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## Third Committee

### Summary record of the 47th meeting

Held at Headquarters, New York, on Friday, 15 November 2019, at 10 a.m.

*Chair:* Mr. Braun ..... (Luxembourg)  
*later:* Mr. Yaremenko (Vice-Chair) ..... (Ukraine)

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*The meeting was called to order at 10 a.m.*

**Agenda item 25: Social development (continued)**

**(b) Social development, including questions relating to the world social situation and to youth, ageing, persons with disabilities and the family (continued) (A/C.3/74/L.17/Rev.1)**

*Draft resolution A/C.3/74/L.17/Rev.1: Promoting social integration through social inclusion*

1. **The Chair** said that the draft resolution had no programme budget implications.

2. **Mr. Rivera Roldan** (Peru), introducing the draft resolution, said that, in the text, the General Assembly recognized the importance of social integration and the creation of inclusive societies in which all people could fully exercise their rights and make contributions. A new rights-based focus on gender equality had been adopted, in the light of the 2030 Agenda for Sustainable Development, with an emphasis on the integral and indivisible nature of the Sustainable Development Goals.

3. Many people were still unable to participate fully in civil, political, social or economic life in their countries because of their gender, age, race, ethnicity or disability. Governments were therefore encouraged to develop more inclusive social policies, programmes and initiatives, in particular with regard to expanding access to education and financial services and bridging the digital divide, all of which were crucial to making progress on the Sustainable Development Goals and ending poverty and promoting empowerment among the most vulnerable.

4. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Afghanistan, Andorra, Australia, Austria, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Bulgaria, Cabo Verde, Canada, Central African Republic, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, El Salvador, Estonia, Finland, Germany, Greece, Iceland, Indonesia, Ireland, Israel, Jamaica, Latvia, Lithuania, Luxembourg, Madagascar, Malta, Mexico, Mongolia, Montenegro, Morocco, Netherlands, Nicaragua, Panama, Paraguay, Philippines, Poland, Portugal, Romania, San Marino, Serbia, Seychelles, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Thailand, Turkey and Uruguay. He then noted that the following delegations also wished to become sponsors: Democratic Republic of the Congo, Dominican Republic, Equatorial Guinea, Maldives, Mali, North Macedonia, Papua New Guinea, Tajikistan, Togo and Ukraine.

5. **Ms. Fangco** (Philippines) said that, in the Philippines, universal health care and the conditional cash transfer programme had had an immense impact on the lives of Filipinos. Sound public finance management, including debt management, was also of great importance for addressing poverty and income inequality by ensuring the timely delivery of priority social programmes and projects. In line with the recognition of persons with disabilities as both agents and beneficiaries of development, and given the need to promote their rights and foster their participation in the implementation of the 2030 Agenda, her Government supported their increased involvement in political processes and greater access to social services.

6. *Draft resolution A/C.3/74/L.17/Rev.1 was adopted.*

7. **Ms. Hassan** (Egypt) said that her country emphasized respect for the human rights of all people without discrimination. It was important to clarify, however, that the topic of social integration through social inclusion, as addressed in the draft resolution, was a unique issue. Her delegation did not view it as a consensual formulation that could be adopted for other resolutions.

8. **Ms. Simpson** (United States of America) said that her delegation had joined the consensus on the draft resolution. With regard to references in the draft resolution to the 2030 Agenda, the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, the economic and financial crisis and the New Urban Agenda, her delegation had addressed its concerns in a detailed statement delivered at the 44th meeting (see A/C.3/74/SR.44).

9. The United States was firmly committed to providing equal access to education and promoting student achievement and lifelong learning. Calls in the draft resolution for States to promote various aspects of education, including curriculums, programmes or other aspects, however, were understood in terms that were appropriate and consistent with the respective federal, state and local authorities in the United States.

**Agenda item 61: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (continued) (A/C.3/74/L.59)**

*Draft resolution A/C.3/74/L.59: Office of the United Nations High Commissioner for Refugees*

10. **The Chair** said that the draft resolution had no programme budget implications.

11. **Mr. Hermann** (Denmark), introducing the draft resolution on behalf of the Nordic countries (Denmark,

Finland, Iceland, Norway and Sweden), said that the omnibus resolution on the Office of the United Nations High Commissioner for Refugees (UNHCR) was a purely humanitarian and non-political text aimed at supporting the ongoing provision of international protection and humanitarian assistance by the Office and its search for durable solutions for those covered by its mandate.

12. The text of the draft resolution contained language on the implementation of the global compact for refugees and on the first-ever Global Refugee Forum, to be held in Geneva in December 2019. Support for the compact would enable the international community to implement a more effective collective response to forced displacement, which was among the most central global challenges. During extensive negotiations in Geneva, the concerns of all Member States had been given full and due consideration in order to achieve the broadest possible support and agreement on many difficult topics, in the best interests of UNHCR and the people it served. It was therefore deeply regrettable that one Member State had called for a vote, as UNHCR deserved the solid backing provided by consensus. All Member States should support the draft resolution and vote in favour of its adoption.

13. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Afghanistan, Albania, Andorra, Armenia, Azerbaijan, Belize, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Burkina Faso, Central African Republic, Côte d'Ivoire, Egypt, El Salvador, Fiji, Haiti, Lebanon, Liberia, Micronesia (Federated States of), Mongolia, Morocco, New Zealand, Nigeria, North Macedonia, Panama, the Republic of Korea, Serbia and Zambia. He then noted that the following delegations also wished to become sponsors: Equatorial Guinea, Mali, Qatar and Seychelles.

14. **Mr. Dogan** (Croatia), speaking also on behalf of Austria, Belgium, Bulgaria, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom, said that it was deeply regrettable that a vote had been called on such an important humanitarian resolution. Forced displacement was a global phenomenon requiring global solutions, and the text of the draft resolution was an important platform for the international community to reaffirm its support for the mandate and work of UNHCR.

15. Lengthy but diligent, fair and transparent negotiations had been conducted with a view to maintaining consensus and achieving a text acceptable

to all, through the use of previously agreed language in relevant paragraphs. International cooperation and support for UNHCR were crucial matters that required responsible action. Undermining consensus on an objectively humanitarian text could only have negative consequences for the beneficiaries of the critical work performed by UNHCR. Their delegations therefore supported the draft resolution and called on all other States to do the same.

*Statements made in explanation of vote before the voting*

16. **Mr. Al Khalil** (Syrian Arab Republic) said that his delegation had been an active participant in the negotiations in Geneva and regretted the fact that its main concerns had not been incorporated into the text, in particular the root causes of the forced displacement, the most significant of which were terrorism, foreign aggression and occupation, and unilateral coercive measures, as well as the linkage between the voluntary return of refugees and progress made in the political process. Instead, the focus of the draft resolution should have been on the humanitarian nature of the activities of the United Nations High Commissioner for Refugees. For those reasons, his delegation rejected the draft resolution in its current form and had requested a recorded vote.

17. **Mr. Kashaev** (Russian Federation) said that his country supported the work of UNHCR and considered it to be coping admirably with the challenges of ensuring the international protection regime for refugees and other categories of persons under its responsibility, especially given the current difficult climate. His delegation would therefore vote in favour of the draft resolution. It interpreted the term burden-sharing in accordance with the Convention relating to the Status of Refugees of 1951 and the 1967 Protocol thereto, namely, as solidarity of the global community in addressing the problem of refugees, and not as imposing any additional financial or legal obligations on his country, including in the context of hosting refugees on its territory.

18. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran) said that the only omnibus resolution on the situation of refugees, which was a humanitarian issue with serious implications for the protection of human rights, should fully and fairly reflect the main challenges affecting refugees around the world. It was regrettable that the main sponsors had disregarded the fundamental and dramatic shifts in the global refugee crisis. Countries whose foreign policies of aggression, occupation and, more recently, unilateral coercive measures, had led to the creation of large waves of refugees should not be allowed to draw red lines for the protection of refugees while closing their own doors and impairing the capacity of host countries to provide support for them. Such

measures by the United States, for example, had made it difficult for both his Government and UNHCR to respond adequately to the basic needs of refugees in the Islamic Republic of Iran, which had played host to the largest protracted refugee situation in the world for the last four decades. It was both unfair and unreasonable to expect that a country targeted by a genocidal economic war should single-handedly bear the burden of such illegal acts. The voices and needs of millions of refugees could not go unheeded merely to satisfy the party that continued to violate their rights.

19. The draft resolution would lose credibility and functionality if ongoing realities on the ground continued to be ignored owing to the failure to keep pace with emerging challenges and the persistent adoption of a business-as-usual approach. Despite good faith attempts by his delegation to engage in the negotiations, the text still fell short of addressing the challenges facing refugees in Iran. In sympathy with the plight of refugees around the world, and to demonstrate its support for the mandate of UNHCR, his delegation would not challenge the adoption of the draft resolution. However, it would abstain from the voting to express dissatisfaction with the process and the final text.

20. *A recorded vote was taken on draft resolution A/C.3/74/L.59.*

*In favour:*

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czechia, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Estonia, Eswatini, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, North Macedonia,

Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:*

Democratic People's Republic of Korea, Syrian Arab Republic.

*Abstaining:*

Eritrea, Hungary, Iran (Islamic Republic of), Libya, Poland.

21. *Draft resolution A/C.3/74/L.59 was adopted by 169 votes to 2, with 5 abstentions.*

22. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that his delegation had voted in favour of the draft resolution, owing to the importance of UNHCR in the implementation of international humanitarian law and of the global compact for refugees outlined in 2018. As a number of concerns for developing countries remained with regard to the complexity of the refugee phenomenon, related issues should be addressed during the various phases of implementation of the compact. His delegation rejected the political instrumentalization of the protection of refugees, political asylum and migration. It also rejected the narrative that human mobility should be treated as a security issue by certain countries for domestic political reasons.

23. It was necessary for both the international community and UNHCR to consider the structural causes behind the phenomenon, in particular with regard to the illegal imposition of coercive unilateral measures by powerful countries against developing countries in violation of international humanitarian and human rights law and the Charter of the United Nations. Due respect must be given to the mandate of UNHCR, as outlined in General Assembly resolutions [428 \(V\)](#) and [46/182](#), and to the humanitarian principles of neutrality, humanity and impartiality, which were key to ensuring non-politicization.

24. **Ms. Nemroff** (United States of America) said that her delegation had voted in favour of the draft resolution to underscore its support for the work of UNHCR in providing protection and humanitarian assistance and ensuring respect for the dignity of refugees, internally displaced persons, stateless persons and other persons of concern. Alleviating human suffering and providing principled, impartial and needs-based assistance must be at the core of UNHCR operations and all humanitarian responses. Her delegation appreciated in particular the flexibility and the spirit of collaboration exemplified in the paragraphs referring to the global compact on refugees, efficient and effective burden- and responsibility-sharing, the broadening of the base of actors engaged and the importance of addressing the needs of people in the context of mixed movement, as well as those condemning violence against humanitarian personnel and persons of concern.

25. Regretting that the draft resolution contained language that ran counter to United States policy, however, her delegation wished to dissociate itself from consensus on the paragraph on arbitrary detention. The United States joined the international community in opposing arbitrary arrest and detention, which violated human rights and fundamental freedoms and undermined the rule of law, consistent with the Constitution and laws of the United States and its national obligations and commitments under the International Covenant on Civil and Political Rights, the 1967 Protocol relating to the Status of Refugees and the Universal Declaration of Human Rights.

26. In certain instances, United States law required that certain people, including migrants, asylum seekers and stateless persons, remain in government custody, pending the adjudication of their migratory status for public safety and national security reasons. That approach was consistent with her country's sovereign right to enforce its immigration laws and to determine whom to admit to its territory, subject to international obligations. An alternative to the detention programme was already in use and had been effective for monitoring purposes, but had not yet proved effective in ensuring that immigrants would appear in court or adhere to other release conditions.

27. **Ms. Donatirin** (Indonesia) said that her delegation had voted in favour of the draft resolution and emphasized that prolonged debate on the issue of political and economic stability should be avoided as it drew attention away from finding practical solutions to the current massive global refugee crisis. Although Indonesia was not a State party to the Convention relating to the Status of Refugees of 1951 and the 1967 Protocol thereto, nor a member of any UNHCR organs,

her Government recognized that no country was immune from the impacts of the current crisis.

28. Her delegation had voted in favour of the draft resolution for several reasons. First, it would serve to strengthen collective international efforts in further advancing the implementation of States' commitments, as reflected in the acknowledgement of States' varying responsibilities and capacities with regard to handling refugee crises. Addressing the crisis required strong joint commitments, in particular by the parties to the Convention and the Protocol, and an equitable distribution of responsibilities so as to ease the burden on developing countries, which were more affected by the current unprecedented crisis. Second, the omnibus resolution served as a basis for the support and guidance that enabled UNHCR to continue to carry out its mandate as the leading organization providing protection to and promoting durable solutions for refugees during the crisis. Third, it could help to pave the way for a fruitful and meaningful Global Refugee Forum.

29. **Mr. Butt** (Pakistan) said that, as host to the largest protracted refugee situation in the world and currently the second-largest refugee-hosting country, Pakistan remained committed to the cause of refugees around the globe. New modalities and solutions should uphold humanitarian principles and bring stability to countries of origin and host communities. They should not increase the burden on host countries already grappling with developmental challenges. The increase in the number of refugees reflected the need for the prevention and resolution of conflicts, the reduction of inequalities, the elimination of poverty and the promotion of the right to development for all.

30. Respect for international law and the Charter of the United Nations could prevent the emergence of refugee crises. Renewed international attention in recent years offered hope for a collective shouldering of responsibilities to ease the lives of refugees, as did the upcoming Global Refugee Forum. The scale of the current humanitarian crisis demanded that international consensus on the issue be strengthened and not weakened. It was therefore regrettable that the omnibus resolution on UNHCR had been put to a vote for the second consecutive year. While his delegation saw some merit in the arguments put forward by the delegations from Iran and Syria, it had voted in favour of the draft resolution in the interests of maintaining consensus and urged all Member States to work towards further strengthening global consensus on humanitarian issues in a similarly constructive spirit in the future.

31. **Mr. Radomski** (Poland) said that his Government supported the idea of global cooperation and efforts

towards achieving solutions to the refugee situation, while maintaining the right of each State to make sovereign decisions on the scope and form of its involvement. The Government had significantly strengthened its efforts in that regard, in particular in the form of financial and organizational humanitarian aid to regions of origin, including through involvement in building educational and medical infrastructure.

32. His delegation did not, however, support the global compact on refugees as a whole, or the prioritization of resettlement and complementary forms of admission above other durable solutions and tools of support for refugee situations. The provisions of the draft resolution were therefore considered to be without prejudice to his delegation's position towards the global compact and national competence, in particular the sovereign right to determine which instruments were to be used to support refugees and refugee-hosting States. For those reasons, his delegation had abstained from the vote.

33. **Mr. Roscoe** (United Kingdom) said that his delegation strongly supported both the draft resolution and the critically important work of UNHCR in responding to forced displacement around the world. It deeply regretted the call for a vote, which was a politically motivated decision by the delegation of Syria that blatantly ignored the humanitarian nature of the draft resolution. The international community had an obligation to jointly support UNHCR in its work to deliver a robust international refugee protection regime.

34. Humanitarian exemptions were a well-established practice for ensuring that humanitarian aid could continue to be provided to countries that were subject to sanctions regimes, and additional measures could be taken to mitigate unintended consequences. Instead of taking advantage of those opportunities, the Syrian authorities was actively working to prevent humanitarian aid from reaching those in desperate need, in clear violation of international humanitarian law. The decision to call for a vote on the draft resolution was even more regrettable in the light of the imminent first Global Refugee Forum, where the international community should come together to present a unified message of solidarity to the world's refugees. It was in that spirit that his delegation had voted in favour of the draft resolution.

35. **Ms. Cohen** (Australia) said that her Government was committed to responding to the unprecedented challenge posed by increasing global displacement. Her delegation reaffirmed its ongoing support for UNHCR and its mandate to protect refugees and other people of concern and to assist in finding durable solutions to their displacement. With regard to State consent and UNHCR

activities related to the protection of and assistance to internally displaced persons as outlined in paragraph 10 of the draft resolution, international humanitarian law held that, in situations of armed conflict, States had a primary obligation to meet the basic needs of the population under their control, including allowing neutral and impartial humanitarian relief. Consent to principled humanitarian relief must not be withheld on arbitrary grounds, and the specific needs of internally displaced persons should be addressed in accordance with the Guiding Principles on Internal Displacement.

36. **Ms. Pongor** (Hungary) said that her delegation was committed to compliance with international legal instruments in the area of refugee law and expressed its appreciation for the work of UNHCR in helping refugees. It had abstained from the voting, however, because the omnibus resolution on UNHCR did not reflect her delegation's position on all aspects, in particular regarding the concept of solidarity and the global compact on refugees, which her Government did not support.

37. Her Government was deeply concerned about the record high number of persons displaced worldwide and fully agreed that the international community had the responsibility to assist them. Bearing in mind that all displacement should be temporary in nature, however, her Government considered that resettlement was not the way to express solidarity with those affected by conflict. Burden-sharing and solidarity could take different forms, including humanitarian and development aid to countries directly affected or the provision of services and infrastructure to host countries. For example, her Government delivered such aid through instruments of international development and the Hungary Helps programme. In 2019, the Ministry of Foreign Affairs and Trade of Hungary had launched a comprehensive development programme in Uganda, including assistance to refugees and asylum-seekers present in the country, with the aim of creating long-lasting peace and stability and thereby addressing the root causes of migration.

38. Preventing people from embarking on perilous journeys and becoming victims of traffickers and smugglers was also of the utmost importance. It was therefore necessary to determine as early as possible who was entitled to international protection and to provide information at an early stage about the risks of departure. The prevention and swift resolution of conflicts that triggered forced displacement, however, must be the primary focus of international efforts, so as to create better living conditions and security for people in their homelands, as well as in neighbouring countries and refugee camps, and to facilitate their prompt return home.

39. **Ms. Pritchard** (Canada), said that her Government was a long-standing supporter and partner of UNHCR. Her delegation welcomed the adoption of the omnibus resolution and the coordinated, effective and efficient work of the High Commissioner and his staff in responding to the protection and assistance needs of refugees and other persons of concern around the world. Such work was more vital than ever, given the increasingly high numbers of asylum-seekers, refugees and other forcibly displaced persons. Despite many achievements in international protection efforts, the right to seek and enjoy asylum as a principal of non-refoulement did not remain unchallenged. Given that steadfast support for the omnibus resolution held immense value in underscoring international support for the UNHCR mandate itself, her delegation regretted that a vote had been called and strongly recommended a return to the adoption of humanitarian resolutions by consensus. All Member States should continue to support UNHCR in the delivery of its mandate.

40. **Mr. Al Khalil** (Syrian Arab Republic), responding to the comments made by the representative of the United Kingdom, said that, when international law and the Charter of the United Nations were respected and when conflicts and crises were averted and ended, there would be neither displacement nor any need for asylum. The Syrian refugee crisis should not be used as a means for emotional or political blackmail. Rather than complaining about the crisis, the United Kingdom should withdraw the unilateral measures affecting the lives of millions of Syrians, which would enable the refugees to return.

#### **Agenda item 66: Promotion and protection of the rights of children** (*continued*)

##### **(a) Promotion and protection of the rights of children** (*continued*) (A/C.3/74/L.23)

*Draft resolution A/C.3/74/L.23: The girl child*

41. **The Chair** said that the draft resolution had no programme budget implications.

42. **Mr. Gumende** (Mozambique), introducing the draft resolution on behalf of the States members of the United Nations that were members of the Southern African Development Community (SADC), said that it was focused on the right to education and the barriers preventing girls from accessing equitable and quality education. It also addressed socioeconomic concerns, gender stereotypes, negative social norms, reproductive health care and sanitation and school-related gender-based violence. As the current draft resolution reflected only technical updates over the resolution adopted at the seventy-second session, SADC looked forward to its

adoption by consensus and invited Member States who had not yet done so to join the list of sponsors.

43. **Mr. Yaremenko** (Ukraine), *Vice-Chair*, took the Chair.

44. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Algeria, Armenia, the Bahamas, Bolivia (Plurinational State of), Burkina Faso, China, Côte d'Ivoire, Cuba, Ghana, Haiti, Kazakhstan, Kenya, Liberia, Libya, Malaysia, Mali, Mongolia, Morocco, Nicaragua, Paraguay, Philippines, Senegal, Thailand, Tunisia, Turkey and Venezuela (Bolivarian Republic of). He then noted that the following delegations also wished to become sponsors: Benin, Burundi, Cameroon, Dominican Republic, Egypt, Gambia, Nigeria and Togo.

45. **Mr. Terva** (Finland), speaking on behalf of the European Union and its member States; the candidate countries Albania, Montenegro, North Macedonia and Serbia; the stabilization and association process country Bosnia and Herzegovina; and, in addition, Georgia and the Republic of Moldova, said that the topic of the girl child, whose rights had been codified in the Convention on the Rights of the Child, was among the critical areas addressed in the Beijing Declaration and Platform for Action. In adopting the draft resolution, the Third Committee had reaffirmed its strong engagement to protect, promote and fulfil the commitments outlined in those documents.

46. Welcoming the emphasis on access to education and universal health in the draft resolution, he called upon States to eliminate national provisions that allowed pregnant adolescents, young mothers and girls subjected to child, early and forced marriage to be expelled from school, and to adopt re-entry and inclusive education policies enabling them to remain in or promptly return to school.

47. While fully supportive of most of the content of the draft resolution, in particular with regard to the promotion of the full, equal and meaningful participation of all children and adolescents in addressing all issues affecting them and raising awareness about their rights, his delegation regretted the lack of inclusive consultation on its drafting. Several important developments of the previous two years could have been reflected in the text, in particular with regard to events and commitments surrounding the thirtieth anniversary of the aforementioned Convention and potential updates to language on key concepts. Furthermore, paragraph 11 was unbalanced and did not reflect the international consensus that took into account the best interests of the child. Promoting and protecting the rights of all children, including girls, was crucial for



the sustainable development of all societies and for guaranteeing stability, security and prosperity. The European Union stood ready to work with all partners to make those objectives a reality for all.

48. *Draft resolution A/C.3/74/L.23 was adopted.*

49. **Ms. Nemroff** (United States of America) said that her delegation had joined the consensus on the draft resolution. With regard to references in the draft resolution to the 2030 Agenda, the Addis Ababa Action Agenda, the United Nations Framework Convention on Climate Change and economic, social and cultural rights, including those involving education and health, her delegation had addressed its concerns in detailed statements delivered at the 44th meeting of the Third Committee and the 14th plenary meeting of the General Assembly (see A/74/PV.14).

50. The United States defended human dignity and supported access to high-quality health care for women and girls across their lifespans. Her delegation did not, however, accept references to “sexual and reproductive health”, “sexual and reproductive health-care services”, “safe termination of pregnancy” or other language that suggested or explicitly stated that access to legal abortion was necessarily included in the more general terms “health services” or “health-care services” in particular contexts concerning women. Each nation had the sovereign right to implement related programmes and activities consistent with their laws and policies. There was neither an international right to abortion nor any duty on the part of States to finance or facilitate it. Furthermore, consistent with the reports and outcome documents of the International Conference on Population and Development and the Fourth World Conference on Women, her Government neither recognized abortion as a method of family planning nor supported abortion as part of its global health assistance.

51. The United States supported, as appropriate, optimal adolescent health and locally-driven, family-centred sex education, provided in a context that increased opportunities for young people to thrive and empowered them to avoid all forms of sexual risk. However, the inclusion of the term “comprehensive education” in conjunction with the phrase “with information on sexual and reproductive health” was unacceptable. The application of those terms often normalized adolescent sexual experimentation, failed to incorporate family, faith and community values and was inconsistent with public health messages that promoted the highest attainable standard of health.

52. With regard to the twenty-second preambular paragraph, her delegation noted that harassment, while condemnable, was not necessarily physical violence. To

the extent that paragraph 24 referred to school-related punishment, her delegation read that as punishment that rose to the level of child abuse, in line with domestic law. With respect to the sixteenth preambular paragraph and paragraphs 23 and 25, the phrase “child sexual abuse material or child sexual abuse imagery, often referred to or criminalized as child pornography” was preferred over “child pornography and other child sexual abuse material”. Noting that any involvement of children in prostitution was non-consensual and criminal, her delegation preferred the terms “child sex trafficking,” the “commercial sexual exploitation of children” or “exploitation of children in prostitution” rather than the term “child prostitution” used in the sixteenth preambular paragraph and paragraph 23. Furthermore, the wording “trafficking and forced migration” in paragraph 23 seemed to imply movement whereas the crime of trafficking in persons as defined in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, was not based on movement.

53. Lastly, her delegation understood that when the draft resolution called on States to enact and enforce laws concerning the minimum age of consent and marriage in paragraph 18, it was done in terms consistent with the respective federal and state authorities.

54. **Monsignor Hansen** (Observer for the Holy See) said that the dignity of all children must be respected and defended by all without being diverted by disagreements that detracted from necessary common efforts in that regard. The delegation of the Holy See considered the terms “sexual and reproductive health”, “sexual and reproductive health-care services” and “reproductive rights” as applying to a holistic concept of health and did not consider abortion, access to abortion or access to abortifacients as a dimension of those terms. Regarding references to comprehensive education or information on sexuality, parents had the primary responsibility and prior rights, including the right to religious freedom in the education and upbringing of their children as enshrined, inter alia, in the Universal Declaration of Human Rights and the Convention on the Rights of the Child.

55. **Ms. McDowell** (New Zealand), speaking also on behalf of Australia, Canada, Iceland, Liechtenstein, Norway and Switzerland, said that the text should continue to evolve in its future iterations. It remained disappointing that the contentious oral revision made to paragraph 11 of the draft resolution in 2017, which had led many sponsors to withdraw their sponsorship, continued to be reflected in the text. That revision had weakened the original language on gender equality and



comprehensive education that had been carefully drafted and agreed upon in several texts on which consensus had been reached in the past four years, including other resolutions and the Political Declaration on HIV and AIDS.

56. It was also regrettable that the phrase “the best interests of the child”, as agreed at the sixty-second session of the Commission on the Status of Women, had not been included. That formulation was a better reflection of the most recent compromise language agreed upon with regard to the issue. References in the original paragraph to such education being “age-appropriate”, “in full partnership” with parents and guardians, and aimed at “adolescent girls and boys and young women and men” already clearly addressed potential sensitivities. Equal access to comprehensive sexuality education was vital to ensure that all people were able to grow and learn in safety and health, equipped with the confidence required to achieve and excel in any field. It was well established that evidence-based programmes including gender equality were more effective and enabled individuals, especially adolescent girls and boys and young women and men, to make informed decisions freely and autonomously on sexual and reproductive health.

57. **Mr. Molina Linares** (Guatemala) said that his country valued multilateralism and recognized the relevance of resolutions, such as the one that had just been adopted, that offered support and recognition for the human rights of children. His Government remained committed to the physical, social and mental well-being of all the inhabitants of Guatemala. With regard to the comprehensive approach to health, it was stipulated in the Constitution of Guatemala that the enjoyment of health was a fundamental right of all human beings, without discrimination. His delegation interpreted the references to sexual and reproductive health and related health-care services, however, in accordance with article 3 of the Constitution, pursuant to which the State guaranteed and protected human life from the time of conception, as well as the integrity and security of the individual.

#### **Agenda item 70: Promotion and protection of human rights** (*continued*) (A/C.3/74/L.49)

*Draft resolution A/C.3/74/L.49: International Equal Pay Day*

58. **The Chair** said that the draft resolution had no programme budget implications.

59. **Ms. Stankiewicz Von Ernst** (Iceland), introducing the draft resolution also on behalf of Australia, Canada, Germany, Panama, New Zealand, South Africa and Switzerland, said that, according to the Global Wage Report 2018/19, across all regions, countries and sectors,

women were paid an estimated 20 per cent less than men. Despite the widespread endorsement of the principle of equal remuneration for women and men for work of equal value in several conventions and other instruments, applying that principle in practice had proven difficult, and progress on narrowing the gender pay gap had been slow. The purpose of establishing International Equal Pay Day, to be observed each year on 18 September, starting in 2020, was to support and celebrate the efforts and progress made by stakeholders towards achieving equal pay for work of equal value and urge further action.

60. Following consultations held with concerned delegations, the following oral revisions had been made to the text: the fifth preambular paragraph had been amended to read “Noting the work of the Equal Pay International Coalition”, which was established to contribute to the achievement of equal pay for work of equal value and the relevant Sustainable Development Goals, in particular target 8.5; the tenth preambular paragraph had been moved to become the sixth preambular paragraph; the eighth preambular paragraph had been moved to become the seventh preambular paragraph and now began with “Taking note with appreciation of the major contributions made by civil society”; paragraph 2 now began with “Invites all Member States”; and paragraph 3 had been updated to read “Invites the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the International Labour Organization, within their respective mandates and existing resources, in collaboration with all relevant organizations already involved in the promotion of equal pay for work of equal value, to work together to facilitate the observance of International Equal Pay Day and to support Member States, upon their request, in observing the Day”.

61. Her delegation invited all Member States that had not already become sponsors of the draft resolution to do so and looked forward to working with all partners to celebrate the first International Equal Pay Day in 2020.

62. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Armenia, Austria, Bahamas, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Bulgaria, Colombia, Costa Rica, Cuba, Cyprus, Czechia, Ecuador, El Salvador, Eritrea, Ghana, Greece, Guatemala, Haiti, Indonesia, Israel, Italy, Jamaica, Kazakhstan, Liberia, Liechtenstein, Luxembourg, Maldives, Mali, Malta, Mongolia, Montenegro, Morocco, Netherlands, Pakistan, Paraguay, Peru, Poland, Portugal, Republic of

Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia, Seychelles, Slovakia, Slovenia, Sri Lanka, Thailand, Timor-Leste, Tunisia, United Arab Emirates, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam and Zambia. He then noted that the following delegations also wished to become sponsors: Côte d'Ivoire, Dominican Republic, Egypt, India, Jordan, Malawi, Nicaragua, Nigeria, Papua New Guinea, Togo, Uganda, United Kingdom and Zimbabwe.

63. **Ms. Jordyn Arndt** (United States of America) said that her delegation had joined the consensus on the draft resolution. Her Government's support for the concept of equal pay for equal work among women and men was reflected in the Equal Pay Act of 1963, Title VII of the Civil Rights Act of 1964 and the Lilly Ledbetter Fair Pay Act of 2009. Her delegation had hoped that key paragraphs of the draft resolution would contain the phrase "equal pay for equal work or work of equal value", which reflected negotiated language from the Beijing Declaration and Platform for Action and had since appeared in numerous United Nations documents. The phrase was understood by her delegation to promote pay equity between men and women and the formulation had been accepted on that basis. The United States implemented it by observing the principle of "equal pay for equal work".

64. Reflecting its commitment to empowering women economically worldwide, her Government had launched the Women's Global Development and Prosperity Initiative in February 2019. The purpose of the initiative was to help millions of women in the developing world to secure opportunities in their local economies through workforce development and vocational training, increased access to financial and technical assistance and enhanced legal, regulatory and social protections norms, with a view to making developing nations economically self-reliant and more stable, secure and prosperous. With regard to references in the draft resolution to the 2030 Agenda and the outcome documents of the Fourth World Conference on Women and its five-year review conferences, her delegation had addressed its concerns in a detailed statement delivered at the 44th meeting.

65. *Draft resolution A/C.3/74/L.49, as orally revised, was adopted.*

66. **Mr. Terva** (Finland), speaking on behalf of the European Union and its member States; the candidate countries Albania, Montenegro, North Macedonia, Serbia and Turkey; the stabilization and association process country Bosnia and Herzegovina; and, in addition, Georgia and the Republic of Moldova, said that the International Equal Pay Day initiative could not have been more timely, in the light of the centenary of the International Labour Organization (ILO). The adoption

of the ILO Centenary Declaration for the Future of Work and the Violence and Harassment Convention, 2019 (No. 190) testified to the global commitment to tackle the underlying causes of pay inequality.

67. The previous week, on the occasion of European Equal Pay Day, the President-elect of the European Commission had announced her plan to introduce new measures to help in tackling the root causes of the gender pay gap. The upcoming twenty-fifth anniversary of the Beijing Declaration and Platform for Action also provided an opportunity to step up action in favour of gender equality in the workplace. In that context, the European Union and its member States welcomed the fact that equal pay would be a core topic addressed at the Generation Equality Forum, to be convened in 2020 by UN-Women and co-chaired by France and Mexico.

68. **Ms. Fangco** (Philippines) said that, having been an active participant in crafting the Universal Declaration of Human Rights, her country considered the promotion of gender equality and the empowerment of women to be a core priority. Despite various developmental challenges, the Philippines continued to make great strides in that regard and had become the highest-ranked Asian country on the Global Gender Gap Index. The declaration of 18 September as International Equal Pay Day could promote further action by all States, the private sector and other stakeholders towards achieving equal pay for work of equal value for all. Through the Magna Carta of Women, her Government sought to ensure equal treatment for men and women before the law; equal opportunities for and access to resources and development; equal rights to education, training, employment and decent work; and social protections. Her Government would work towards realizing those goals through public-private partnerships and through awareness-raising campaigns to mark International Equal Pay Day. Such rights must also be applied to migrant women workers, to help to reduce their vulnerability to abuse and exploitation and to assist in their transition from the informal to the formal economy, where needed.

**(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (continued) (A/C.3/74/L.25, A/C.3/74/L.34, A/C.3/74/L.35/Rev.1, A/C.3/74/L.52/Rev.1 and A/C.3/74/L.53/Rev.1)**

*Draft resolution A/C.3/74/L.25: Freedom of religion or belief*

69. **The Chair** said that the draft resolution had no programme budget implications.

70. **Mr. Terva** (Finland), introducing the draft resolution on behalf of the European Union and its

member States; the candidate countries Albania, Montenegro, North Macedonia, Serbia and Turkey; the stabilization and association process country Bosnia and Herzegovina; and, in addition, Georgia and the Republic of Moldova, said that promoting and protecting freedom of religion or belief as a universal human right and eliminating discrimination on the basis of religion or belief were key priorities of the human rights policy of the European Union. Freedom of religion or belief safeguarded respect for diversity, and its free exercise directly contributed to democracy, development, the rule of law, peace and stability.

71. With a view to encouraging a focus on implementation, only technical updates had been made to the text. The European Union had taken steps to advance implementation of the resolution at the regional level and to promote its implementation elsewhere. The stocktaking exercise on the Istanbul Process for Combating Intolerance, Discrimination and Incitement to Hatred and/or Violence on the Basis of Religion or Belief, carried out in April 2019 at a meeting held in Geneva and hosted jointly by the delegation of the European Union, Denmark and the Universal Rights Group, and the upcoming seventh meeting of the Istanbul Process, to be hosted by the Netherlands and the Universal Rights Group, were concrete demonstrations of the commitment of the European Union member States to making progress on all fronts. The adoption of the draft resolution by consensus would continue to send a strong message to the world on the importance of protecting those rights.

72. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Andorra, Antigua and Barbuda, Argentina, Armenia, Bosnia and Herzegovina, Brazil, Chile, Costa Rica, Dominican Republic, El Salvador, Haiti, Iceland, Israel, Japan, Liberia, Madagascar, New Zealand, Papua New Guinea, Paraguay, Peru, Philippines, Republic of Korea, San Marino, Serbia, Seychelles, Switzerland, Thailand and Uruguay. He then noted that Angola, Cabo Verde and Uganda also wished to become sponsors.

73. *Draft resolution A/C.3/74/L.25 was adopted.*

*Draft resolution A/C.3/74/L.34: Terrorism and human rights*

74. **The Chair** said that the draft resolution had no programme budget implications.

75. **Mr. Elizondo Belden** (Mexico), introducing the draft resolution, said that the text of the draft resolution contained only technical updates as compared with General Assembly resolution 73/174, adopted the

previous year by consensus. In that resolution, a balanced text had been reached after combining two resolutions that both reflected the need to protect human rights and to counter terrorism. In doing so, efforts had been made to look beyond differences and to seek to take coordinated, concerted and effective actions that were fully respectful of human rights. Terrorism was a grave threat that tested societal values and principles. It was therefore crucial, in fighting that scourge, to protect human rights and fundamental freedoms at all times and to prevent violations, whether committed by States in their counter-terrorism activities or resulting from acts perpetrated by terrorist groups. The rights of the victims must take precedence over all other considerations.

76. His delegation acknowledged that the text, while preserving the balance of the previous year, still did not meet all the concerns of Member States. Efforts must be redoubled to strengthen the human rights-based approach as the fundamental basis of the fight against terrorism. The text provided a basis for deeper dialogue between States, the inclusion of civil society organizations and recognition that effective counter-terrorism measures and the protection of human rights were complementary and mutually reinforcing goals.

77. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Andorra, Argentina, Austria, Bahrain, Bangladesh, Belgium, Belize, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Estonia, Finland, Germany, Greece, Hungary, Ireland, Italy, Japan, Jordan, Latvia, Lebanon, Lithuania, Luxembourg, Mali, Malta, Morocco, Niger, Nigeria, Poland, Portugal, Romania, Saudi Arabia, Senegal, Slovakia, Slovenia, South Africa, Spain, Sudan, Sweden, Ukraine, Uruguay, Venezuela (Bolivarian Republic of) and Zambia. He then noted that the following delegations also wished to become sponsors: Benin, Burundi, Cabo Verde, Cameroon, Guatemala and North Macedonia.

78. **Mr. Moussa** (Egypt) said that the draft resolution before the Committee provided a strong and balanced text that addressed the scourge of terrorism in a non-selective, comprehensive and holistic manner. The world had seen an overwhelming wave of grave terrorism-related atrocities over the past few years, in particular in the Middle East and Africa. Terrorism had a direct and devastating bearing on the full enjoyment of all human rights and fundamental freedoms, impeding several political economic, social and cultural rights. The adoption of the draft resolution would send a strong and unequivocal message of unity in the fight against terrorism.

79. *Draft resolution A/C.3/74/L.34 was adopted.*

80. **Mr. Bentley** (United States of America) said that while his delegation had agreed to maintain the consensus on the draft resolution it wished to clarify its understanding of the text and to dissociate itself from paragraphs 14 and 30.

81. His delegation understood paragraph 8 to refer to the importance of ensuring access to justice and accountability in accordance with applicable international law. The reference in paragraph 9 to States acting “in accordance with their obligations under international law” was understood to mean that, if a State carried out the stated actions within its criminal justice system, it should do so in a manner consistent with its applicable international obligations. That should not be understood to suggest the existence of particular obligations to implement the actions described, and nothing in the draft resolution requesting States to take certain actions to counter terrorism altered their obligations under applicable international law.

82. Paragraph 13 was understood to mean that States must comply with their international obligations, including the non-discrimination provisions of the international human rights treaties to which they were party, as applicable, when taking measures to counter terrorism and violent extremism.

83. Paragraph 14 was rejected as an unfair and thinly veiled attack against United States material support law and as an overbroad call on States to ensure that counter-terrorism legislation did not impede humanitarian aid, even if terrorists benefited from such activities. While the United States supported the role of humanitarian actors in alleviating the suffering of those displaced and otherwise victimized by terrorism, countries were not obligated under international law to allow the unrestricted delivery of humanitarian or other assistance to terrorist groups or individual terrorists, or to allow the provision of support to terrorist groups or individual terrorists for any purported humanitarian or other activities. The language used in the paragraph had no impact upon the binding obligation for Member States to prohibit their nationals or those within their territories from providing funds or other economic resources for the benefit of terrorist organizations or individual terrorists, or to ensure that their laws provided the ability to prosecute and penalize the wilful financing of terrorist groups and individual terrorists, regardless of purpose and even in the absence of a link to a specific terrorist act. Anyone seeking to rely on the misleading and damaging language in paragraph 14 should understand it as calling on States to ensure only that their counter-terrorism efforts were implemented appropriately and in a manner consistent with their international obligations. Future opportunities should be taken to correct the language accordingly.

84. His delegation was also concerned that the call on States not to hinder the work of civil society organizations in paragraph 28 could be similarly misconstrued. His delegation understood it to mean only that States must comply with their international obligations in that regard. It also dissociated itself from paragraph 30, which was inconsistent with the narrow exceptions to freedom of expression permitted under the Constitution of the United States and article 19 of the International Covenant on Civil and Political Rights. While the United States was committed to cooperation in order to counter violent extremist propaganda and incitement to violence on the Internet and social media, the language in the paragraph could be used to support excessive restrictions on speech, in particular online.

85. **Mr. Ranger** (New Zealand), speaking also on behalf of Australia, Canada, Iceland, Liechtenstein, Norway and Switzerland, said that their delegations supported efforts to streamline resolutions on similar topics at the Third Committee. Nevertheless, as the current draft resolution was a technical rollover from the previous year’s merged text, the preoccupations expressed at that time remained. The deep concerns had resulted from the merger of two resolutions addressing two related, but very different, types of human rights violations. In General Assembly resolution [72/180](#), the importance of Governments fully respecting their human rights obligations in their counter-terrorism efforts was underlined, while in General Assembly resolution [72/246](#), the ways in which terrorists themselves violated human rights were examined.

86. In the light of the upcoming review of the United Nations Global Counter-Terrorism Strategy in 2020, the delegations reiterated their call to include crucial human rights language from resolution [72/180](#) in future iterations of the resolution, without which the current draft resolution did not represent a consolidation of the two resolutions and would therefore be unsustainable. The delegations reiterated their ongoing support for the work of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism and called upon all States to cooperate with her mandate.

*Draft resolution [A/C.3/74/L.35/Rev.1](#): Protection of migrants*

87. **The Chair** said that the draft resolution had no programme budget implications.

88. **Mr. de la Fuente Ramirez** (Mexico), introducing the draft resolution, said that, 20 years after the adoption of the first Third Committee resolution on the protection of migrants and one year after the adoption of the Global



Compact for Safe, Orderly and Regular Migration, his delegation sought in the present draft resolution to reaffirm the obligations of both transit and destination countries with regard to protecting and respecting the human rights of millions of migrants around the world. In the text, the specific contributions of migrants, as established in the 2030 Agenda, were recognized once again. For the first time, however, explicit references were made both to the need for joint international efforts in the search for missing or deceased migrants and to cross-border displacement caused by climate change and natural disasters.

89. Given the need to assess and address the many different perspectives and concerns on the matter, the final text demonstrated the strength of multilateralism and diversity. In the end, the lesson learned was that no country could handle the issue on its own. While all Member States retained the sovereign right to establish their own migration policies, sovereignty and human rights did not necessarily conflict with one another. On the contrary, there was no better use of sovereignty than to cooperate with other countries to address issues that were, by definition, transnational. All delegations that had not yet done so were invited to join the list of sponsors.

90. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Argentina, Armenia, Bangladesh, Belarus, Belize, Burkina Faso, Cabo Verde, Canada, Costa Rica, Côte d'Ivoire, Cyprus, El Salvador, Guatemala, Honduras, Luxembourg, Mali, Nicaragua, Panama, Paraguay, Philippines, South Africa, Spain, Sweden, Turkey and Uruguay. He then noted that the following delegations also wished to become sponsors: Egypt, Kyrgyzstan, Nigeria, Seychelles and Tajikistan.

91. **Ms. Tasuja** (Estonia) said that, while her delegation acknowledged that migration was a global phenomenon requiring joint efforts, the Global Compact for Migration did not create any legal obligations for her country. Her Government did not consider the Compact as evidence of State practice or *opinio juris* for the emergence of customary international law. Should it become the basis for the creation or adoption of a binding provision, Estonia would not be bound under international law by any such provision.

92. **Mr. de Souza Monteiro** (Brazil) said that his delegation recognized the multidimensional character of international migration in which both regional and bilateral cooperation were needed to address the migration challenges faced by countries of origin, transit and destination. It also acknowledged the complexity of migratory flows and shared concerns about the large numbers of migrants facing situations of

risk and vulnerability by crossing international borders. There was a need for concerted international action to combat growing networks of people smuggling and trafficking in persons worldwide. In addressing migratory challenges, his Government fully respected international law and international human rights law and had put in place comprehensive national legislation that fully recognized the human rights of migrants and ensured their access to basic public services.

93. Brazil remained committed to maintaining an open-door policy to migrants and refugees from Venezuela. Between 2015 and 2019, the Government had recorded more than 178,000 refugee applications for temporary residence, including from more than 2,500 unaccompanied children and adolescents. Although the role of dialogue was valued, migration policy was, however, essentially a national prerogative that bore directly upon the very essence of sovereignty, namely the right and obligation of States to maintain control over their own borders and territory. His delegation joined consensus on the draft resolution, but dissociated itself from paragraphs referencing the Global Compact for Migration, which did not substantively contribute to addressing current international migration challenges. Brazil was not a party to the Compact and would not participate in the International Migration Review Forum.

94. *Draft resolution A/C.3/74/L.35/Rev.1 was adopted.*

95. **Ms. Nemroff** (United States of America) said that her country took very seriously its responsibility to protect the human rights of all persons in their territories and under their jurisdiction, regardless of migration status; other States should do the same. Nevertheless, the terms “migration” and “migrant” were not well defined under international law, and the United States maintained the sovereign right to facilitate or restrict access to its territory in accordance with its national laws, policies and interests, subject to its existing international obligations. None of the provisions of the draft resolution created or affected rights or obligations of States under international law. The reference to a specific bilateral legal matter was inappropriate.

96. With regard to references in the draft resolution to climate change, the 2030 Agenda and the Global Compact for Migration, her delegation had addressed its concerns in a detailed statement delivered at the 44th meeting of the Third Committee and in a national statement issued on 7 December 2018 in connection with the Compact. Her delegation wished to dissociate itself from references to the New York Declaration for Refugees and Migrants; its explanation of position on that document had been circulated in the annex to a letter dated 29 September 2016 (A/71/415).

97. Her delegation also wished to dissociate itself from language that inappropriately suggested that laws treating irregular migration as a criminal rather than an administrative offence could have the effect of denying migrants the full enjoyment of their human rights and fundamental freedoms. In addition, it dissociated itself from the paragraph on arbitrary arrest and detention. The United States opposed arbitrary detention, consistent with its Constitution, its national laws and its international obligations. Nevertheless, in certain cases, the detention of migrants or asylum seekers was lawful and necessary for public safety and national security reasons.

98. Furthermore, her delegation dissociated itself from language regarding systems and procedures applicable to migrant children. Her Government's current practices were consistent with its commitment to ensuring that such children were treated in a safe and secure manner. Her delegation did not read the draft resolution to imply that States must join international instruments to which they were not a party, or that they must implement those instruments or any obligations under them, including the principle of the best interests of the child derived from the Convention on the Rights of the Child.

99. Lastly, her delegation dissociated itself from the paragraph on protecting migrants from becoming victims of organized crime. The Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime did not prohibit States from criminalizing the acts of migrants who had been smuggled into a country. States should distinguish between human smuggling and trafficking in persons.

100. **Mr. Skoknic Tapia** (Chile) said that his country's migration policy was based upon the principles of protection of and respect for the universal human rights of all persons, the right of all individuals to circulate freely in the territory of a State in which they were legally present and the sovereign right of a given State to determine its own national migration policy, in accordance with its international obligations. His delegation affirmed the importance of multilateralism and was committed to international cooperation and bilateral and regional cooperation on migration issues. Nevertheless, Chile was not a party to the Global Compact for Migration and its content was not binding upon his Government in any way. His delegation therefore dissociated itself from paragraphs containing references to the Compact or the International Migration Review Forum, on the understanding that they applied only to States parties of the Compact.

101. **Mr. Ruiz** (Philippines) said that people from his country had been migrating for decades, for work, study

or other reasons. It would be difficult to find a country today without migrants from the Philippines. Recognizing those migrants as partners in national development, his Government considered their protection and their ability to exercise their human rights and fundamental freedoms to be of the utmost importance. In that regard, his delegation welcomed the reference in the draft resolution to the Global Compact for Migration and the importance given to developing more conducive and inclusive remittance markets. It also welcomed the emphasis placed on the importance of international cooperation in preventing migrant deaths and injuries and in identifying those who had died or gone missing.

102. **Ms. Charikhi** (Algeria) said that her delegation had joined the consensus on the draft resolution in recognition of the obligation to protect the human rights of all, including migrants. Nevertheless, it dissociated itself from references to the Global Compact for Migration, which made no distinction between regular and irregular migration and contained no mention of the underlying causes of migration. Those weaknesses rendered the Compact ineffective in helping to combat smuggling, which was a complex issue that could only worsen without specific and jointly developed measures aimed at addressing the resurgence of armed conflict, eliminating poverty and food insecurity and implementing global solutions to counter the devastating impacts of natural disasters. Moreover, while the measures to handle migratory flows put in place through the Compact were laudable, they were also ineffective without a global strategy for eradicating the aforementioned underlying causes.

103. Her delegation remained deeply committed to ensuring respect for and the protection and promotion of human rights, including for migrants, in accordance with the international agreements ratified by Algeria, in particular, the legally binding International Covenant on Civil and Political Rights and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

104. **Mr. Salah** (Libya) said that while his delegation had joined the consensus on the draft resolution, as it firmly supported the promotion and protection of human rights and considered that consensus in the adoption of United Nations resolutions strengthened the effectiveness of their implementation, it dissociated itself from the paragraphs mentioning the Global Compact for Migration, which did not apply to Libya for the reasons outlined at the time of the adoption of General Assembly resolution [73/195](#) endorsing the Compact in 2018. The decision to maintain consensus in no way altered that position.



105. **Ms. De Martino** (Italy) said that her delegation attached great importance to the protection and promotion of the human rights and fundamental freedoms of migrants, especially those in vulnerable situations, and condemned all forms of discrimination against migrants. Nevertheless, her delegation's decision to join the consensus on the draft resolution did not change its stance on the Global Compact for Migration, as stated at the time of its endorsement by the General Assembly.

106. **Ms. Bogyay** (Hungary) said that her delegation was committed to compliance with international human rights instruments, including when enacting and implementing national legislation in the area of migration. Nevertheless, migration should not be qualified as a basic human right. All States had the right to define their migration policies in order to protect their borders and provide protection against criminal networks exploiting the often vulnerable situation of people on the move. In particular, States should avoid creating pull factors for irregular migration, thereby generating further opportunities for human traffickers and smugglers. Moreover, promoting migration did not resolve socioeconomic, political or environmental challenges in countries of origin. Instead, efforts should be made to address root causes, including through conflict prevention and sustainable development and by upholding human rights. For those reasons, Hungary had voted against the General Assembly resolution on the Global Compact for Migration and would not be taking part in its implementation. Her delegation therefore dissociated itself from the paragraphs mentioning the Compact or the International Migration Review Forum.

107. **Monsignor Hansen** (Observer for the Holy See) said that his delegation welcomed references in the draft resolution to two important outcomes of work undertaken since the adoption of the 2030 Agenda and the New York Declaration for Refugees and Migrants, namely, the milestone Global Compact for Migration and the International Migration Review Forum, aimed not only at evaluating the implementation of the Compact, but also at identifying key challenges and opportunities, emerging issues and the scope of future international cooperation on the issue. His delegation also welcomed the attention given to the rise in discriminatory, racist and xenophobic attitudes against migrants and to the need for increased vigilance in the face of new forms of related behaviour, which increased suffering among migrants.

108. **Mr. Woodroffe** (United Kingdom) said that his delegation welcomed the strong focus in the draft resolution on the need to combat discrimination against migrants and to promote open, evidence-based and free public discourse on migration. It also welcomed the

focus on fair and ethical recruitment and the need to protect migrant workers against exploitation. The improved attention given to those two areas reflected the strong relationship between the Global Compact for Migration and the work of the Third Committee. Reflecting a much broader set of issues than human rights alone, however, the Compact presented a common approach to international cooperation and multilateral engagements, with a view to maximizing the benefits of legal migration and addressing the growing challenges of irregular migration.

109. Although his delegation had joined the consensus on the draft resolution, it wished to clarify its position on two issues. As set out in the Global Compact for Migration, it was a country's sovereign right to decide its immigration policies. When those policies were violated, States should be entitled to designate an offence as criminal rather than administrative, in accordance with its national legislation and in line with agreed international standards and its human rights obligations. With regard to opposition to child detention, although detaining children might be required in exceptional cases for the purpose of determining migration status, it should be done only as a last resort, in the least restrictive setting, for the shortest amount of time possible and with full respect for the human rights of the child, taking into account as a primary consideration the best interests of that child.

110. **Mr. Molina Linares** (Guatemala) said that the draft resolution provided valuable recognition of the contribution of migration to the development of all societies. The Global Compact for Migration was among the first processes that placed human beings at the core of its focus. Responses to migration must be sustainable, humane, coordinated and comprehensive, and applied jointly and consistently by all States, in order to ensure the protection of migrant workers and their families and full respect for the human rights of all migrants, regardless of status, in countries of origin, transit, destination and return. Migration must not be addressed through an exclusively security-based approach that criminalized migrants and irregular migration, but through a human rights perspective. It should not be seen as a potentially harmful problem to be resolved, but as a natural social process common to all cultures throughout history that provided opportunities and drove development in countries of both origin and destination.

*Draft resolution A/C.3/74/L.52/Rev.1: Subregional Centre for Human Rights and Democracy in Central Africa*

111. **The Chair** said that the draft resolution had no programme budget implications.

112. **Ms. Banaken Elel** (Cameroon), introducing the draft resolution on behalf of the States members of the United Nations that were members of the Economic Community of Central African States, said that, since its creation at the request of the countries of Central Africa, the Subregional Centre for Human Rights and Democracy in Central Africa had undertaken important activities in the field of human rights for the benefit of government institutions, professional groups, national human rights institutions and other civil society organizations. The present draft resolution contained only technical updates as compared with General Assembly resolution 72/187. She called on all States that had not already done so to join the list of sponsors.

113. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Algeria, Austria, Belgium, Bulgaria, Cabo Verde, Canada, Egypt, Greece, Hungary, Japan, Kenya, Liberia, Luxembourg, Morocco, Romania and Sudan. He then noted that the following delegations also wished to become sponsors: Eritrea, Ghana, Mozambique, Namibia, Nigeria, Uganda and Zambia.

114. *Draft resolution A/C.3/74/L.52/Rev.1 was adopted.*

*Draft resolution A/C.3/74/L.53/Rev.1: United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region*

115. **The Chair** said that the draft resolution had no programme budget implications.

116. **Ms. Alnesf** (Qatar), introducing the draft resolution, said that the United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region, established pursuant to General Assembly resolution 60/153, was mandated to undertake training and documentation activities on human rights and to support such efforts within the region by Governments, United Nations agencies and programmes, national human rights institutions and non-governmental organizations. As reflected in the draft resolution, the Centre also provided capacity-building activities with regard to political, civil, social and economic rights and in combating all forms of xenophobia and discrimination. Moreover, the Centre had improved its effectiveness and efficiency in the implementation of its mandate, had carried out awareness-raising efforts in the Arab States and other States in the region and had increased the number of its beneficiaries. She trusted that the draft resolution, which served to promote human rights, would be adopted by consensus and requested States that had not yet done so to join the list of sponsors.

117. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Afghanistan, Australia, Bosnia and Herzegovina, Canada, El Salvador, Fiji, Jordan, Kuwait, Lebanon, Libya, Malaysia, Morocco, Oman, Pakistan, Sudan, Tunisia, Turkey, United States of America and Venezuela (Bolivarian Republic of). He then noted that Ghana, Papua New Guinea and Uganda also wished to become sponsors.

118. **Mr. Al Khalil** (Syrian Arab Republic), speaking in explanation of vote before the voting, said that his delegation wished to call for a recorded vote on the draft resolution in order to express its objection, not to the substance of the text, but to the delegation deemed qualified to present a draft resolution on human rights. The authorities of Qatar continued to refuse to classify the Levant Liberation Organization as a terrorist group and were well known for paying hostage ransoms in Syria and Iraq to that organization and to Islamic State in Iraq and the Levant (ISIL), in clear violation of Security Council resolutions banning such practices. Moreover, half of Qatar was taken up by military bases belonging to the United States and Turkey, and the rest welcomed terrorist groups, including the Taliban.

119. **Ms. Alnesf** (Qatar) said that, while the Training and Documentation Centre was hosted by Qatar, it was a United Nations entity that had worked very hard to implement its mandate, in a field that was very important to the region. It was therefore regrettable that the representative of the Syrian Arab Republic had called for a vote, had raised issues entirely unrelated to the text of the draft resolution itself and had made direct accusations against her country. She therefore called on Member States to vote in favour of the draft resolution, on the basis of the work carried out by the Centre over the past 13 years.

120. *A recorded vote was taken on draft resolution A/C.3/74/L.53/Rev.1.*

*In favour:*

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Canada, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czechia, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia,

Eswatini, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, North Macedonia, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Zambia, Zimbabwe.

*Against:*

Syrian Arab Republic.

*Abstaining:*

Iran (Islamic Republic of), Palau.

121. *Draft resolution A/C.3/74/L.53/Rev.1 was adopted by 176 votes to 1, with 2 abstentions.*

122. **Mr. Thompson** (United States of America) said that the adoption of the draft resolution served to further recommend the work of the United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region in bolstering human rights.

*The meeting rose at 12.50 p.m.*