue to perform its judicial functions by holding hearings, public sittings and readings of its judgments by video links and subsequently in hybrid format. We are also pleased to note that preparatory meetings with the host-country authorities were held during the period under review for the renovation and temporary relocation of the

Court from the Peace Palace due to the discovery of asbestos in the building, and we trust that a solution will be found soon that will honour the constitution of the Peace Palace as well as the interests of the Court.

A few months ago, the Court commemorated the seventy-fifth anniversary of its inaugural sitting. In all these years of judicial practice, the Court, as the principal judicial organ of the United Nations, has made commendable contributions to the peaceful settlement of international disputes and the development of international law, settling more than 140 contentious cases and providing more than 25 advisory opinions. Furthermore, its settled jurisprudence and legal practice continue to provide guidance for other courts and tribunals around the globe. The Court has also demonstrated that it is equipped to tackle cases relating to new areas of international law that have emerged and developed since its first sitting, such as environmental disputes.

Cyprus is a strong supporter of the Court and its pivotal role and has full confidence in its impartiality and effectiveness. As a peaceful country and a firm believer in international law and effective multilateralism, Cyprus adheres to the principles of the Court and attaches great importance to all peaceful means of dispute settlement pursuant to paragraph 2 of Article 3 and Article 33 of the Charter of the United Nations. Furthermore, on several occasions my country has expressed its readiness to engage in negotiations with any relevant country with a view to reaching a peaceful settlement in good faith of any maritime dispute in the Eastern Mediterranean, in full respect for international law, including the settling of any such dispute before the International Court of Justice.

One of the fundamental requirements of the Statute of the Court is that States consent to the Court's jurisdiction. As is well known, that consent is expressed through a declaration of acceptance of the compulsory jurisdiction of the Court, a special agreement, the forum prorogatum rule or the inclusion of a compromissory clause in a multilateral or a bilateral treaty. As of 31 July, 193 States had become parties to the Statute of the Court and 74 of them had deposited with the Secretary-General a declaration of acceptance of the Court's compulsory jurisdiction in accordance with article 36 of the Statute. My country recognized the compulsory jurisdiction of the International Court of Justice in 1988, and we encourage all Member States to do the same. At the same time, we view the noticeable

decline in the number of new treaties that include compromissory clauses providing for recourse to the Court as a disappointing trend that should be reversed.

Finally, my country strongly believes that the relationship between the Court and the Security Council is fundamental to the maintenance of peace and security, and it is therefore important to strengthen the partnership between the Security Council and the Court to uphold the rule of law at the international level.

**Mrs. Falconi** (Peru) (*spoke in Spanish*): At the outset, Peru would like to express its heartfelt condolences for the loss of Judge James Crawford. We are cognizant of his significant achievements and grateful for his service and contributions to the Court.

As a country committed to multilateralism and international law, Peru welcomes the report (A/76/4) presented today to the General Assembly by the President of the International Court of Justice, Judge Joan E. Donoghue, which gives an account of the work carried out by the Court between 1 August 2020 and 31 July 2021.

My delegation would like to highlight the fundamental role that the International Court of Justice has played as the principal judicial organ of our Organization in the system established in the Charter of the United Nations for the peaceful settlement of disputes. During the past 75 years, the Court has been a pillar of the peaceful resolution of disputes and of rules-based governance. As such, it contributes to the maintenance of international peace and security and represents an essential element in strengthening multilateralism and promoting the rule of law at the international level.

Peru would like to recall that in accordance with Article 96 of the Charter and in addition to its jurisdiction in contentious cases, the Court may also issue advisory opinions at the request of the General Assembly, the Security Council or other authorized organs of the United Nations and its specialized agencies. In exercising that dual function, the International Court of Justice issues rulings, orders and opinions, thereby promoting and clarifying the provisions of international law. The Court carries out its functions in an impartial and diligent manner, enabling the settlement of disputes among States, in the service of a community of nations in which the principle of good faith prevails and friendly relations between nations are fostered. We therefore reaffirm the importance of respecting the decisions and

rulings of the Court, and we encourage States that have not yet done so to consider accepting the jurisdiction of the Court, in accordance with paragraph 2 of article 36 of its Statute.

My delegation also wishes to acknowledge the work of the distinguished judges who make up the Court. Their efficiency in dealing with an influx of new cases and the number of matters already resolved reflect both the vigour of the institution and the high degree of excellence and responsibility embodied in the judges' work. We are also grateful for the valuable and intensive work of the Registry of the Court, especially that carried out by the Registrar and the Deputy Registrar. In that regard, we call on the General Assembly to continue paying close attention to the needs of the Court, taking into account the particularly heavy caseload currently before it.

My delegation considers it appropriate to highlight the recent establishment of a trust fund for the Judicial Fellowship Programme of the International Court of Justice by the General Assembly in its resolution 75/129, of which Peru was a sponsor, requesting the Secretary-General to establish and administer such a trust fund. We highlight this important initiative with a view to promoting the development of international law and the training of legal professionals, especially from developing countries, and we urge States and other organizations to contribute to the trust fund.

We would like to reiterate our appreciation for the measures adopted by the Court in response to the coronavirus disease (COVID-19) pandemic, which made it possible to ensure the continuity of its activities while protecting the health and well-being of its judges and officials. We emphasize that the Court has adapted its working methods to allow tasks to be carried out remotely and that during the period under review, the Court delivered four judgments by video-conference and held hearings in a hybrid format. In that regard, we express our appreciation for the Court's hard work and flexibility, as well as its responsiveness and capacity for innovation, enabling it to continue its work even amid the COVID-19 pandemic. We also want to reiterate our appreciation to the host State, the Kingdom of the Netherlands, for its unwavering commitment and support to the Court. We underscore the importance of cooperation between the Court and the other principal organs of the Organization, based in New York.

In conclusion, I once again underscore our unwavering support for the work of the International Court of Justice in upholding a rules-based international order. We firmly believe that the Court will continue playing an essential role in enabling the international community to settle international disputes peacefully and, by extension, to deal effectively with serious global challenges and threats to international peace and security.

**Mr. Al Reesi (Oman)** (*spoke in Arabic*): I have the honour to deliver this statement under agenda item 76, entitled "Report of the International Court of Justice" (A/76/4), which my country, the Sultanate of Oman, considers an important item related in connection with this main judicial organ of the United Nations system. In that regard, I would like to thank His Excellency Secretary-General António Guterres for his report contained in document A/76/196, as well as Judge Joan Donoghue, President of the Court, for her comprehensive presentation on the Court's activities during the period under review.

One of the conditions for membership in the United Nations is Member States' acceptance of the Statute and the jurisdiction of the International Court of Justice. Pursuant to international law, the Court addresses disputes among States. As such, it provides Member States with an opportunity to settle disputes by peaceful means based on the principles and rules of international law.

My country, the Sultanate of Oman, supports the International Court of Justice and calls on all Member States to support the efforts it is undertaking within its jurisdiction for the sake of international peace and security, given the expertise it has accumulated and perhaps the benefit it has derived from new technologies for an improved performance and mechanism for action.

In conclusion, I would like to reaffirm my country's supportive position and its resolute commitment to abiding by international law and the principles of the Charter of the United Nations. We support the promotion of a working relationship among the various organs of the United Nations, in particular the International Court of Justice, as its principal judiciary organ.

**Mr. Othman (Malaysia)**: Malaysia aligns itself with the statement delivered by the representative of Azerbaijan on behalf of the Movement of Non-Aligned Countries (see A/76/PV.22).

Let me thank the President of the International Court of Justice, Judge Joan Donoghue, for her presentation of the Court's report today. My delegation also wishes to congratulate her on being the second woman to hold this important post. Malaysia shares that historic milestone, and we are proud of our current composition of women judges in senior judicial leadership positions, including the first woman Chief Justice and President of the Court of Appeal, appointed in 2019.

Seventy-six years after its founding, the Court, an integral component of the Charter of the United Nations, remains as relevant as ever. We commend the way in which the Court continues to operate despite the challenges posed by the pandemic. We note that during the reporting period the Court continued to experience a particularly high level of activity. It delivered judgments in four contentious cases, handed down nine orders, held public hearings in four cases and was seized of one new contentious case. The increasing number of cases brought before the Court is a clear expression of the continued confidence of States in the Court. My delegation also wishes to commend the Court on its continued efforts in exploring ways to improve its procedures and working methods. Among other things, we note that the Court amended one provision of its Practice Directions with a view to addressing the proliferation and protraction of annexes to written pleadings.

The diversity of subjects submitted to the Court illustrates the universal character of the Court's jurisdiction. In that connection, we commend the Court on its readiness and competence in tackling cases relating to new areas of international law that have emerged and developed since its first sitting in 1946.

My delegation continues to advocate for the Court's pivotal and unique role in advancing multilateralism, particularly through its judgments and advisory opinions, which directly influence the development and strengthening of the rule of law and contribute to the building and sustaining of peaceful relations between States. We also remain convinced that peace through law is possible. It is our conviction that when other diplomatic or political means have proved unsuccessful, States should continue to seek judicial resolutions to conflicts and disputes among them through the Court. Malaysia demonstrated its commitment to that process in the cases of sovereignty over Pulau Ligitan and Pulau Sipadan, and sovereignty over Pulau Batu Puteh, Middle Rocks and South Ledge.

My delegation also strongly believes that the Court's advisory opinions, despite having no binding force, carry great legal weight and moral authority. Notable advisory opinions include the one on the *Legality of the threat or use of nuclear weapons* (A/51/218, annex) (1996). Malaysia, for its part, has annually submitted a draft resolution entitled "Follow-up to the Advisory Opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons" to the First Committee. We call on all Member States to sponsor and support this year's draft resolution (A/C.1/76/L.58), which is scheduled for action in the First Committee next week.

We also reiterate our call on the Security Council to seriously consider Article 96 of the Charter of the United Nations and make greater use of the Court as a source of advisory opinions and interpretation of relevant norms of international law, particularly on long-pending issues affecting international peace and security. We remain convinced that deliberations on contentious political and security issues would be better served if supplemented by an authoritative legal opinion.

The Court remains an institutional pillar for peace, justice and the international legal order. Let me conclude by reaffirming Malaysia's steadfast support for the Court's guiding role in that endeavour.

**Mr. Mikeladze** (Georgia): At the outset, allow me to express our appreciation for the comprehensive presentation by the President of the International Court of Justice, Judge Joan Donoghue, delivered to the General Assembly today (see A/76/PV.22). We also wish to pay tribute to an outstanding legal scholar and great friend of Georgia's, Judge James Crawford, who leaves a great legacy and will be sorely missed.

Georgia is an ardent supporter of the International Court of Justice and remains committed to the principles enshrined in the Charter of the United Nations and the Statute of the Court. Seventy-five years ago, the Court, as a principal organ of the United Nations, became pivotal in the struggle to defend the rule of law at the international level. Georgia, as one of 74 countries that have issued a declaration recognizing the compulsory jurisdiction of the Court, would like to take this opportunity to note the accomplishments and challenges that have shaped the way the Court is seen to be living up to the increased demands of international justice. In that regard, we fully support the initiative by

Romania to promote a broadening of the recognition of the Court's jurisdiction.

Georgia welcomed the judicial activity of the Court during the reporting year. As the report (A/76/4) duly notes, the diverse geographical spread of cases is illustrative of the universal character of the jurisdiction of the principal judicial organ of the United Nations and its key role in the United Nations system in maintaining international peace and security.

The Court's intensive workload during the pandemic and the impressive manner in which the Court has tackled all obstacles to maintaining the proceedings uninterrupted are highly commendable. The Court contributes immensely to developing and clarifying international law through its judgments and advisory opinions. We welcome the reinvigorated belief in the Court by States, which serves as yet another indication of its importance for international relations.

Unfortunately, the world continues to suffer from blatant violations of the fundamental principles of international law, which are occurring even as we speak. In full disregard of international law, the Russian Federation, as the Power exercising effective control over the occupied Abkhazia and Tskhinvali regions of Georgia, continues its policy of factual annexation of those regions and is seeking their full incorporation into its military, political and economic system.

The already dire humanitarian situation on the ground has been further aggravated by the outbreak of the pandemic, and people must endure everyday violations of their fundamental rights.

Georgia remains committed to the principle of primacy of the peaceful settlement of disputes and upholds the principles enshrined in the Charter of the United Nations, to which there is no viable alternative.

Furthermore, we believe in the primacy of international law with regard to relations with other States and are convinced that it is the strong international Court of a universal character, with general jurisdiction, along with the commitments undertaken by countries with respect to their obligations under international law, that form the key pillar of the international rules-based order.

In that respect, we stress the need to reaffirm our collective commitment to the fundamental principles of international law and the Charter of the United Nations.

**Mr. Ndoye** (Senegal) (*spoke in French*): My delegation aligns itself with the groups to which it belongs and takes note with satisfaction of the report of the President of the International Court of Justice (A/76/4) relating to the judicial activities of the Court during the past 12 months.

Senegal would like to warmly thank President Joan Donoghue for her statement (see A/C.1/76/PV.22) and, through her, to express our gratitude to all those who work on a daily basis to ensure the smooth functioning of the Court.

I also address our sincere thanks to the Secretary-General for his report contained in document A/76/196, on the trust fund to assist States in the settlement of disputes through the International Court of Justice.

The overview of the judicial activities of the Court contained in the President's report under consideration reflects an increase in the number of judgments on the merits. Four judgments and nine orders were issued in the period under review. The importance of the cases considered by the Court under its jurisdiction leaves no doubt as to Member States' preference for resorting to the peaceful settlement of disputes, in keeping with the Charter of the United Nations.

The diversity and broad geographical distribution of the cases submitted to the Court reflects the universal character of the principal judicial organ of the Organization. We must commend the Court on the fact that it is regularly seized of issues relating to territorial sovereignty, territorial and maritime delimitation and disputes relating to diplomatic relations and human rights.

My delegation remains convinced of the crucial role of the International Court of Justice in the promotion of the rule of law at the international level and urges Member States to make greater resort to its competency in order to peacefully settle their international disputes.

On another note, our country attaches particular importance to the Court's Judicial Fellowship Programme, whose aim is to help young people, especially those from developing countries, to achieve a better understanding of international law through the granting of scholarships. It offers law graduates from universities in developing countries effective opportunities to participate in the programme by covering the financial cost of their participation.

My delegation welcomes the adoption on 14 December 2020 of resolution 75/129, whereby the General Assembly requested the Secretary-General to establish and administer a trust fund for the Judicial Fellowship Programme of the International Court of Justice. In that regard, we reaffirm our commitment to continuing to support and promote that initiative by joining, along with Argentina, the Netherlands, Romania and Singapore, the core group of States.

My delegation calls on Member States and the international financial institutions to contribute to the trust fund so as to further enhance the geographic and linguistic diversity of the participants in the Programme.

The application of international norms cannot promote the rule of law at the international level in the absence of the effective implementation of the relevant decisions of the International Court of Justice. My delegation would like to stress the need for Member States, the General Assembly and the Security Council to ensure respect for and the implementation of the decisions of the Court.

As emphasized in the report, only 74 Member States have to date made a declaration recognizing the compulsory jurisdiction of the Court, in accordance with paragraphs 2 and 5 of Article 36 of the Statute. My delegation therefore invites all States that have not yet done so to consider accepting the compulsory jurisdiction of the Court.

The prohibition of the use of armed force in inter-State relations requires the jurisdictional settlement of disputes and the full implementation of the decisions taken.

**Ms. Solano Ramírez** (Colombia) (*spoke in Spanish*): Colombia wishes to begin by conveying its condolences on the passing of Judge James Crawford to his family, friends and colleagues. Judge Crawford was counsel for Colombia in one of our cases before the International Court of Justice. We therefore were able to see first-hand the extent of his humanity and intelligence. The international legal community has lost one of its most brilliant representatives.

Colombia thanks the International Court of Justice for the report contained in document A/76/4, which covers the period from 1 August 2020 to 31 July 2021. In particular, we thank President Joan Donoghue for her comprehensive presentation this morning, which reflected the willingness of the Court and its Registry

to continue working on pending cases and adapting its procedures and working methods to the challenges posed by the coronavirus disease pandemic.

In that regard, Colombia welcomes all the measures taken by the Court to adapt its working mechanisms during that period in order to be able to continue to perform its judicial functions without significant delays. In that framework, we welcome the amendments to the Court's Rules to make clear that hearings and readings of its judgments may be held by video link, and the fact that it also issued "Guidelines for the parties on the organization of hearings by video link".

In the case relative to *Alleged Violations of Sovereign Rights and Maritime Spaces in the Caribbean Sea (Nicaragua v. Colombia)*, Colombia was able to participate in hybrid hearings, and we take this opportunity to reiterate our gratitude to the Court, the Registry, the interpreters and the technical staff for the hearings, which took place without any glitches in the current circumstances.

Colombia hopes, however, that we can soon go back to full in-person work, so that parties can better exercise their right to defence.

We note also that during the period under review, the Court adopted a new article 11 of the Resolution concerning the Internal Judicial Practice of the Court and amended a provision of its Practice Directions adopted in 2001 relating to the proliferation and protraction of annexes to written pleadings. Colombia welcomes those adjustments, which are intended to enhance the efficiency of the work of the Court and to allow parties to focus more closely in their arguments on the issues that divide them.

It is also noteworthy that the report shows that the Court's general list of pending contentious cases involves eight States from my region, the Group of Latin American and Caribbean States, seven from the Group of African States, four from the Group of Eastern European States, three from the Group of Asia-Pacific States and only one from the Group of Western European and other States.

Colombia would like to take this opportunity to welcome processes that facilitate the training of students and young professionals, including the annual Judicial Fellowship Programme, which allows interested universities to nominate candidates from among their recent law graduates and sponsor them

in order to enable them to continue their training in a professional context at the Court for a period of about 10 months, from early September to June or July of the following year. Colombia hopes that lawyers from Latin America and the Caribbean will soon be able to take part in those programmes.

Finally, Colombia takes this opportunity to emphasize its long democratic tradition and its full respect for the separation of powers and for international law. In line with that tradition, the Colombian Government would like to reiterate that it respects the International Court of Justice as the main judicial organ of the United Nations and stresses its independence.

**Mr. Koba** (Indonesia): At the outset, my delegation wishes to thank Judge Joan E. Donoghue for her comprehensive briefing on the activities of the International Court of Justice during the reporting period and to congratulate her on her election as President of the Court.

Indonesia aligns itself with the statement made by the representative of Azerbaijan on behalf of the Movement of Non-Aligned Countries (see A/76/PV.22), and we would like to add the following remarks in our national capacity.

My delegation firmly believes that the Court is one of the fundamental parts of the international system for the maintenance of international peace and security. We stress the importance of the Court's role in furthering the promotion of a fundamental principle of the Charter of the United Nations — the settlement of international disputes by peaceful means. In that respect, we want to highlight three important matters:

First, my delegation appreciates the judicial work and other pertinent activities of the Court, as highlighted in the report (A/76/4). We note its contributions to the corpus of international law during the most recent reporting period. Furthermore, we are of the view that since its inception 75 years ago, the Court has played a central role in international law. As the principal judicial organ of the United Nations, it resolves disputes that cannot otherwise be settled by or through the political organs of the United Nations. Many conflicts and fatalities, as well as much human suffering, have been avoided due to the Court's success in settling international disputes peacefully.

Secondly, the sustained level of the Court's activity, including as it is reflected in the number of

cases referred to the Court, is an encouraging fact and reaffirms Member States' confidence in it. It also shows their growing respect and support for the Court's legal wisdom and its role in the peaceful settlement of international disputes. In order to encourage other States to follow suit, my delegation sincerely hopes that the Court will remain committed to delivering credible judgments and advisory opinions.

Thirdly, we appreciate the innovative approach and methods of the Court amid the challenge of the coronavirus disease pandemic, including through the amendment of its rules of procedure and its issuance of relevant guidelines to adapt to these unprecedented circumstances. We also support the Court's continued development of its activities in disseminating information on its role and activities and in reaching out to wider audiences through electronic and digital media. In addition, my delegation welcomes the establishment of the trust fund for the Judicial Fellowship Programme in this milestone year. We hope that the Trust Fund will encourage the further involvement of developing States, with their geographic and linguistic diversity, and contribute to a diverse culture and legal tradition in the Court.

Before concluding, I wish to express our deep condolences for the loss of Judge James Crawford of Australia, who passed away in May.

Finally, I pledge Indonesia's unwavering support for the Court and its role in strengthening the rule of law at the international level.

**Ms. Bhat** (India): Allow me at the outset to thank Judge Joan E. Donoghue, President of the International Court of Justice, for her detailed and comprehensive presentation of the Court's report (A/76/4) for the period between August 2020 and 31 July 2021. We also offer our condolences for the sad demise of Judge Crawford, whose valuable contributions to the work of international law will always be remembered by the legal community worldwide.

The International Court of Justice, the principal judicial organ of the United Nations, is an important forum for the peaceful settlement of international disputes. In April, the Court commemorated the seventy-fifth anniversary of its inaugural sitting, and we congratulate the Court on its distinctive contribution to the maintenance of international peace and security through all the years of its existence. The provisions in the Charter of the United Nations, especially Article 92,

show the important role assigned to the Court, which is granted a unique status. It is the only judicial organ whose legitimacy derives directly from the Charter. The Court enjoys general jurisdiction on all aspects of international law and is available to all States of the international community.

Over the past 20 years, the Court's workload has grown considerably. The flow of new and settled cases reflects the institution's great vitality. The wide geographical distribution of the pending contentious cases illustrates the universal character of the jurisdiction of the principal judicial organ of the United Nations. Cases submitted to the Court involve a wide variety of complex factual and legal subjects, such as territorial and maritime delimitation, diplomatic missions, human rights, reparation for internationally wrongful acts, the interpretation and application of international treaties and conventions and environmental protection. This diversity of subject matter illustrates the general character of the Court's jurisdiction.

The report reveals that during the 2020-2021 judicial year, the International Court of Justice once again experienced a particularly high level of activity, including the handing down of four judgments and nine orders. In four cases, the Court held public hearings by video link or in hybrid format. Moreover, the Court was seized of one new contentious case. On 31 July, the number of cases on the Court's general list stood at 14.

We welcomed the adoption of a new article 11 of the Resolution concerning the Internal Judicial Practice of the Court. This article provides for the establishment of an ad hoc committee, composed of three judges, who will assist the Court in monitoring the implementation of the provisional measures that the Court indicates. The committee will examine the information supplied by the parties in that regard, report periodically to the Court and make recommendations. We also welcome the amendment of one of the Court's 2001 Practice Directions for use by States appearing before it, with a view to addressing the proliferation and protraction of annexes to written pleadings. The amended version of Practice Direction III specifies that the number of pages of annexes attached by a party to its written pleadings should not exceed 750, unless the Court decides, upon the request of a party, that a number in excess of that limit is warranted by the particular circumstances of the case. We believe that this will save a lot of the Court's precious time and ensure that only centrally relevant pieces are provided for the Court to examine.

Finally, India reaffirms its strong support for the work of the International Court of Justice and acknowledges its important contribution to maintaining peaceful relations between parties to disputes and reaffirming the faith of the global community in the rule of law.

**Mr. Pary Rodríguez** (Plurinational State of Bolivia) (*spoke in Spanish*): The Plurinational State of Bolivia thanks the President of the International Court of Justice, Judge Joan E. Donoghue, for her detailed report (A/76/4) on the Court's activities from 1 August 2020 to 31 July 2021. We take this opportunity to congratulate her on her election and express our support for her important work for this organ. Likewise, I would like to express our solidarity with the people of Australia and our deepest condolences for the irreparable loss on 31 May of renowned jurist and academic James Crawford, whom we recognize for his outstanding contribution to international law.

Bolivia associates itself with the statement delivered by the representative of Azerbaijan on behalf of the Movement of Non-Aligned Countries (see A/76/PV.22).

Bolivia would like to highlight the Court's efforts to fulfil its delicate and important functions in the most recent reporting period despite the limitations and difficulties the world is facing as a result of the coronavirus disease pandemic, through such means as conducting public hearings in a hybrid format and adapting both to the reality of each State and the reality we are going through as an international community.

Our delegation also recognizes the Court's contribution to the development of international law as a principal organ of the United Nations and as a fundamental institution for the settlement of disputes or international situations liable to disrupt the peaceful coexistence of States, while always maintaining as its legal basis international law and the Charter of the United Nations, in particular Article 1, in accordance with the principles of justice and international law. The dispute over the status and use of the waters of the Silala River between Chile and Bolivia is still pending before the International Court of Justice. Our country attaches the utmost importance to that pending contentious case and hopes that the Court will be able to resolve it, as it is an issue of interest to our region and the world.

We welcome the establishment of the trust fund for the creation of scholarship programmes for



graduate students in international law that will allow universities in developing countries to send their most accomplished students to undertake internships in this important organ. We urge that multilingualism be recognized as another tool in this field and call for greater geographical diversity in that regard.

The Plurinational State of Bolivia, being a pacifist State and a promoter of the culture of peace, participates in and is guided by all the initiatives and jurisdictional activities carried out by the International Court of Justice, which we believe acts with total impartiality and independence. Evidence of that is the efforts it makes to resolve the cases before it with total effectiveness and efficiency and to provide States a judicial space to resolve their disputes in a peaceful manner. Bolivia respects the international law and international decisions emanating from this important organ and hopes that its judicial resolutions will be accepted and carried out by all.

In conclusion, Bolivia considers that the most appropriate way for the peaceful resolution of disputes between States will always be through dialogue and negotiation between brotherly peoples, but we are also sure that recourse to the International Court of Justice is a right of every State with a grievance. Today more than ever, our common objectives are the peace and development of all States, and we are confident that the International Court of Justice will rise to that challenge.

**Mr. Gómez Robledo Verduzco** (Mexico) (*spoke in Spanish*): Mexico thanks President Joan Donoghue for her briefing on the latest report (A/76/4) on the activities of the International Court of Justice, and would like to express its appreciation for the progress the Court has achieved in the past year despite the coronavirus disease pandemic. The Court's rapid adaptation to this reality by adopting new working methods shows that the principal judicial organ of our Organization is capable of modernization and that it can rise to the current challenges in fulfilling its mandate for the peaceful settlement of disputes.

We take this opportunity to congratulate the Court on its seventy-fifth anniversary and recognize the value of its more than 140 judgments. Behind each of them is a dispute that has been settled by the rule of law and in favour of peace. The Court's contribution to strengthening the rule of law is also reflected in its more than 20 advisory opinions. We greatly value the Court's advisory jurisdiction, as it serves to identify

technical and legal solutions that enable States, the General Assembly or the Security Council to promote the peaceful settlement of disputes. That is why we continue to advocate for the Secretary-General to be allowed to request advisory opinions from the Court without having to go through the Assembly or the Council. The ability to do so would strengthen the Secretary-General's capacities for good offices and mediation.

Although the Court has demonstrated its integrity, effectiveness and legitimacy on many occasions, only 74 Member States — less than half of the Organization's membership — have accepted the Court's compulsory jurisdiction. That action is the most basic, and merited, expression of support for the Organization's principal judicial organ. Mexico therefore proudly belongs to the core group of the initiative promoted by Romania to adopt a declaration in favour of the Court's jurisdiction, including through the inclusion of jurisdictional clauses in international treaties. The fact is that the Court's effectiveness necessarily depends on the compliance of the parties to the cases with its rulings, and that is also crucial to the maintenance of peace and good relations among States. The same is true for rulings on interim measures in order to avoid unnecessary political tensions. In that context, we endorse the content of resolution 73/257, adopted by the Assembly in 2018.

As the only universal and general jurisdictional organ, the Court's work has increased over the past two decades. It is currently considering disputes concerning maritime and territorial issues, diplomatic missions, reparations and treaty interpretation, to name but a few. The geographical diversity of the cases also reflects the scope of its legal work. Considering the increase in the number of cases, it is important to provide the Court with sufficient funds to effectively fulfil its mandate.

We note that the largest number of pending cases is from Latin America and the Caribbean, reflecting anew the trust that our region places in the Court. Mexico is a good example. As a responsible actor and in conformity with our pacifist vocation, we have turned to the Court in the recent past. The peaceful settlement of disputes is a foreign-policy principle enshrined in the Mexican Constitution, and our vision as a country is founded on the promotion of justice and the rule of law, indelible hallmarks of our diplomatic tradition.

In conclusion, we reaffirm our commitment to the Court as a principal mechanism for conflict resolution and a guarantor of sustainable peace through law and legality.

**Mrs. Gunasekera** (Sri Lanka): I would like to congratulate Judge Donahue, President of the International Court of Justice, for the concise but comprehensive report (A/76/4) she presented to us this morning with regard to the work of the Court during the period from August 2020 to July 2021. This year is especially important, as the Court celebrated its seventy-fifth anniversary in April.

Sri Lanka was sad to hear of the passing of Judge James Crawford, an academic giant in the field of international law. He was a great friend of Sri Lanka and contributed in large measure to the work of the Court. His loss is irreparable. Sri Lanka has also been represented on the Court by one of its proud sons, the late Judge Christopher Gregory Weeramantry, a Sri Lankan lawyer who was a judge of the International Court of Justice from 1991 to 2000 and served as its Vice-President from 1997 to 2000.

The International Court of Justice has steadfastly promoted international law, peace, security and justice over the years. We commend it for standing up for international law in these turbulent times. We are pleased to hear of the judgments delivered and orders handed down during the period under consideration. It is noteworthy that the Court held public hearings using a virtual platform or in a hybrid format in four cases, and that it took cognizance of contentious matters, including land and delimitation, sovereignty, diplomatic missions, human rights, reparation for internationally wrongful acts, the interpretation and application of international treaties and matters concerning environmental protection. This only goes to show the wide canvas of matters under the Court's consideration.

We are pleased to see that the Court has also engaged in reviewing its own procedures concerning its internal practices through the establishment of an ad hoc committee of three judges in order to assist the Court in monitoring and investigating any provisional measures it might take with regard to pruning lengthy pleadings, annexes and written submissions, and restricting the number of pages, among other measures, in its promotion of an efficient system of administration of justice. There is no doubt that there is still room for greater efficiencies.

The International Court of Justice is the only court of a universal character with general jurisdiction to decide cases regarding international law in States' exercise of their sovereignty, as well as its advisory jurisdiction and opinions provided to the General Assembly, the Economic and Social Council, the Trusteeship Council and other interim United Nations committees.

The Judicial Fellowship Programme and the promotion of international law among young people is commendable and deserves all of our support, as has been manifest in the trust fund established by the General Assembly.

The International Court of Justice has endeavoured to maintain its impartiality and has conferred legitimacy on the international legal system. We cannot, however, rest on our laurels but must rather work tirelessly to address areas of contention if we are to gain the complete confidence of the international community. Finally, Sri Lanka reiterates its position of commending the International Court of Justice as the pre-eminent principal judicial organ of the United Nations, but we encourage its judges to renew that influence with efficacy and continued reforms in an ever-changing world dealing with issues concerning environmental protection, terrorism, drug trafficking and rapid globalization.

**The Acting President** (*spoke in Spanish*): I now give the floor to the observer of the Observer State of Palestine.

**Mr. Bamyá** (Palestine): We align ourselves with the statement made by the representative of Azerbaijan on behalf of the Movement of Non-Aligned Countries (see A/76/PV.22).

At the outset, I would like to thank Judge Donahue, President of the International Court of Justice, for her report (A/76/4) on the work of the Court over the past year, and to commend the Court for its important role and for having continued to fulfil its mandate despite the pandemic.

There is no greater testament to the desire of the founders of the United Nations to build a new world order that upholds international law in reaction to the Second World War and the horrors that accompanied it than the decision to establish the International Court of Justice. The Court embodied the determination to see the rule of law supplant the rule of force. Given the importance of the Court as the cornerstone of the

international law-based order, its jurisdiction should have been compulsory for all States. Imagine if a national court had no enforcement mechanisms and could apply its jurisdiction only to the citizens willing to accept it.

Despite that original sin, the Court has been able to deliver on its important mandate for two reasons. The first is its authority and credibility. The second is because of the willingness of many States to freely subject themselves to its jurisdiction. We therefore commend the Court for its long-standing service to the cause of international law and the peaceful settlement of disputes, and we equally commend all States that recognize the compulsory jurisdiction of the Court and those that have decided to submit their disputes to the Court's jurisdiction. Whenever we have had the opportunity, the State of Palestine has done just that. In that context, I would like to welcome the proposed declaration on promoting the jurisdiction of the International Court of Justice and to commend its initiators. I want to state from this rostrum that I am confident that the State of Palestine will be able to endorse it.

We cannot speak of the Court without speaking of its remarkable judges, who are entrusted with delivering on its mandate. On this occasion, I want to honour the memory of Judge James Crawford, whose name is forever associated with important milestones in the development and advancement of international law, including the elaboration of the landmark International Law Commission articles on the responsibility of States for internationally wrongful acts and in planting the seeds that led to the establishment of the first permanent International Criminal Court. Logically, this towering figure of international law found himself serving within the highest international court. The people of Palestine are eternally grateful to Judge Crawford for having served as a counsel to Palestine on the advisory opinion of the International Court of Justice on the wall built by Israel in the occupied Palestinian territory. It was an integral part of his lifetime service to advancing the international rule of law, striving to end injustice and helping peoples find avenues for recourse and means for redress. In this regard, Palestine's decision to resort to peaceful mechanisms or mechanisms created to advance the peaceful settlement of disputes should be commended and supported, not objected to or obstructed.

Respect for, and compliance with, the Court's decisions and opinions is indispensable to preserving the rule of law. Seventeen years have passed since the advisory opinion of the Court on the wall made clear determinations with regard to the illegality of Israeli policies. Already then — 17 years ago — the Court underlined the fact that these policies could and would amount to de facto annexation if they were to be permanent, in breach of the cardinal principle of the inadmissibility of the acquisition of land by force. Rather than reversing them, Israel has continued its plans to annex the maximum Palestinian land with a minimum of Palestinians and to confine our people in enclaves where they are deprived of their rights, land and resources. The choice ahead of us is clear, and the international community must spare no effort to ensure that the future of our region is, in the words of another great man, President Carter, peace, not apartheid.

The diversity of States resorting to the Court is matched with the variety of subject matters it addresses. Through its functions addressing both contentious and advisory cases, the Court is capable of determining the law with authority and credibility, as it pertains to any situation and thereby to contribute in no small measure to the peaceful settlement of disputes. We call on the United Nations, including the Security Council, the General Assembly and, when possible, the Secretary-General, to help make use of these functions, as both prevention and conflict resolution command giving the greatest possible role to the Court. It is also the marker that we are being true to the purposes and principles of the Charter of the United Nations.

The Court holds the greatest promise towards making this world more just and peaceful. We all have wondered in recent years if we were doomed to see all the progress that generations had accomplished unravel. We can collectively prevent such a prospect, informed by the tragedies of the past that led to the establishment of international justice and keeping in mind the alternative to an international law-based order. There might be short-term interests that argue for undermining this order, but the long-term interests of our nations and of humankind as a whole plead for furthering the rule of international law rather than undermining it.

The State of Palestine reiterates its unwavering commitment to the rule of law, the purposes and principles of the United Nations Charter and the principle of humanity as well as to human rights and dignity.

This commitment guides our unequivocal support for the Court as the cornerstone of the international law-based order. The State of Palestine will continue to work tirelessly to ensure the triumph of universal values as enshrined in international norms, not only for the benefit of our own people, but of all nations.

**The Acting President** (*spoke in Spanish*): We have heard the last speaker in the debate on this item.

May I take it that it is the wish of the General Assembly to take note of the report of the International Court of Justice, contained in document A/76/4?

*It was so decided* (decision 76/510)

**The Acting President** (*spoke in Spanish*): Several delegations have asked to speak in exercise of the right of reply. I would like to remind members that statements in exercise of the right of reply are limited to 10 minutes for the first statement and five minutes for the second, and should be made by delegations from their seats.

**Mr. Skachkov** (Russian Federation) (*spoke in Russian*): We are forced to respond the statement made by the representative of Ukraine. Ukraine decided once again to take the floor to repeat false accusations against Russia and to try to offer its own interpretation of a process that has not been completed. We would like once again to remind Ukraine that debates on judicial proceedings being considered at the Peace Palace in The Hague are not supposed to be debated under the agenda item on the report of the International Court of Justice. We therefore consider it incorrect and inappropriate to comment on them.

**Mrs. Weiss** (Israel): Israel is disappointed that certain actors in this Hall have decided once again to sidetrack an otherwise professional and constructive debate in this august forum in order to advance a narrow political agenda, draining limited time and resources.

The International Court of Justice should serve as a beacon of hope and clear voice of international law and justice, weighing in on the current major legal issues facing States and the world community. It should not be used or allow itself to be used as a political battleground or as a threat designed to improve a certain party's negotiation posture. It is unfortunate that the Palestinian delegation today, as its leadership did during the general debate (see A/76/PV.12), chose to use and abuse the International Court of Justice as a threat and as a way to entrench and perpetuate the conflict, rather than

to present a vision of a better future for all the people in our region, be they Palestinian or Israeli.

*The President took the Chair.*

It is also unfortunate that the representative of Palestine chose to throw around words with very heavy and specific legal meanings and false accusations. Peace and true justice will take hold in our region only when certain actors cease to make threats or to take unconstructive unilateral actions, be they judicial or otherwise, and become willing to negotiate peacefully and compromise.

**Mr. Bamyá** (Palestine): Let me start by saying that resorting to the International Court of Justice is never a threat. These are international law mechanisms, civilized mechanisms, peaceful mechanisms. We have heard delegation after delegation calling on States whenever they were confronted with situations to resort to these peaceful means rather than to other means. Therefore, when we speak of the International Court of Justice, it is not a bargaining chip or a threat; it is the way to try to advance international law. I think all of us can agree that that is the best way to peacefully settle any dispute.

The second element I want to raise is that there is an unacceptable reality on the ground. We just had the announcement of major Israeli settlements that everybody in this Hall has condemned and considered illegal, and about which the Security Council and the International Court of Justice have also been very clear. It is not just a word that we mention when we speak of apartheid. It is a reality that is lived by our people, and that reality has been observed and condemned not just by those who had an experience of apartheid before us, but also by Human Rights Watch and B'Tselem and numerous experts and figures around the world.

We are saying that we aspire to a reality of peace for everyone. But for everyone to be able to enjoy peace — the nations in this Hall know it better than anyone — we need to be free. Asking for our freedom, asking for our rights, and appealing to international justice and to the international conscience, is something that should be commended — not objected to. And in no way is that a threat, and in no way is that negative for peace efforts. It is the best way to say how peace can advance: in mutual respect, in mutual dignity, in mutual trust, in freedom and peace for all. That is what we aspire to, and I believe that is what the international community wishes to see.

If there are other mechanisms that people want to propose, they can always tell us, but objecting to the Palestinians using a tool that is available to every nation before us to achieve their own freedom is not acceptable. People in this Hall have freed themselves and they know how they have done it, including some of those objecting today to what we are doing. That is why we believe that the peaceful way we are preaching — and the freedom and peace for all that we are preaching — is the best future possible for our region and all of its peoples.

**The President:** May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 76?

*It was so decided.*

#### **Agenda item 7 (continued)**

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

**The President:** Members will recall that, at its 2nd plenary meeting on 17 September 2021, the General Assembly decided to allocate sub-item (a) of agenda item 25 to the Second Committee. To enable the Assembly to take action expeditiously on the document, may I take it that the Assembly wishes to consider sub-item (a) of agenda item 25 directly in plenary meeting and proceed immediately to its consideration?

*It was so decided (decision 76/506).*

#### **Agenda item 25**

#### **Operational activities for development**

#### **(a) Operational activities for development of the United Nations system**

#### **Draft resolution (A/76/L.4)**

**The President:** The Assembly will take action on draft resolution A/76/L.4 entitled “Review of the functioning of the reinvigorated resident coordinator system, including its funding arrangement”.

May I take it that the Assembly wishes to adopt draft resolution A/76/L.4?

*Draft resolution A/76/L.4 was adopted (resolution 76/4).*

**The President:** Before giving the floor for explanations of position after adoption, may I remind

delegations that explanations of position are limited to 10 minutes and should be made by delegations from their seats.

**Mr. Mimouni (Algeria):** Allow me to sincerely thank all States Members of the United Nations and Permanent Observer Missions, from the Permanent Representatives to the committed members of delegations, that so constructively engaged in our informal consultations and stood in support of our approach as co-facilitators. I am heartened by the support for Ambassador Hermann and myself in this process, which has brought us to this Assembly Hall today to adopt resolution 76/4 on the review of the reinvigorated resident coordinator (RC) system. I would also like to express my deep appreciation to the President of the General Assembly, the Secretary-General and the Deputy Secretary-General for their support and constructive commitment during this important process.

A little less than three and a half years ago, the General Assembly adopted resolution 72/279 by consensus (see A/72/PV.91). It was a landmark resolution that ushered in a new era for the United Nations development system by switching on the lights of a new resident coordinator system and increasing the emphasis on the importance of development coordination. It had a simple and clear purpose: to better position the United Nation to deliver on the Sustainable Development Goals.

Over the course of the last five months, Member States have clearly demonstrated their commitment to the review process of the reinvigorated resident coordinator system. While Member States may have had different priorities that we would have liked to see reflected in the outcome of the review, I was grateful to note a continuous shared sense of importance to use the review to solidify and consolidate the reforms even more forcefully based on the challenges encountered.

In this regard, it sent an important signal from Member States that we collectively agreed to respect the mandates as established in resolutions 72/279 and 75/233 on the quadrennial comprehensive policy review. It underscores our collective commitment to seeing the mandates and guidance established in these resolutions taken forward and implemented by the United Nations development system. I believe that resolution 76/4 builds upon these resolutions by, inter alia, clearly recognizing the critical enabling role played by the RC system in facilitating rapid, coherent and effective responses by

the United Nations development system. This will be ever more important in the years ahead, as we will need to accelerate our collective implementation of the 2030 Agenda for Sustainable Development in pursuit of building back better in the decade of action.

With the permission of the President of the General Assembly, I would like to have Ambassador Hermann of Denmark, with whom I co-facilitated the informal consultations on the resolution, take the floor after me, and I would seize this opportunity to express my warmest gratitude to him and his team for the excellent and constructive cooperation during the past month.

**Mr. Hermann** (Denmark): I wish to thank Ambassador Mimouni and say that I fully share his view of our cooperation. I want to extend my most sincere thanks to him and his team for their excellent and productive collaboration under sometimes challenging circumstances. Indeed, I want to take this opportunity to extend a special thanks to Ambassador Sofiane Mimouni, not only for our cooperation on consultations leading to the adoption of resolution 76/4, but also for our friendship over the past years. As many in the Hall today will know, Mr. Mimouni is moving on to new challenges, and I wanted to put on record my deep appreciation for his friendship and his guidance and his service to the United Nations over the past year. I therefore ask the Assembly to join me in a round of applause for Ambassador Sofiane Mimouni.

Please allow me to reiterate my profound gratitude to all the members of the General Assembly for their active engagement and constructive spirit during our recent consultations, as well as to the President of the Assembly, the Secretary-General and the Deputy Secretary-General, along with their respective teams. This has been a unique opportunity to take stock of how far we have come with the reinvigorated resident coordinator (RC) system at the centre of a repositioned United Nations development system. I believe that all delegations rose to the occasion.

My fellow co-facilitator just highlighted one important message from resolution 76/4: that Member States continue to stand behind the repositioned United Nations development system and the reinvigorated RC system. In addition, the resolution gives clear guidance to the system as a whole, where further efforts will be needed in the years ahead for consolidation of a more coherent system.

At the same time, we also need to look inward and collectively recognize that Member States could not arrive at a common understanding to fundamentally change the funding model in place for the RC system, which would, by default, introduce greater predictability and sustainability in the parameters for the funding of the RC system. While the RC system re-emphasizes that we, the States Members of the United Nations, believe that the system should be supported by adequate, predictable and sustainable funding, it will continue to fundamentally require the political will of Member States for these aspirations to become a reality.

As we now move from adoption to implementation of resolution 76/4, let us therefore support each other in keeping this commitment. Let us demonstrate that we are ready to walk the talk in the years ahead, that we will indeed act in this decade of action. Let us show to our colleagues in the United Nations who are working tirelessly in the field to advance the implementation of the 2030 Agenda for Sustainable Development that we are committed to making the funding model work and to delivering the funding required for the benefit of those we all aim to serve — the people in the field — and to advance the 2030 Agenda and achieve the Sustainable Development Goals. Let us join forces in turning ambitions into realities.

**Mr. Diallo** (Guinea): I have the honour to deliver this statement on behalf of the Group of 77 and China.

At the outset, let me commend the co-facilitators, Ambassador Mimouni of Algeria and Ambassador Hermann of Denmark, and their teams, for their hard work and for diligently guiding us through the consultations process to a successful conclusion, as the path to consensus was extremely difficult, but not impossible, despite the number of divergent views.

The Group of 77 and China strongly recommits to the repositioned United Nations development system and its reinvigorated resident coordination (RC) system, as established with the guidance of the Secretary-General. As programme countries, the members of the Group count, in various degrees, on the support of the United Nations development system and its entities as we strive to follow our national development priorities and needs and to implement the 2030 Agenda for Sustainable Development, the achievement of the Sustainable Development Goals and other development frameworks and goals.

Although disappointed that the General Assembly was not able to move the funding of the RC system to a more stable and predictable foundation, the Group of 77 and China is pleased that the funding proposal set out in resolution 76/4 at least does not weaken the current funding of the system. We are convinced that adequate, predictable and sustainable funding of the resident coordinator system is essential to delivering a coherent, effective, efficient and accountable response, as our overarching goal, in accordance with national needs and priorities and the 2030 Agenda for Sustainable Development. We note with appreciation the efforts made by the co-facilitators to improve the collection of the levy, and we call on all entities of the United Nations development system to continue contributing to the funding of the system through the cost-sharing arrangement.

The Group of 77 and China remains gravely concerned about the state of the funding of the RC system, particularly with regard to the financial shortfalls observed in the budget since the start of its functioning. That is one of the reasons why we were open to discussing the possibility of partially funding the system through a hybrid model with a share coming from assessed contributions. We thank the co-facilitators and the membership as a whole for understanding our call for resolution 76/4 to include a clear revision mechanism that would allow for the issue of the funding of the RC system to be reassessed should such shortfalls persist.

The resident coordinators and their teams are central pieces of the United Nations development system's repositioning and key to a stronger, focused delivery on the ground in the decade of action and for a sustainable inclusive recovery from the coronavirus disease pandemic. In that regard, we call on traditional donors to step up and provide the needed voluntary contributions in line with the Secretary-General's proposal and what is outlined in the resolution we adopted today.

Once again, the Group of 77 and China would like to reaffirm the strong political support that we attach to the new resident coordinator system, and we recall the importance of the resident coordinators remaining in constant dialogue with and consulting frequently with the host Governments as they deliver on their mandate, in line with the concepts of national leadership and ownership. It is high time we move ahead and give the necessary tools to the resident coordinators and to the

United Nations country teams so they can implement the mandates of the 2020 quadrennial comprehensive policy review and help countries move towards achieving their development goals.

The Group of 77 and China congratulates the co-facilitators and the Member States for the successful conclusion of the informal consultation process, and we, as always, will remain engaged with them and our development partners. And through the President of the General Assembly, we wish to convey our continued thanks and appreciation to the Secretary-General and the Deputy Secretary-General for their work in ensuring that the United Nations development system is fit for purpose, and we wish to assure them of the Group's continued support in this regard.

We offer a final word to convey our very best wishes to Ambassador Mimouni in all his future endeavours, as he successfully concludes his tenure as Permanent Representative of Algeria to the United Nations.

**Ms. Micael** (Eritrea): I have the honour to deliver this statement on behalf of the Group of African States in explanation of position after the adoption of resolution 76/4 on the resident coordinator (RC) system review. I align these remarks with the statement made by the representative of Guinea on behalf of the Group of 77 and China.

At the outset, the African Group would like to reiterate its thanks and appreciation to the co-facilitators of the informal consultation process, the representatives of Algeria and Denmark, for their efforts in undertaking this intergovernmental consultation process. The African Group would also like to reiterate its appreciation to the Secretary-General and the Deputy Secretary-General for their briefings and for participating in the plenary informal consultations in a transparent and interactive manner.

The African Group is pleased to join consensus in the adoption of resolution 76/4 on the review of the resident coordinator system and appreciates the efforts undertaken by the co-facilitators and all delegations towards achieving that result. However, the Group would like to place on the record the following important points.

The African Group reiterates its strong support for the United Nations development system's repositioning and expresses satisfaction with the support provided by the resident coordinators across

Africa to national Governments in implementing the 2030 Agenda for Sustainable Development and the Sustainable Development Goals in the context of the decade of action, but also in the coronavirus disease response and recovery. In this regard, we appreciate the acknowledgment in the resolution of the role and the value addition of the RC system, as supported by the United Nations Development Coordination Office and resident coordinator offices in programme countries.

As we have stated on many occasions, it is crucial for us to ensure a sustainable and predictable funding model for the RC system. Africa is the greatest beneficiary of the RC system. Africa is also the most in need of it, given the challenges it faces and the size of the United Nations programme activities on the continent. We therefore express our firm support and strong attachment to preserving and maintaining these additional United Nations capacities and ensuring predictable funding in the years ahead in order to support country programmes and respond to African countries' national needs and priorities. While we welcome the consensus-based adoption of resolution 76/4 and the efforts made towards inclusion, the African Group would have appreciated more ambitious language on the funding model of the resident coordinator system. We also thank the co-facilitators for including paragraph 8, which secures the continuity of discussions on the RC funding model, should the current model not meet the needed resources for the full functioning of the system.

The African Group continues to firmly believe that the funding model for the RC system, as suggested by the Secretary-General, through the fully assessed option or the hybrid 2.0, is the best and most appropriate model for ensuring much-needed sustainability and predictability. We trust that the strong and renewed commitment by all donors to providing adequate voluntary contributions, equivalent to or above their relative share, as stated in paragraph 7 of the resolution, will help to ensure the system's adequate funding and clear provisions to protect the current capacities set up across developing countries in the RC system.

Lastly, the African Group strongly believes that the discussion on the funding model should continue in the future. We look forward to working together and supporting the United Nations development system in delivering on the ground and avoiding any funding shortages that could constrain the proper functioning of resident coordinator offices in Africa and other developing countries.

**Mr. Fepuleai** (New Zealand): I have the honour to deliver this statement on behalf of Australia, Canada and my own country, New Zealand (CANZ).

At the outset, I would like to congratulate the co-facilitators, Ambassadors Mimouni and Hermann, the Permanent Representatives of Algeria and Denmark, and their teams on the successful conclusion of this process.

The CANZ countries would like to reaffirm our full support for the reinvigorated resident coordinator system. We were pleased to see that support echoed in resolution 76/4. The resolution outlines Member States' expectation that United Nations development system entities will continue to engage with and support the resident coordinators in exercising their functions. As we look towards recovery from the coronavirus disease pandemic, it is more important than ever that the United Nations present a cohesive and united front. It must engage effectively with programme countries and partners, including international financial institutions, as well as internally.

As CANZ has stated since the beginning of the discussions on the reinvigorated resident coordinator system, access to predictable funding is crucial. We recognize that the current system has not delivered on its funding targets. Throughout those negotiations CANZ has expressed its willingness to consider alternative methods to deliver adequate, predictable and sustainable funding. While we acknowledge that the model before us now was the best path to consensus, we reiterate the call to all Member States to provide voluntary contributions to ensure the smooth and effective functioning of the system. Adequate funding is essential to recovery and to achieving the 2030 Agenda for Sustainable Development for all.

**The President:** I now give the floor to the representative of the European Union, in its capacity as observer.

**Mr. De La Maisonneuve** (European Union): I have the honour to deliver this statement on behalf of the European Union and its member States. We would like to thank the co-facilitators, Ambassadors Mimouni and Hermann, as well as their teams, for their commitment to this process and their tireless work and efforts to accommodate our different views and positions, while guiding us through a long consultative process with resilience, perseverance and determination. We would also like to recognize and thank all delegations for their



commitment to the process and for their engagement and continued support to reform of the United Nations development system. Reform is the only way forward to an effective and efficient United Nations system to get back on track to reaching the Sustainable Development Goals (SDGs), and to address the huge challenges faced by the international community as a whole.

The resident coordinator system passed its first stress test in the coronavirus disease pandemic and really proved its added value. We see that same determination of the United Nations system in other crises, such as climate change, or in the joint support for the people of Afghanistan. More joint action, not less, of the United Nations development system, under the impartial and neutral leadership of resident coordinators, is crucial to reaching those goals and therefore for the United Nations system to keep its relevance.

Collectively, we came to the conclusion that the only way forward was to stick to the existing funding model of the resident coordinator system for the time being. Some among the membership, including in the European Union, hoped to find consensus on a more creative solution with an adjusted funding model. However, we hope that the United Nations membership can keep its political promise to the United Nations development system reform agenda and ensure that the resident coordinator system receives predictable and sustainable funding, even with a formula that continues to rely heavily on voluntary contributions. That is crucial in order to guide the United Nations country teams towards a system that delivers more effective and efficient support to Member States in reaching the SDGs.

We would also like to urge all the States Members of the United Nations to share the burden of financing the system. It serves all of us by delivering a more effective and efficient United Nations on the ground. It is the task of all of us to provide predictable and sustainable resources to the resident coordinator system, even if on a voluntary basis. All Member States should live up to their own expectations and provide funding based on a fair or relative share. We stand ready to engage again in the future on such matters.

**Mr. Kennedy** (United States of America): The United States joins the consensus on resolution 76/4. We would like to express our sincere thanks to the co-facilitators, Ambassadors Mimouni and Hermann, for their tireless work in helping Member States find

agreement on this important but also contentious resolution. The United States remains committed to supporting the efforts of the Secretary-General and Member States to make the resident coordinator (RC) system fit for purpose and help United Nations country team agencies deliver greater and more coherent development results to assist countries in fulfilling the Sustainable Development Goals.

Since the launch of the new RC system in 2019, the United States has contributed \$23 million per year to the Special Purpose Trust Fund for the system, totalling \$69 million to date. We are the top financial contributor. As with many donors that have contributed to the RC system and the United Nations development system as a whole, we expect accountability from the system on the use of public funding. In that regard, we welcome the resolution's call for the Deputy Secretary-General, as Chair of the United Nations Development Coordination Office, to report to Member States on resident coordinator performance, using a results framework with multi-year indicators. We also welcome the call for the Secretary-General to provide additional and necessary information to Member States to ensure the independence of the system-wide evaluation office. We urge the Secretary-General and the Deputy Secretary-General to respond to those calls as top priorities in their implementation of this resolution.

While the United States supports sustainable and predictable funding for the RC system, we regret the fact that during the negotiation process, some sought to focus on the system's funding model in a way that excluded meaningful discussion on the critical issues of accountability and results of the resident coordinators and the RC system. We felt that it was premature to discuss changing the current funding model, especially in an environment lacking in transparent and independent information and analysis of the RC system's budgeting and expenditure processes, including efficiency gains and cost savings, as well as RC performance, results and accountability.

We firmly believe that RC system funding should be linked to performance and results. A productive funding arrangement is one that empowers resident coordinators to carry out their work effectively and impartially, and incentivizes them to achieve the development results that Member States envision for the RC system, including upholding the values and principles of the United Nations. Such a funding arrangement should also generate an account for the

reform-related efficiency gains the Secretary-General envisioned at the outset, such as through common back-office functions and shared premises. To better understand the needs of the system, the system should report on how the resources made available through efficiency gains are being utilized. As the RC system made the generation of those savings possible, their use to fund resident coordinator systems operations is a logical conclusion.

Moving forward, the United States will continue to engage with Member States and the Secretariat to implement resolution 76/4 to ensure that the RC system is fit for purpose, with the appropriate accountability mechanisms for performance and results, and that its budget and funding provide the right transparency, accountability and incentives for the continued reform of the system.

**Ms. Moe** (Norway): We would like to express our appreciation to the co-facilitators and their teams for bringing the resident coordinator (RC) review to a conclusion. We are pleased to join the consensus today and we are grateful for the co-facilitators' hard work.

Norway's overarching aim with regard to the review has been to ensure sufficient predictable and sustainable funding for the resident coordinator system. We are disappointed that we were not able to agree on a new funding model with assessed contributions as one of the funding streams. We believe that along with the continuation of the United Nations Sustainable Development Group cost-sharing arrangement, this would have been the best way to improve the predictability and sustainability of the funding. As we move forward with the current funding model, we hope that Member States do their utmost to mobilize more funds for the RC system. The success of the reforms depends on it.

With regard to voluntary contributions, Norway will continue to do its part and we hope that Member States generally will also shoulder their responsibility. Multi-year commitments for voluntary contributions are an important way to enhance predictability, but unfortunately, resolution 76/4 does not contain a request to provide multi-year commitments. The 1 per cent levy on strictly earmarked contributions remains an important funding stream for the RC system. We see a need for the Secretariat, in consultation with Member States, to update the operational guidance. With that,

we would like to end by expressing Norway's continued strong support for the resident coordinator system.

**Ms. Shmat** (Belarus) (*spoke in Russian*): The delegation of Belarus joined the consensus in adopting resolution 76/4, entitled "Review of the functioning of the reinvigorated resident coordinator system, including its funding arrangement". I would like to thank the coordinators of the negotiation process for their work in seeking the consensus that resulted in the adoption of this important resolution. We support ongoing efforts to further develop and adapt the resident coordinator system in its response to the needs of programme countries. We focus particularly on the importance of ensuring that the resident coordinator system is fully aligned with such fundamental values as independence and impartiality.

With respect to the funding mechanism, we support the position affirmed in paragraph 7 of the resolution on the entirely voluntary nature of funding for Member States. However, it is vital to be aware of the impermissibility of increasing the financial burden on developing countries. We also note that to date the legal aspects related to the presence of resident coordinators in their countries of accreditation with regard to their privileges and status have not been fully resolved. We urge the Secretariat to get started on the work of creating frameworks for the presence of resident coordinators in host countries. We believe that for improved functioning in the future, active cooperation with host Governments, greater accountability for resident coordinators and reduced bureaucracy would improve the current United Nations system on the ground.

**Mr. Varli** (Turkey): Allow me to express our deep appreciation to the Permanent Representatives of Algeria and Denmark and their teams for their professionalism and constructive approach throughout the consultations on the resident coordinator (RC) system review, including its funding arrangements.

We are glad that we have reached a consensus on resolution 76/4 and look forward to its timely and effective implementation. Turkey has supported reform of the United Nations development system, including the reinvigorated resident coordinator system. As a donor and a programme country, we are ready to support the work of the Secretary-General to ensure that all resident coordinators are well prepared and equipped to operate effectively on the ground in accordance with their mandates.

Efficiency, transparency and accountability should remain the underlying principles of the reform of the United Nations development system. In line with the strong call of resolution 75/233, we encourage the United Nations development system to work on innovative funding models to contribute to the adequate, sustainable and predictable funding of the United Nations development system and improve partnerships with the private sector and other stakeholders, including development banks.

We will continue to work with the United Nations development system for a more efficient, transparent and accountable RC system on the ground, in line with resolutions 71/243, 72/279 and 75/233.

**Mr. Kimura** (Japan): Japan welcomes the consensus on the adoption of resolution 76/4. First of all, I would like to express my deep gratitude to the co-facilitators, Ambassadors Mimouni and Hermann, for guiding the Member States through this process, and to all Member States for their positive engagement and constructive spirit throughout.

Japan is a strong supporter of reform of the United Nations development system aimed at enhancing the efficiency, effectiveness, coherence and accountability of the United Nations development system, so that it can better support the efforts of the developing countries to implement the 2030 Agenda for Sustainable Development. With that in mind, my delegation stressed three points throughout the negotiations on the draft resolution.

First, a fundamental characteristic of United Nations operational activities for development has always been their voluntary nature and the ability to respond to the needs of developing countries in a flexible manner. The respective capacities and configuration of the resident coordinator (RC) offices and, this year, regional offices, must be carefully designed, based on the real needs on the ground, in a country- or region-specific manner. There is no one-size-fits-all solution, such as allocating the same set of staff in each country.

Secondly, the discussion on the reform of the RC system must be transparent and evidence-based in order to ensure full accountability of the system's full accountability. The system budget of \$281 million must be scrutinized through a needs-based approach. The development resources required for coordination should be commensurate with the size of the overall operational activities conducted by the United Nations

country team in each individual country. The effective use of existing resources within each country team could be further explored, including by making the assets or experts of one agency available to an entire United Nations country team, which would also nurture the One United Nations mindset among its members.

Thirdly, we stress the importance of thoroughly reviewing whether all possible measures under resolution 72/279 have been sought out and tested to close the funding gap, if any, before considering any changes to the current funding model. In that regard, we welcome paragraph 10 of resolution 76/4, which requires the system to improve the reporting of efficiency gains. We look forward to seeing a more thorough assessment of efficiency gains across the system so that they can be redeployed to increase the output of the entire system, including strengthening coordination.

The proper functioning of the reinvigorated resident coordinator system should be measured by the results delivered in each country and, ultimately, to the people in need. In that context, we request that the Chair of the United Nations Sustainable Development Group consult with Member States in the process of developing the results framework with multi-annual performance-indicated targets for the resident coordinator system, including its funding model, as mentioned in paragraph 9 of the resolution before its finalization.

In conclusion, I want to emphasize that coordination is not an objective in itself. At the end of the day, a country can achieve development results only with national ownership. Let us not forget that United Nations country teams, including resident coordinator offices, are there to support each country. As one of the major contributors to and supporters of United Nations development and humanitarian agencies, Japan will continue to actively engage in future discussions on reform of the United Nations development system.

**Mr. Liu Liquan** (China) (*spoke in Chinese*): China aligns itself with the statement delivered by the representative of Guinea on behalf of the Group of 77 and China.

We thank the Permanent Representatives of Algeria and Denmark for their unstinting efforts in preparing the text on the review of the resident coordinator (RC) system, which enjoys broad agreement. We support the General Assembly's adoption of today's resolution by consensus (resolution 76/4).

The ongoing coronavirus disease pandemic has created unprecedented challenges in the implementation of the 2030 Agenda for Sustainable Development. The international community has high hopes that the United Nations development system, especially the resident coordinator system, can play an effective role in helping countries cope with crises and overcome difficulties. China has always supported Secretary-General Guterres's efforts to promote reform of the development system. We hope that the United Nations will take advantage of the review process to encourage resident coordinators and United Nations country teams to attend fully to the aspirations of the Governments and people of the host countries, help countries build capacity, achieve inclusive, sustainable and resilient recovery and fully implement the 2030 Agenda for Sustainable Development.

First, development should remain at the core of the agenda, and the eradication of poverty continues to be our primary task. We should effectively mobilize and increase development resources and help developing countries implement the Sustainable Development Goals, including those related to poverty reduction, infrastructure development, education, health and climate action so as to effectively improve people's well-being.

Secondly, we must uphold a Member State-driven approach. Resident coordinators should enhance their communication and cooperation with their host Governments to ensure that their work aligns with the specific national conditions and development strategies of each country, and should also report on their work and seek guidance in a timely manner. Host countries' assessments of their resident coordinators and their accountability should be further strengthened, and host-country satisfaction should be an important criterion for measuring the performance of resident coordinators.

Thirdly, we should increase the representation of developing countries in the RC system and improve geographical balance in order to enable the United Nations development system to be better informed of the needs of developing countries and provide more targeted assistance.

Fourthly, funding for the RC system should follow the principle of common yet differentiated responsibilities. Developed countries should fulfil their official development assistance commitments and increase their financial support, especially voluntary

contributions. At the same time, the Secretariat should communicate with Member States in a timely manner on the RC system's budget performance, efficiency gains and personnel arrangements, among other things, in order to improve the efficiency of the system.

China will continue to work with all Member States to consolidate the gains of United Nations development system reform, assess progress against the General Assembly's mandate, identify gaps and possible areas for improvement and turn the resident coordinator system into a strong platform that supports developing countries in achieving development, post-pandemic recovery and the 2030 Agenda.

**Ms. Elsaeed** (Egypt): My delegation aligns itself with the statements delivered by the representatives of Guinea, on behalf of the Group of 77 and China, and Eritrea, on behalf of the Group of African States. We would like to add the following remarks.

We wish to express our appreciation to the co-facilitators and their teams for their hard work and valued efforts to reach consensus throughout the intergovernmental consultations process. We reiterate our recognition of the essential role played by resident coordinators (RCs) in developing countries, including Egypt, and reaffirm our commitment to continuing to support and reinforce the reform efforts of the RC system and the United Nations development system in general.

We are pleased to join the consensus on the adoption of resolution 76/4, on the review of the functioning of the reinvigorated resident coordinator system, and we welcome the efforts made by all the parties involved to bring the process to an agreed conclusion. We welcome the inclusion of a revision mechanism to enable the current funding model to be reassessed should it prove inadequate to the proper functioning of the resident coordinator system. We consider it particularly vital to guarantee uninterrupted RC activities in developing countries by ensuring adequate, predictable and sustainable funding.

Finally, we would like to express our appreciation to the Secretary-General and the Deputy Secretary-General for their valued efforts throughout the process of repositioning the United Nations development system.

**Ms. Barahona Figueroa** (El Salvador) (*spoke in Spanish*): My delegation associates itself with the

statement delivered by the representative of Guinea on behalf of the Group of 77 and China.

We thank the co-facilitators, Mr. Mimouni and Mr. Hermann, the Permanent Representatives of Algeria and Denmark, for introducing resolution 76/4.

El Salvador reiterates the importance of strengthening and revitalizing the resident coordinator system in line with resolution 72/279 in order to ensure the continuity of plans and programmes with a major impact at all levels, especially locally. We therefore reaffirm the valuable work of United Nations country teams under the leadership of resident coordinators. They provide important support in the coordination of humanitarian assistance, especially in the face of the global health emergency caused by the coronavirus disease (COVID-19) pandemic and its socioeconomic consequences, thereby demonstrating the achievements of the repositioned United Nations development system and its operational activities.

In that connection, we recognize that the resident coordinator system is essential to driving our recovery from the COVID-19 pandemic and to continuing work with countries to advance the eradication of poverty in all its forms and dimensions, minimize the consequences of climate change and mitigate the risk of natural disasters. We must promote strategic lines of action that contribute to accelerating the implementation of the 2030 Agenda for Sustainable Development and the pillars of sustainable development without undermining the gains made, and continue our joint efforts throughout the Decade of Action.

In that regard, I am pleased to highlight the recent commitment made between El Salvador and the United Nations, through the signing of the United Nations Sustainable Development Cooperation Framework, to a road map outlining the work we need to do in coordination with the United Nations system. That guiding document was developed in line with the 2030 Agenda and constitutes the first step towards consolidating a renewed resident coordinator system at the national level.

El Salvador therefore reaffirms that adequate, predictable and sustainable funding is essential to ensuring that the resident coordinator system fulfils its responsibilities in an effective, efficient and coherent manner. We call on donor countries to increase their contributions, and their core contributions in particular, in order to increase the diversity of actions on

the ground. That support is essential in order to promote the implementation of the priorities identified by individual countries, especially in the uncertain context of the pandemic and other disasters or unpredictable situations. In that connection, we highlight the call of the Secretary-General for an increase in core contributions to United Nations development system entities to at least 30 per cent of total contributions. We also note the importance of ensuring the additional 1 per cent coordination-services charge applicable to non-core contributions made to third parties for tightly earmarked contributions. And we emphasize our concern about the state of financing for the resident coordinator system and the growing shortfall in its budget, which is why it is imperative to partially fund the system through a hybrid contribution model.

On the other hand, we appreciate the openness to promoting tools to ensure transparency and accountability — especially in cases where the revitalized resident coordinator system is unable to function properly through adequate, predictable and sustainable funding — in the proposals made in the report of the Secretary-General entitled “Review of the functioning of the resident coordinator system: rising to the challenge and keeping the promise of the 2030 Agenda for Sustainable Development” (A/75/905), which contribute to further improving that aspect.

El Salvador affirms the relevance of the resident coordinator system in accelerating better recovery from the COVID-19 pandemic, as well as its important contributions to the implementation of the 2030 Agenda for Sustainable Development and the Sustainable Development Goals at the local, national and global levels.

**Mr. Ustinov** (Russian Federation) (*spoke in Russian*): We would like to thank the co-facilitators for leading the negotiations on resolution 76/4. We believe that retaining the existing funding model was the only option that could possibly be agreed on. We are happy to note that delegations reached a consensus in that regard. At the same time, I would like to reiterate Russia’s position regarding the fact that overall expenses on the resident coordination system — \$280 million — have not yet been justified. The accountability of the system should be improved significantly, and Member States should be provided with suggestions regarding ways of reducing the requested amounts. So far, we have not received any.

**The President:** We have heard the last speaker in explanation of position after adoption.

I would like to express my sincere appreciation to Mr. Sofiane Mimouni, Permanent Representative of Algeria, and Mr. Martin Bille Hermann, Permanent Representative of Denmark, who very ably and patiently conducted the discussions and complex negotiations in

the informal consultations on resolution 76/4. I am sure that all of us here join me in extending to them our sincere appreciation.

The General Assembly has thus concluded this stage of its consideration of sub-item (a) of agenda item 25.

*The meeting rose at 6.15 p.m.*