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Chair: (Luxembourg)

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The meeting was called to order at 10.05 a.m.

Agenda item 68: Elimination of racism, racial discrimination, xenophobia and related intolerance
(continued) (A/74/18)

(a) Elimination of racism, racial discrimination, xenophobia and related intolerance (continued)
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(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action (continued) (A/74/173, A/74/274, A/74/308, A/74/312 and A/74/321)

Agenda item 69: Right of peoples to self-determination
(continued) (A/74/244 and A/74/309)

1. **Mr. Kwaja** (Chair-Rapporteur of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination), presenting the report of the Working Group (A/74/244), said that private military and security companies had significant gender footprints in the communities in which they operated. The wide variety of contexts in which those companies operated and the types of service they provided entailed different levels of gendered risk to the enjoyment of human rights. Risks were particularly high in situations of armed conflict, post-conflict and transitional situations and in countries in which there were no standards or oversight governing their activities. There were also certain risks associated with situations in which private military and security personnel had regular contact with members of the public, situations where services were involved in actual or potential use of force, and situations where there were power imbalances.

2. A large, militarized and predominantly male private military and security presence could generate feelings of unease, which men, women, boys and girls might experience differently. For example, that presence could hinder the ability of women to move freely and increase their risk of being subjected to sexual harassment, including at informal or formal checkpoints and in refugee and migrant detention centres. Women and girls formed the majority of victims of sexual and gender-based violence, and women with lower socioeconomic status, from indigenous communities and women human rights defenders faced particular risks.

3. The Working Group had also examined past major abuses of gender-based discrimination and sexual and gender-based violence and was concerned that there had been limited accountability and remedies for victims.

More needed to be done to address gender-based inequality and discrimination in private military and security companies, including by increasing the number of underrepresented groups and taking principled, firm and swift action to address sexual and gender-based violence, structural inequalities and underlying discrimination. Given that gender-based discrimination and sexual- and gender-based violence by private military and security companies were more likely to take place in the absence of human rights-compliant legal and regulatory frameworks to govern their activities, State action was needed in areas of legal reform, regulatory and oversight bodies, and accountability and remedy mechanisms. There was also an urgent need to deepen research and action to assess gendered risks and impacts and learn of the experiences of those affected. Gender-disaggregated data-gathering and gender-sensitive monitoring of alleged abuses were critical next steps.

4. **Ms. Wacker** (Observer for the European Union) said that the European Union remained committed to the protection, promotion and fulfilment of the human rights of women and girls. It shared many of the concerns of the Working Group regarding the dangers and impact of mercenary activities and recognized the deeply negative impact of contemporary forms of mercenary activity.

5. Although the Working Group's mandate included work on issues relating to mercenaries, for which there was a clear and universal definition under international humanitarian law, her delegation was concerned about the confusion and lack of clarity caused by extending its mandate to cover private military and private security companies and wished to reiterate its position that the Working Group would be more effective if its mandate focused more clearly on the specific issue of mercenaries. Her delegation remained committed to raising standards of the legitimate global private security industry, which provided essential services to public and private sector clients and supported diplomatic, commercial and humanitarian activity in complex environments around the world.

6. **Mr. Kuzmenkov** (Russian Federation) said that his delegation shared the opinion that States bore the main responsibility for promoting human rights and protecting citizens from violations. There was a pressing need to strengthen the normative and legal base regulating private military and security companies in order to provide human rights safeguards. His delegation supported the recommendations made to create an international system for licensing private defence companies, including high operational standards and accountability mechanisms. States should

investigate acts of sexual and gender violence, prosecute the employees of companies that committed crimes and provide legal protection to victims. Owing to the lack of universal standards in regulating the work of private military and private security companies, the failure to incorporate accountability mechanisms and the irreversibility of punishments for human rights violations, States were unable to ensure that those companies fully observed human rights standards. Existing national norms were insufficient or ineffective.

7. **Mr. Markus** (United States of America) said that the market for private military and security contractors often prioritized the utility of additional armed personnel over the observance of international humanitarian law and human rights commitments and obligations, which led some private military and security contractors to abandon adherence to those standards. The 2008 Montreux Document on Pertinent International Legal Obligations and Good Practices for States related to Operations of Private Military and Security Companies during Armed Conflict and the Montreux Document Forum were examples of collective action to encourage States to take further steps to regulate private military and security companies. The United States commended signatory States to the Montreux Document and urged those that had not yet signed it to consider its benefits. A complementary international initiative had resulted in the International Code of Conduct for Private Security Service Providers and the establishment of the International Code of Conduct Association to provide governance and oversight.

8. Collaboration among States, industry partners and civil society provided a practical and sustainable method for developing and implementing policies that protected human rights, even in the most adverse and challenging circumstances. He asked what measures Member States could adopt beyond signing on to the Montreux Document and encouraging private security companies to become members of the International Code of Conduct Association.

9. **Mr. Kwaja** (Chair-Rapporteur of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination) said that the mandate of the Working Group also covered the activities of private military and security companies. The Working Group had carried out a considerable amount of work both on mercenaries and on the activities of private military and security companies around the world. It had commissioned a study on the extent to which States had put in place regulatory measures to address the concerns set out in its reports and whether oversight mechanisms

had been implemented by States to monitor and regulate the activities of those companies.

10. With regard to the measures that States could take to ensure that private military and private security companies complied with human rights standards, he encouraged States to draw their attention to the fact that the Montreux Document and the International Code of Conduct for Private Security Service Providers were not legally binding. Those companies were therefore not bound to instruments regulating their operations, which had led to a burgeoning of human rights violations. In that context, the Working Group was working to engage actors from the open-ended intergovernmental working group to elaborate the content of an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies and the Montreux Document Forum to agree on a common plan of action regarding the adoption of binding rules to regulate the activities of military and security companies at the national and international levels.

11. **Mr. Mushayavanhu** (Chair-Rapporteur of the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination), presenting the progress report of the Ad Hoc Committee pursuant to paragraph 7 of General Assembly resolution [73/262](#), said that, since its establishment in 2006, the Committee had struggled to fulfil its mandate owing to differences among States on how to address the issue of contemporary forms of racism and racial discrimination. One group of States was not in favour of elaborating complementary standards on the grounds that the International Convention on the Elimination of All Forms of Racial Discrimination was an adequate and living instrument that could be adapted to the contemporary reality. Another group of States was in favour of elaborating complementary standards to fill the substantive and procedural gaps that they believed existed in the Convention. Various General Assembly resolutions had pointed to a frustration that the Ad Hoc Committee was not making the expected progress.

12. Some progress had been made by the Ad Hoc Committee during its tenth session, which had featured discussions and presentations by experts on the protection of migrants against racist, discriminatory and xenophobic practices; racial cybercrime; and antidiscrimination legislation. As a result of the cooperation and contributions of Committee members during the session, the Committee had agreed by consensus on a number of conclusions and recommendations. It had also adopted an outcome

document on criminalizing racist or xenophobic acts both online and offline, with a strong focus on new information and communications technologies, including social media networks and internet platforms. Discrimination based on religion or belief also continued to be a central issue for consideration of the Committee.

13. The Ad Hoc Committee should continue to work by consensus on negotiations concerning a draft additional protocol to the Convention criminalizing acts of a racist and xenophobic nature, and all future sessions of the Committee should be exclusively dedicated to that exercise. While criminalization would be an important response to contemporary issues of racial discrimination, a parallel approach should also be adopted to address the multi-layered features of racial discrimination and xenophobia. He had proposed that, in the intersessional period, the Ad Hoc Committee recommend to the Human Rights Council that the Office of the United Nations High Commissioner for Human Rights hold a two-day expert consultation to consider the draft additional protocol to the Convention.

14. The Ad Hoc Committee needed to determine how to strengthen the protection of all persons from the scourges of racism, racial discrimination, xenophobia and related intolerance. The work of the Committee was particularly pertinent given that many people around the world continued to be victims of racism, racial discrimination, xenophobia and related intolerance. Laws and preventive measures were needed to effectively fight those scourges.

15. **Ms. Wacker** (Observer for the European Union) said that the principle of non-discrimination and the objectives linked to the prevention and fight against racism, xenophobia and other forms of intolerance were mainstreamed across all policies of the European Union. The International Convention on the Elimination of All Forms of Racial Discrimination was and should remain the basis of efforts to prevent, combat and eradicate racism. The persistent spread of racism and racial discrimination in all regions in the world underlined the necessity of universal ratification of the Convention, which should be fully and effectively implemented. Given that there was no evidence that the Convention had gaps or that it failed to address contemporary forms of racism, it was regrettable that there had been calls for an additional protocol to the Convention. Other options, such as non-legally binding tools should remain under consideration and should be further explored on a consensual basis.

16. The recent adoption without a vote of Human Rights Council resolution [42/29](#) did not reflect a change

in position of the European Union, but rather reflected the common wish for the international community to unite in the global fight against racism, racial discrimination, xenophobia and related intolerance. In that spirit, the European Union would remain open to engage in a constructive dialogue on that topic with all stakeholders.

17. **Ms. Manuel** (Angola) said that the progress report of the Ad Hoc Committee had been issued at a critical time, when new types of racism and xenophobia were emerging. For instance, the permissive regulation of cyberspace in the digital age had led to excesses. Certain freedoms were unacceptable and ran counter to the values and principles of the Charter of the United Nations and the main human rights instruments. In accordance with Human Rights Council resolution [42/29](#), legal experts would meet at a seminar prior to the eleventh session of the Ad Hoc Committee to consider the elements of a draft additional protocol to the Convention, representing an important step in following up on the work of the Committee and enhancing actions to fight xenophobia, racial intolerance and racism internationally.

18. **Mr. Chekeche** (Zimbabwe) said that, in view of the alarming resurgence in cases of racism, racial superiority and related forms of intolerance, the mandate of the Committee to elaborate complementary standards in the form of a Convention or additional protocols to fill the existing gaps and new normative standards to combat all forms of contemporary racism was an important responsibility. Interactions with stakeholders to deliver on that task were expected to lead to practical solutions against all forms of intolerance, including discrimination, violence and hate speech. In accordance with the Sustainable Development Goals, there was a need for effective remedies for victims, in particular to protect migrants and refugees from racism, racial discrimination and other forms of hatred. In view of the Chair-Rapporteur's engagements with experts on racism, racial discrimination, xenophobia and related intolerance in various contexts, he asked what the way forward should be in terms of eliminating racism in sport given its role in uniting rather than dividing societies.

19. **Mr. Mushayavanhu** (Chair-Rapporteur of the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination) said that racism in sport was one of the issues that the Ad Hoc Committee was engaged in quite extensively in cooperation with a variety of sports experts. Given the extensive reach of sports, in terms of broadcasting and practice, it was one

area that could be used to advance the message against racism, racial discrimination, xenophobia and related intolerance. Sport was also an area in which criminalization and education could be employed to combat racism through measures including banning spectators from the field, imposing sanctions on sportspeople who exhibited racist behaviour and imbuing anti-racism educational activities in sporting disciplines. Binding international standards aimed at combating racism could be adopted across sporting disciplines.

20. **The Chair** invited the Committee to engage in a general discussion on the item.

21. **Ms. Rasheed** (Observer for the State of Palestine), speaking on behalf of the Group of 77 and China, said that the Durban Declaration and Programme of Action formed a solid basis for action to pursue the total elimination of racism, racial discrimination, xenophobia and related intolerance. The Group condemned the misuse of communication and digital technologies to amplify hateful and disparaging views that promoted xenophobia, racism and related intolerance and reiterated the need for political and religious leaders and media figures to fulfil their responsibilities in combating hate speech and stereotyping by adopting clear, strong and unequivocal positions against those scourges.

22. Education had a critical role in stopping the dissemination of messages of racism and racial discrimination. In that regard, the Group supported the development of awareness-raising and education campaigns with a focus on deconstructing prejudices and stereotypes, creating new values and attitudes, fostering interfaith and intercultural dialogue to enhance tolerance and unity and raising global awareness about different cultures and religions. Effective measures and policies were needed to encourage citizens and institutions to take a stand against racial discrimination and move from rhetoric to its genuine elimination. A resolute and renewed political will, adequate funding and sustained international cooperation were indispensable to address all forms and manifestations of racism, racial discrimination, xenophobia and related intolerance.

23. The Group welcomed the programme of activities for the implementation of the International Decade for People of African Descent, including the establishment of a forum for people of African descent to serve as a consultation mechanism, and the elaboration of a United Nations draft declaration on the promotion and full respect of human rights of people of African descent.

24. **Mr. Tshishiku** (Democratic Republic of the Congo), speaking on behalf of the Group of African

States, said that the discriminatory effects, contemporary forms of racism and inequalities resulting from the failure to eliminate the repercussions of slavery and colonialism persisted. In that regard, the Group commended those Governments that had adopted progressive legislative and administrative measures to effectively combat racism, racial discrimination, xenophobia and related intolerance since the adoption of the Durban Declaration and Programme of Action.

25. The 2030 Agenda for Sustainable Development envisioned a world of universal respect for human rights and fundamental freedoms. To achieve that goal, Governments should strengthen their protection against racism, racial discrimination, xenophobia and related intolerance by ensuring that all persons had access to effective and adequate remedies and the right to seek justice and reparation for damages resulting from discrimination. Reparations for slavery and colonialism should include not only justice and accountability for historical wrongs, but also the elimination of traces of racial inequality, subordination and discrimination that were established under slavery, apartheid and colonialism.

26. Ensuring the right to quality education for all contributed to the creation of more inclusive societies and fostered mutual understanding and respect for cultural diversity and human rights. The Durban Declaration and Programme of Action also called for the history and contribution of people of African descent to be included in education curricula. The International Decade for People of African Descent was a unique opportunity to highlight the important contribution made to society by people of African descent. However, their children suffered racism and discrimination in schools, and curricula sometimes contained negative stereotypes and images of people of African descent.

27. Commitments must be made to ensure universal respect for human rights and human dignity, the rule of law, justice and equality for all. In that context, actions must be taken to eliminate the obstacles faced by people of African descent, and the laws that prohibited racial discrimination must be strengthened. Efforts should be made to ensure that people of African descent were able to participate fully in sustainable development in all spheres of life. States should also take specific measures to end discrimination against women and girls of African descent and to promote entrepreneurship, creativity and innovation.

28. **Mr. Thomas** (Antigua and Barbuda), speaking on behalf of the Caribbean Community (CARICOM), said that every effort must be made to ensure the inclusion of all in the implementation and monitoring of

programmes and initiatives geared towards the achievement of the Sustainable Development Goals. Too often, racism, racial discrimination, xenophobia and related intolerance prevented the necessary unification of all people living and working together as one. The legitimization of intellectual racism and xenophobia by scholars and the media continued unabated, and those who were entrusted with leadership roles in society were shunning their responsibilities. While respecting the rights to freedom of expression, association and assembly, it was important for States to ensure that discrimination, racism and xenophobia did not take root in society.

29. The resurgence of hate groups and proponents of extremist political ideologies, which thrived on messages of hate, racism, xenophobia and discrimination under the guise of patriotism and nationalism, was a matter of concern. The Ark of Return memorial, situated at the United Nations Headquarters, was a tangible illustration of the collective will to combat all forms of racism and a solid reminder of a dark past.

30. **Ms. Wacker** (Observer for the European Union), speaking also on behalf of the candidate countries Albania, Montenegro, Serbia and the Republic of North Macedonia; the stabilization and association process country and potential candidate Bosnia and Herzegovina; and, in addition, Georgia, the Republic of Moldova and Ukraine, said that the European Union was based on a set of fundamental values that characterized a society where pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevailed. It was necessary to uphold those values, not only to protect the rights of persons belonging to minorities, but also to safeguard the personal freedoms and rights of all people residing in Europe.

31. The Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance had documented a resurgence of antisemitism in Europe, while the European Union Agency for Fundamental Rights had conducted surveys that revealed the discrimination suffered by Muslim and Roma communities and people of African descent. Those disturbing trends underlined the urgent need to make consistent efforts to implement legal frameworks to combat racism, intolerance and discrimination. Council Directive 2000/43/EC, on racial equality, and Council Framework Decision 2008/913/JHA, on combating racism and xenophobia, had been complemented by European Union rules to protect victims of crime, enshrined in the Victims' Rights Directive. The European Union was also working to

enhance its non-legal tools and initiatives to promote diversity management in the workplace, counter illegal hate speech online, raise citizens' awareness of their rights and prevent illegal racial profiling, among others.

32. The International Convention on the Elimination of All Forms of Racial Discrimination was and should remain the basis of all efforts to prevent, combat and eradicate racism. There was no evidence that the Convention had gaps or failed to address contemporary forms of racism, including in relation to the criminalization of acts of a racist or xenophobic nature. The annual report of the Committee of the Convention on the Elimination of Racial Discrimination showed that many countries had a backlog of overdue periodic reports despite the availability of the simplified reporting procedure. More States parties should accept the individual communications procedures under article 14 of the Convention, as well as the amendment to article 8 of the Convention, which would fund the Committee from the regular budget of the United Nations. The European Union reiterated its opposition to the proliferation of Durban Declaration and Programme of Action follow-up instruments and mechanisms, a stance that would inform its approach during future discussions on the modalities and mandate for the forum for people of African descent.

33. **Ms. González López** (El Salvador), speaking on behalf of the Central American Integration System (SICA), said that a declaration had been adopted in 2014 at the Ordinary Meeting of Heads of State and Government of the countries members of SICA, in which it was agreed that a programme of action would be established for people of African descent in Central America. With people of African descent representing 18 per cent of the total population of the region, SICA was committed to the implementation of public policies and national and local development strategies to improve their living conditions and to address the specific needs of women of African descent by incorporating a gender, intercultural, intergenerational and intersectoral perspective.

34. Aware of the role of human rights education and respect for and promotion of cultural diversity as a means to prevent and eliminate racism and racial discrimination, SICA was focused on the specific needs of persons of African descent and on promoting the empowerment of children, young people, older persons, indigenous women and people of African descent through the adoption of development plans and effective public policies. It was necessary to adopt affirmative action to reduce and remedy disparities and inequalities, including to accelerate social inclusion, close gaps in

access to education and employment and promote access to justice.

35. SICA supported the negotiation of a United Nations declaration on the rights of people of African descent and the establishment of the Permanent Forum on People of African Descent. It also welcomed the initiatives that had been taken at the local, national, subregional and international levels for the implementation of the International Decade for People of African Descent, including a high-level meeting on accelerating global action for the implementation of the rights of people of African descent in Latin America and the Caribbean.

36. **Ms. Lodhi** (Pakistan) said that the right to self-determination was a principle that was embodied in the opening words of the Charter of the United Nations and was the fountainhead of all other rights. While the international community had continued to reaffirm that fundamental right, it was unfortunate that millions of people across the world continued to be deprived of it. The failure to ensure the right to self-determination was being paid in blood by successive generations of people living under foreign occupation.

37. In Indian-occupied Jammu and Kashmir, bloodletting had gone on for over 70 years and had taken the lives of over 100,000 men, women and children. The Kashmiri people had suffered seven decades of occupation and were still awaiting the fulfilment of their inalienable right to self-determination as set out in Security Council resolutions. The Indian occupation of Jammu and Kashmir in 1947 had been based on an utterly false pretext; with the illegal annexation by India of Jammu and Kashmir in August 2019, the tragedy of Kashmir had come full circle. The lockdown of the occupied territory, including a sweeping communication blackout, showed no sign of abating. For almost three months, the occupied territory had been transformed into a giant armed cage with additional troupes being inducted into what was already the world's most militarized zone. There had been reports of widespread torture, inhumane treatment and arbitrary arrests of thousands of people, including children.

38. The Office of the United Nations High Commissioner for Human Rights had recently reaffirmed its grave concerns over reports of excessive use of force in occupied Jammu and Kashmir, including the use of pellet guns, and had urged the Indian authorities to fully restore the rights of people in the region. The international media and human rights organizations had also expressed grave concerns over the grim humanitarian situation in occupied Jammu and Kashmir. However, India continued to attempt to

subjugate the Kashmiri people by applying extreme force, ignoring the lessons of history that showed that a people's yearning for freedom could never be crushed by brute force.

39. The Jammu and Kashmir dispute would remain on the United Nations agenda, and Pakistan would continue to be the voice of the Kashmiri people at the United Nations until the people of occupied Kashmir were allowed to exercise their will by means of a plebiscite under the auspices of the United Nations, which was the method that had been prescribed by the Security Council.

40. **Mr. Caverhill-Godkewitsch** (Canada) said that racism was an affront to human dignity, a threat to security and a major obstacle to achieving the Sustainable Development Goals. Thousands of Canadians had died during the Second World War in the global struggle against the racist ideology of Nazism. After the war, the international community had recognized in the Universal Declaration of Human Rights that all human beings were born equal in dignity and rights. However, the systems of racism that were the historical legacy of colonialism, slavery and other forms of human subjugation persisted in corroding public attitudes and institutions. Racism fuelled terrorism and violent extremism around the world and exacerbated other forms of exclusion, including gender inequality and other intersecting forms of discrimination, such as religious prejudice.

41. It was possible to learn from each other's efforts to overcome racism. In that regard, Canada was willing to share its challenges and lessons learned. The country's Anti-Racism Strategy had recently been launched, aimed at demonstrating federal leadership, empowering communities and enhancing public education. In recognition of the International Decade for People of African Descent, Canada had dedicated additional funding for initiatives to support black communities. The commitment of Canada to uproot racism from its laws, institutions and public life was based on the conviction that a just society must be inclusive, and that progress was possible if States worked together in a united, collaborative and sustained effort.

42. **Mr. Al-Bander** (Iraq) said that his delegation commended the global role played by the United Nations and its de-escalation efforts towards the realization of peace in the world. It also highly commended the sacrifices made by all United Nations personnel, and especially those in the field. However, there was a burgeoning number of crises and conflicts around the world, the victims of which were often

innocent civilians. Diplomatic efforts were needed to revive engagement with Member States, and to establish friendly relations in a spirit of mutual respect and non-intervention in domestic affairs.

43. The United Nations should uphold its role and put pressure on the occupying Power, Israel, to stop violating the rights of Palestinians. His delegation condemned the settlement policies of Israel, which were groundless, violated international law and Security Council and General Assembly resolutions, disdained the rights of the Palestinian people and impeded the exercise of the right to self-determination.

44. **Mr. Carazo** (Costa Rica) said that his country had taken steps, both nationally and internationally, to redress historical injustice and address discrimination and inequality faced by people of African descent. The number of Costa Ricans who declared themselves as being of African descent had increased from 1 per cent to 7.8 per cent of the total population between 2000 and 2010 as a result of an increased awareness of their history and culture. In addition, the Constitution had been amended in 2015 to declare Costa Rica a democratic, multi-ethnic and multicultural republic, which was a step towards the full recognition, promotion and protection of the rights of people of African descent. Despite the progress made, however, they continued to face inequalities in access to social mobility, housing, employment and education, and women and girls of African descent were more vulnerable to poverty than other population groups.

45. **Ms. Bakytbekkyzy** (Kazakhstan) said that the rise of racism, xenophobia and religious intolerance had resulted in assaults on minorities, mass expulsions and brutal attacks on places of worship. Member States must fully implement the relevant international conventions and introduce new legislation to end such scourges, as well as guarantee witness protection and provide compensation and rehabilitation for victims of hatred and discrimination. Measures to guarantee equality in employment, housing and welfare entitlements, and full participation in the political, socioeconomic and cultural and religious spheres should also be adopted.

46. Member States also needed to prevent incitement to hatred and racial violence through values-based education and community awareness programmes, as well as by using social media and digital technology to promote harmony and respect. Terrorism should never be associated with any religion, faith, confession, culture or ethnicity, and counter-extremist strategies were needed to protect youth and other vulnerable groups. It was also critical to engage political and religious leaders, regional organizations, non-governmental organizations,

grass-roots movements and, in particular, women and youth to prevent violence caused by racial discrimination, hatred and intolerance. Committed to preventing the escalation of fanaticism, Kazakhstan, with more than 120 ethnic groups and 18 religions, had taken measures to promote peace and tolerance, including through a national development plan, the Congress of the Leaders of World and Traditional Religions and the Assembly of People of Kazakhstan.

47. **Ms. Rasheed** (Observer for the State of Palestine) said that, for Palestinians living in occupied Palestine, including East Jerusalem, the right to self-determination continued to be forcefully withheld in the most brutal and inhumane manner by the occupying Power. Israel employed a host of policies and practices to undermine the right of the Palestinian people to self-determination, the most obvious of which was the building of settlements and related infrastructure in occupied Palestine, in grave breach of international law, including criminal law, as articulated in the Rome Statute of the International Criminal Court. For more than 50 years, Israel had demonstrated that it was more interested in its colonial expansionist agenda than in ending its illegal policies and practices. Since 1967, the occupying Power had illegally transferred more than 600,000 settlers to the occupied West Bank, including East Jerusalem, and in the first six months of 2019 alone, more than 6,000 settlement units had been developed in clear violation of international law. The transfer of hundreds of thousands of Israelis to the area had led to settler violence, which had resulted in countless Palestinian civilians, including children, being injured and killed. The protection given to the illegal Israeli settlers and the constant failure by the occupying Power to hold them accountable for their crimes had emboldened them to carry out further attacks. The Israeli blockade of the Gaza Strip constituted a clear violation of the right to self-determination and a constant affront to the dignity and security of the 2 million Palestinian people who lived there. The international community should make real efforts to hold the occupying Power accountable, bring an end to violations and advance the efforts for the realization of the Palestinian people's inalienable human rights, in particular their right to self-determination in an independent State of Palestine, with East Jerusalem as its capital.

48. The occupying Power had institutionalized racism and discrimination for more than 50 years through a prolonged foreign military occupation with elements of colonialism and apartheid. Since 1967, the occupying Power had institutionalized a system of discrimination to enable the economic and social subjugation of Palestinians, strip them of their rights and segregate

them into underprivileged population centres. The settlement enterprise was the most glaring example of that system as Israel did its utmost to Judaize the occupied West Bank, especially East Jerusalem.

49. Throughout the duration of the illegal occupation, over 65 laws had been passed that explicitly or implicitly discriminated against Palestinians, including Palestinians in Israel, who made up one fifth of the national population. The Nation-State Law established elements of an apartheid regime, while granting the right to self-determination exclusively to Jewish citizens. Moreover, the new law undermined Israel's claim to democracy, jeopardized the prospect of a peaceful two-State solution and incited fear of deliberate discrimination against Palestinians living in Israel. In that context, the surge in racist and xenophobic acts and discourse against Palestinians and their property, especially by Israeli settlers, was particularly alarming. Even though the occupying Power had a duty to protect Palestinians from such violence under international law, offenders and high-ranking Israeli officials enjoyed a high degree of impunity.

50. She urged all members of the international community to show the moral and political courage to hold Israel accountable for its grave crimes and countless breaches of internationally binding agreements and put an immediate end to the occupying Power's long-standing impunity. The subjugation of millions of Palestinians was comparable to colonization and apartheid and undermined all hopes for peace and civility between the parties.

51. **Mr. Lukiyantsev** (Russian Federation) said that, despite their best efforts, States were confronted with various manifestations of racism and racial discrimination on a daily basis. While they could only deal with that common threat by working together, the serious differences among Member States, specialized international agencies and civil society representatives in terms of how to interpret and deal with the problem often had a destructive impact on the measures taken.

52. A lack of proper international coordination had led to an increase in racist manifestations, while a flawed interpretation of freedom of expression had led to the dissemination of racist ideas and views. References by some States to the supposedly absolute nature of the right to freedom of expression were not only irresponsible but also extremely dangerous. Such an approach contradicted the integrity of the concept of human rights and refuted the notion of individual responsibility towards society.

53. Instead of combating racism, the authorities of a number of States in the heart of Europe were openly

indulging the practice of honouring Waffen SS veterans and various collaborators. Meanwhile, Nazi sympathizers and war criminals were being touted as war heroes and freedom fighters. In some countries the attacks had been stepped up against monuments honouring those who had liberated Europe and the world from fascism.

54. There was no need to look far to find examples. The Latvian Defence Minister had recently stated that the Latvian legionaries of the Waffen SS were the pride of the nation and an example to the young generation. On 14 October 2019, thousands of nationalists and neo-Nazis had held marches all over Ukraine, during which those who had actively collaborated with the Nazis and committed war crimes and crimes against humanity were glorified.

55. The situation of hundreds of thousands of so-called "non-citizens" was another form of discrimination against national minorities in the Baltic States that could not but be a cause for serious concern. In fact, there had been no positive developments in the protection of national minority languages, particularly in the area of education. That issue remained as pressing as ever in the Baltic States and in Ukraine, where the measures taken could not be characterized as anything other than discriminatory. Moreover, in Ukraine, the Russian language was still subject to double discrimination.

56. The exercise of the right of peoples to self-determination was not only a historical issue related to the fight against colonialism but also a modern reality. A world in which all peoples could choose their political future in accordance with the Charter and international law could only be achieved if their rights were upheld without double standards and independently of the competing interests of individual States and groups of States.

57. **Ms. Charikhi** (Algeria) said that the right to self-determination was a founding principle of the United Nations and its exercise was essential for the full enjoyment of all other rights. Since its independence, Algeria had expressed support for the right to self-determination. Despite some progress made, many obstacles hindered efforts to enable all people of the remaining 17 Non-Self-Governing Territories to exercise their right to self-determination in accordance with the third International Decade for the Eradication of Colonialism.

58. Turning to the issue of racism, she said that the United Nations should give high priority to ending that scourge, including by implementing a comprehensive strategy to counter racial discrimination. The Durban Declaration and Programme of Action was a milestone

in articulating the harms of racism, racial discrimination, xenophobia and related intolerance. While progress had been made to address racial discrimination, racist hate speech endured and there had been a resurgence of nationalist populism. Contemporary forms of racism and discrimination had sought to gain political and moral legitimacy, as reflected in countries in which the extreme right had accessed power.

59. Algeria, which had suffered from the ravages of colonialism and discrimination, had worked to fight racism, including by taking effective measures to promote values of mutual respect and tolerance. The elimination of all forms of racism and racial discrimination was a principle that was enshrined in its Constitution, and new provisions against discrimination had been incorporated into the Criminal Code. School curricula had incorporated increased awareness of issues related to human rights and human diversity, and the Government had launched campaigns aimed at preventing and eliminating racial discrimination, as well as a plan of action for preventing violent extremism. At the international level, Algeria had shown its commitment to the promotion of a culture of tolerance and the elimination of racial discrimination through its cooperation with human rights institutions and presentation of its twenty-first periodic report.

60. **Mr. Aye** (Myanmar) said that, during its transformation into a democratic society, Myanmar was aware that it was essential to apply the principle of “unity in diversity” in order to build a strong nation. At the national level, Myanmar was working to improve its legal and institutional frameworks for combating racism, racial discrimination and intolerance, including by drafting a bill prohibiting hate speech, which would contribute to the prevention of incitement to religious violence on social and traditional media. The Government had also established a committee to promote responsible media and digital literacy. At the community level, non-governmental and civil society organizations had been working to promote unity and tolerance among ethnic and religious communities. The Government had held the second Religions for Peace Forum on National Reconciliation and Peace in May 2019, which had brought together representatives of religious organizations, Governments, ethnic organizations, United Nations agencies and international and national non-governmental and civil society groups.

61. In a multi-ethnic country like Myanmar, establishing unity in diversity was a great challenge. The Government was striving to achieve sustainable peace, national reconciliation and all-round

development while embracing democratic practices, human rights values and inclusiveness. To that end, it was determined to take effective action against those who tried to disturb social harmony, community peace and security.

62. **Mr. Bentley** (United States of America) said that, while his country recognized that racial injustice was an issue that needed to be overcome within the borders of each State, it remained committed to helping its global partners to face those challenges. The United States based much of its foreign programming on the belief that facilitating strong, positive relationships among individuals would create an atmosphere of tolerance and inclusion. The “Youth Ethnic Integration” programme of the United States Agency for International Development was aimed at mitigating dehumanization, stereotyping and distancing, while its “Youth Against Racism” project supported Arab and Jewish youth in Israel to develop filmmaking skills as a means of addressing racism and violence.

63. State-sponsored targeting of ethnic and racial minority groups, such as China’s detention of over 1 million Uighurs, ethnic Kazakhs and Kyrgyz, and others, was a matter of grave concern. In Xinjiang, individuals had been stripped of their fundamental freedoms and human rights, including freedoms of association and peaceful assembly, of expression and of religion or belief, simply because of their ethnicity and religion.

64. The best antidote to offensive speech was not bans and punishments, but advocacy that challenged the premises and conclusions of racist speech and vibrant dialogue between the Government and civil society. Only with the contributions and support of public advocacy groups, human rights defenders and the public at large could countries secure a free and equal society free from racial injustice.

65. **Ms. Sánchez García** (Colombia) said that cultural diversity was the basis for the development in her country of public policies to ensure equal opportunities, as well as for the preservation of ancestral cultures. Colombia had undertaken affirmative action to protect social groups that could be subject to discrimination in order to guarantee the effective enjoyment of their human rights. Barriers to full equality had been overcome through political empowerment, awareness-raising and training in human rights. The country’s human rights strategy for 2014–2034 was aimed at ensuring that governmental strategies and programmes effectively guaranteed the rights of citizens.

66. Her Government believed that the adoption of a rights-based approach to policymaking should be based

on the promotion of tolerance, inclusion and respect for diversity, and her country's laws prohibited and penalized discrimination and racial segregation. The Durban Declaration and Programme of Action was a means for raising awareness of the fight against racism, racial discrimination, xenophobia and related intolerance, in a context in which the rise of extremist ideologies revealed the need to find a common approach in addressing those scourges. Given the need to create spaces for dialogue, the Government had invited indigenous peoples, people of African descent and the Roma community to make proposals for the country's national development plan for 2018–2022.

67. **Mr. Mabhongo** (South Africa) said that the ongoing rise of contemporary forms of racism, racial discrimination, xenophobia and related intolerance was deplorable, as was the rise of racist extremist movements that sought to promote populist and nationalist ideas and incite hatred. The use of new information technologies and platforms for purposes contrary to respect for human rights, equality, tolerance, diversity and non-discrimination was also a matter of concern. The promotion of tolerance, unity and respect for diversity was the only viable option for creating an inclusive and tolerant society.

68. The international community should take concrete measures to foster tolerance and respect for diversity, address common challenges and fight racism and racial discrimination, in accordance with the Durban Declaration and Programme of Action and the International Convention on the Elimination of All Forms of Racial Discrimination. South Africa reaffirmed its commitment to the full and effective implementation of the Convention through its national action plan to combat racism, racial discrimination, xenophobia and related intolerance. It also reaffirmed its commitment to the Permanent Forum on People of African Descent and its support for the implementation of the International Decade for People of African Descent.

69. Turning to the issue of the right of peoples to self-determination, he said that that inalienable and universal right was an essential pre-requisite for the enjoyment of all human rights and fundamental freedoms, including the right to development. In 2019, South Africa was celebrating the twenty-fifth anniversary of its first democratic elections, which had been held in large measure as a result of the solidarity shown by most Member States. South Africa believed in a robust and coherent United Nations with the capacity to ensure that all who yearned for freedom could achieve it. Based on its own experience and history, South Africa knew that it would be through the determined efforts of the United

Nations that freedom for the people of Palestine and Western Sahara would be achieved. However, despite numerous General Assembly resolutions expressing grave concern for the violation of their right to self-determination, little progress had been made in that regard.

70. **Mr. Kvalheim** (Norway) said that it was necessary to confront extremist ideologies, prejudice and stereotypes in the public debate. In Norway, the terrorist attacks of 2011, which had been fuelled by hatred towards different religions and cultures, remained very present on people's minds. In August 2019, a young man had attacked a mosque in Norway. Before the attack, he had shot and killed his stepsister, a teenager adopted from China. The case was still under investigation, but the attacker had stated that his aim was to frighten Muslims.

71. Racism and ethnic and religious prejudice and stereotyping must not define societies. Midway through the International Decade for People of African Descent, it was necessary to redouble efforts to respect the commitments made by States to protect human rights and end racial discrimination. To ensure that everyone could participate in the public debate, his Government had adopted a strategy against hate speech and was preparing action plans against racism and discrimination based on ethnicity and religion, including against Islamophobia and antisemitism. Teaching resources had also been developed aimed at preventing intolerance, negative stereotypes and prejudice.

72. **Ms. Ali** (Syrian Arab Republic) said that millions of people were still victims of racism, hatred, policies of intervention, foreign occupation and hegemony, which prevented them from enjoying their human rights, including the right to self-determination. Acts of aggression, crimes against humanity and gross violations of human rights had been perpetrated by the Israeli occupation authorities against people in the occupied Syrian Golan and other occupied territories. Such practices were a flagrant embodiment of racism in its most heinous form that would not persist were it not for the military and political cover and impunity provided by certain Member States. For example, the illegitimate order signed by the President of the United States, which he described as extending Israeli sovereignty over the occupied Syrian Golan, was an attempt to hijack international legitimacy and deepen the occupation. The order was a flagrant violation of international law and the relevant United Nations resolutions, including Security Council resolution [497 \(1981\)](#), which acknowledged that any measures imposed by Israel in the occupied Syrian Golan were null and void. Her country reaffirmed that the occupied Syrian

Golan was part and parcel of its territory and would seek to regain it. The Syrian people in the Golan had the right to reject racist Israeli practices.

73. Her delegation called for an end not only to the Israeli occupation in the Syrian Golan and other occupied territories but also to the aggressive and provocative actions by Israel that had led to the escalation and increased tension in the region. States should work together under the umbrella of the United Nations to limit the growth of racism, hateful discourse and violent practices and to tackle acts of terrorism. Her country maintained its principled position in support of the right of the Palestinian people to self-determination and the establishment of an independent State of Palestine, with Jerusalem as its capital, and renewed its goal to support the State of Palestine in gaining full membership in the United Nations.

74. **Ms. Banaken Elel** (Cameroon) said that, in line with the Durban Declaration and Programme of Action, it was necessary to determine how best to ensure compliance with existing standards to combat racial discrimination, raise public awareness of the scourge of racism and analyse the political, historical, economic, social and cultural factors that gave rise to racism. The proliferation of racist incidents around the world and the resurgence of racist groups targeting minorities was deplorable. As a multi-ethnic country with more than 250 ethnic groups, several religious groups and a large number of refugees, Cameroon could not remain indifferent to the scourge of racism. In her country, refugees were granted the same economic, social and cultural rights as nationals, and discriminatory practices were prohibited. Other measures taken in that regard were detailed in her country's consolidated report submitted to the Committee on the Elimination of Racial Discrimination.

75. **Ms. Shikongo** (Namibia) said that her country welcomed the recent consultations in Geneva geared towards resolving the long-standing dispute over the decolonization of Western Sahara. Informed by the anticolonial struggle in the region, the Southern African Development Community had held a solidarity conference for Frente POLISARIO and the people of Western Sahara in March 2019, which had culminated in the adoption of a regional strategy, with mechanisms to engage partners, including Morocco, in settling the question of Western Sahara.

76. Namibia reiterated its commitment to the right to self-determination of the people of Western Sahara and called on the parties to work towards the immediate and unconditional implementation of the Settlement Plan regarding the question of Western Sahara. Her

delegation encouraged the Secretary-General to finalize the appointment of a new Personal Envoy of the Secretary-General for Western Sahara and expressed support for the holding of a referendum for the people of Western Sahara to determine their own future.

77. Her delegation continued to support the people of Palestine and emphasized their right to self-determination and independence. It called for a just and lasting peace between Israelis and Palestinians, with the establishment of two States, and with East Jerusalem as the capital of the State of Palestine.

78. **Monsignor Hansen** (Observer for the Holy See) said that racist and xenophobic attitudes and related intolerance persisted. The Holy See would never be indifferent to the gravity of those phenomena and strongly condemned every form of racism and racial discrimination. Pope Francis had recently called attention to a heightened "fear of the other". As a State party to the International Convention on the Elimination of All Forms of Racial Discrimination, the Holy See endeavoured to assume its responsibility in accordance with its nature and mission and offered its moral support for the Durban Declaration and Programme of Action.

79. The rise in discriminatory, racist and xenophobic attitudes against migrants and refugees was a matter of concern. Increased vigilance was needed in the face of those new forms of racism, which caused more suffering and anguish among those who had been forced to flee their places of origin. Also of grave concern was the increase in intolerance and discrimination against communities and individuals solely because of their religion or beliefs. It was important to recall, in accordance with universal human rights, that commitments to tolerance and non-discrimination must not be separated from long-standing commitments to freedom of religion and belief. Superficial tolerance could not be an alibi for denying or not guaranteeing religious freedom. The Catholic Church was working to promote intercultural and interreligious dialogue and a spirit of solidarity and fraternity to counter indifference and fear.

80. **Ms. Kipiani** (Georgia) said that in 2014 her country had harmonized its legal framework to comply with the Convention on the Elimination of All Forms of Racial Discrimination. In 2019, the Parliament had amended labour legislation to ban discrimination at work based on race, origin, religion and any other trait. Victims of discrimination could seek remedy through the Public Defender or in the national courts and claim compensation for material or moral damages.

81. The occupation forces of the Russian Federation continued to pursue their policy of ethnically targeted

human rights violations against ethnic Georgians residing in the occupied regions of Abkhazia and Tskhinvali, including in terms of the right to life and freedom of movement, property issues and the right to receive an education in one's native language. The closure of the occupation line in Tskhinvali fully isolated the occupied region and risked creating a humanitarian crisis, particularly in the Akhlagori district. Seventy-year-old Margo Martiashvili, a resident of that district had died because the occupying regime had refused to open the so-called crossing point so that she could receive urgent medical assistance following an accident.

82. Georgians in the occupied Abkhazia region had been forced to register as foreign citizens and obtain so-called residence permits, while those residing in Abkhazia had been forced to change their surnames and ethnic identity in order to enjoy basic human rights. Since 2015, teaching in the Georgian language had been banned in Abkhazia and Tskhinvali, where the few remaining Georgian schools had been compelled to adopt the Russian education system and Russian as the language of instruction. The occupying Power had increased its military propaganda and psychological pressure in schools in the Gali district. Children at nursery and primary schools in Abkhazia were forced to perform Russian military songs during military celebrations and participate in military simulation games that were hostile to Georgians. Restrictions on freedom of movement across the occupation lines and the closure of the so-called crossing points significantly hindered the possibility of attending classes in the Georgian language on Georgian-controlled territory. The absence of international monitoring mechanisms further exacerbated the humanitarian and human rights situation on the ground.

83. **Mr. Mohd Nasir** (Malaysia) said that multiculturalism and diversity were central features of the identity of his country, whose people firmly believed in respecting differing opinions and embracing diversity. At the same time, it was imperative to have regulations in place to ensure that public expressions of opinion did not transgress societal norms, incite hatred or threaten peace and security. His delegation recognized the critical role of education in eradicating racism and would continue to engage with relevant stakeholders, including through interfaith dialogue with religious groups and communities. Malaysia would thus continue to participate in United Nations-sponsored dialogues on faith and culture. Since 2010, it had celebrated international interreligious and intercultural harmony celebrations, including World Interfaith Harmony Week, the International Day of Peace and the

International Day for Tolerance. It also welcomed the United Nations Strategy and Plan of Action on Hate Speech and stood ready to assist the relevant agencies in advocating the plan of action.

84. **Mr. Edbrooke** (Liechtenstein) said that the right to self-determination was a cornerstone of the Charter of the United Nations and a prerequisite for the full enjoyment of all human rights. His country's self-determination initiative, which echoed General Assembly resolution [2625 \(XXV\)](#), emphasized the possibilities for fulfilling the right to self-determination without resorting to secession and sought to defuse and prevent conflict. His Government was working on a handbook with recommendations for States, mediators and communities interested in preventing and resolving conflicts in which self-determination claims were a root cause. It would highlight the possibility of self-governance as a measure to prevent secession and emphasize the need to protect human rights at all levels.

The meeting rose at 1 p.m.