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Chair: Mr. Doualeh (Djibouti)

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

Agenda item 28: Social development (continued)
(A/C.3/76/L.20/Rev.1)

Draft resolution A/C.3/76/L.20/Rev.1: Addressing the challenges of persons living with a rare disease and their families

1. **Ms. Bassols Delgado** (Spain), introducing the draft resolution also on behalf of Brazil and Qatar, said that the aim of the draft resolution was to increase the visibility of the challenges faced by the more than 300 million individuals living with a rare disease around the world, who were often disproportionately affected by stigma and by multiple and intersecting forms of discrimination which posed major barriers to their participation in society. Women and children in particular deserved international attention; children with a rare disease faced challenges in gaining access, without discrimination, to quality education that was appropriate and adapted to their needs, while women living with a rare disease often faced multiple discriminations in accessing and retaining decent work and often undertook a disproportionate share of unpaid care and domestic work.

2. Presenting some oral revisions to the text, she said that the fifth preambular paragraph should read as follows: "Recognizing that some persons living with a rare disease have disabilities and impairments, which may have a greater impact on their health, and that they may also face attitudinal and environmental barriers, which may hinder their fully and effective participation in society on an equal basis with others". In addition, paragraph 15 should be deleted, as it had budgetary implications.

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

4. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Algeria, Antigua and Barbuda, Argentina, Bangladesh, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Burkina Faso, Colombia, Costa Rica, Germany, Greece, Ireland, Jordan, Lebanon, Luxembourg, Madagascar, Malta, Mongolia, Morocco, Switzerland, Thailand, Venezuela (Bolivarian Republic of) and Viet Nam.

5. He then noted that the following delegations also wished to become sponsors: Belize, Djibouti, the Dominican Republic, Guinea, Haiti, Kyrgyzstan, Mali, Paraguay, Sao Tome and Principe, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey and Zambia.

6. **Ms. Korac** (United States of America) said that, against the backdrop of one of the most significant public health crises that the world had ever faced, the draft resolution rightfully acknowledged the hardships faced by millions of persons with disabilities, including persons with rare conditions.

7. However, the draft resolution also contained provisions that did not capture the full scope of the protection which should be afforded to persons with rare diseases and conditions. If adopted, the draft resolution as presented to the Committee could set a worrying precedent, as it did not maintain appropriate linkages to existing international human rights conventions or incorporate disability-framing, including on a rights basis, as was required to avoid the suggestion that individuals with disabilities resulting from rare conditions were, in some way, not a part of the disability community or not protected by the Convention on the Rights of Persons with Disabilities.

8. Unfortunately, most of the changes proposed by her delegation during the deliberations had not been given due consideration. Several important provisions had also been removed from the text, including provisions on the rights-based approach, sexual and reproductive health, humanitarian crises and multiple and intersecting forms of discrimination. Nonetheless, given the importance of the subject matter, her delegation would join consensus on the draft resolution.

9. **Mr. Magosaki** (Japan) said that his delegation appreciated the work of the facilitators, in particular their determination to uphold the integrity of the consultations until the very end.

10. **Ms. Buist-Catherwood** (New Zealand), speaking also on behalf of Australia, Canada, Iceland, Liechtenstein and Norway, said that the focus in the draft resolution on the importance of implementing measures to address barriers faced by persons living with rare diseases was welcome. Nonetheless, stronger language should have been included to give recognition to the multiple and intersecting forms of discrimination faced by persons living with rare diseases, including those with disabilities, and to make the draft resolution consistent with the intent and spirit of the Convention on the Rights of Persons with Disabilities, the meaningful implementation of which was necessary to ensure a fully inclusive society. A gender-responsive, human-rights-based approach needed to be taken to address barriers to accessibility and ensure the full, effective and meaningful participation of persons living with rare diseases in all areas of life.

11. *Draft resolution A/C.3/76/L.20/Rev.1, as orally revised, was adopted.*

12. **Mr. Kuzmenkov** (Russian Federation) said that, according to the Convention on the Rights of the Child, a child meant every human being below the age of 18 years unless, under the law applicable to the child, majority was attained earlier. The provisions of the Convention on the guiding role of parents or legal guardians and on the need to take into account the evolving capacities of the child should be borne in mind when involving children in public life.

13. The particular focus placed in the draft resolution on access to sexual and reproductive health-care services was highly controversial in the context of minors. Such services were not of paramount importance to child health, and access to them should be granted only with the consent of parents or legal guardians.

14. **Mr. Salah** (Libya) said that his delegation had joined the consensus on the draft resolution as it was conscious of the importance of the subject. However, it expressed reservations regarding controversial concepts in the sixteenth preambular paragraph related to “health-care services” and “sexual and reproductive health-care services”, which Libya interpreted within the context of its own national legislation and religious and cultural norms.

15. **Mr. Mamadou Mounsir Ndiaye** (Senegal) said that his delegation was pleased to join the consensus on the draft resolution. The consequences of rare diseases were worrisome, especially given that efforts to combat rare diseases had been placed on the back burner as attention had turned to combating the coronavirus disease (COVID-19). Moreover, environmental degradation and the loss of biodiversity increased the likelihood that new viruses and diseases would emerge. Only through multilateralism and engagement with Member States and the scientific community could rare diseases be prevented and overcome.

16. Nonetheless, his delegation wished to dissociate itself from the concept of “sexual and reproductive health” in the draft resolution and would instead have preferred the term “reproductive health”.

17. **Monsignor Hansen** (Observer for the Holy See) said that the Holy See welcomed the attention placed in the draft resolution on the challenges faced by persons living with a rare disease, on the singular importance of family and on the need for greater knowledge and awareness about rare diseases.

18. The Holy See was nonetheless concerned that the necessary level of agreement on the scope of the draft resolution had not been reached and that controversial terminology and concepts had been inserted into the

text. It understood the term “sexual and reproductive health-care services” within a holistic concept of health that did not include abortion, access to abortion or access to abortifacients. In addition, it understood the term “gender” to be grounded in biological sexual identity and differences and to therefore be synonymous with the term “sex”, as used in the draft resolution.

(a) Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly (A/C.3/76/L.19/Rev.1)

Draft resolution A/C.3/76/L.19/Rev.1: Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly

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

20. **Mr. Sakho** (Guinea), introducing the draft resolution on behalf of the Group of 77 and China, said that, in the light of the constraints imposed in response to the COVID-19 pandemic, the Group had made some limited but important substantial updates to the draft resolution in order to address the closure of all digital divides, which had been aggravated by the pandemic, and to encourage international cooperation in the scientific and cultural fields to ensure the enjoyment of the right to the highest attainable standard of physical and mental health for all persons. A special focus had also been placed on the eradication of poverty in all its forms and dimensions, and Member States had been called on to adopt measures to address the disproportionate share of unpaid care and domestic work performed by women and the feminization of poverty.

21. To bring the discussions held within the framework of the draft resolution into line with the important work of the Commission for Social Development, at the next session of the Committee the Group wished to discuss the second commitment, on eradicating absolute poverty, made at the World Summit for Social Development, taking into consideration the multifaceted impacts of the COVID-19 pandemic and its consequences for social development.

22. **Ms. Korac** (United States of America), speaking in explanation of vote before the voting, said that her delegation had called for a vote on the draft resolution and would be voting against it. Her delegation was disappointed that the draft resolution addressed issues that were not clearly linked to social development or to the work of the Committee, and that it inappropriately called upon international financial institutions and other

non-United Nations organizations to take actions, such as providing debt relief, that were beyond the scope of the Committee's mandate.

23. The United Nations should respect the independent mandates of other processes and institutions, including trade negotiations, and should not involve itself in decisions, interpretations and actions in other forums, including the World Trade Organization. The United States of America did not view as binding any recommendations made by the General Assembly or the Economic and Social Council on such issues, including any calls that undermined incentives for innovation, such as any form of technology transfer that was not voluntary and on mutually agreed terms. Additionally, the draft resolution did not adequately capture all of the carefully negotiated and balanced language in the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) or the Doha Declaration on the TRIPS Agreement and Public Health.

24. Once again, the draft resolution contained an unacceptable reference to "foreign occupation" in the nineteenth preambular paragraph.

25. The responsibility of business enterprises, as raised in paragraph 31 of the draft resolution, was consistent with the Guiding Principles on Business and Human Rights, which were an important global framework. Such responsibility was not artificially limited to "transnational" or "private" corporations, however, but rather applied to all kinds and forms of business enterprises, regardless of their size, sector, location, ownership or structure.

26. With regard to economic and trade issues, it would be inappropriate for the General Assembly to call on international financial institutions to provide debt relief, as stated in paragraph 30 of the draft resolution. Furthermore, the use of "shall" in paragraph 60 was wholly unacceptable and had no standing in the current draft resolution or in any future negotiated documents.

27. *At the request of the representative of the United States of America, a recorded vote was taken on draft resolution A/C.3/76/L.19/Rev.1.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cabo Verde, Cambodia, Cameroon, Canada, Central African

Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czechia, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Eswatini, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, 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, 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, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, South Sudan, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, United States of America.

Abstaining:

None.

28. *The draft resolution was adopted by 182 votes to 2.*

29. **Ms. Moss** (United Kingdom) said that her Government had continued to introduce legislation and administrative measures to give effect to the International Covenant on Economic, Social and Cultural Rights, with the aim of making progress towards achieving the full realization of the rights

recognized in the Covenant, including the right to the enjoyment of the highest attainable standard of health.

30. While international cooperation was essential, the primary responsibility for the promotion and protection of human rights lay with the State. International cooperation must be viewed in conjunction with, and in support of, the efforts of States. It should be neither a substitute for national efforts to promote and protect human rights, nor a condition for guaranteeing human rights. Each State had an obligation to promote and protect the human rights of persons within its territory, irrespective of the nature or extent of international cooperation and assistance.

31. In that context, her delegation understood “serve” in the thirty-ninth preambular paragraph to mean “can benefit”, rather than “is necessary for”. It was regrettable that the language used in that paragraph could not be phrased differently in order to recognize that international cooperation may be of value in helping States to meet their existing obligations.

(b) Social development, including questions relating to the world social situation and to youth, ageing, persons with disabilities and the family (continued) (A/C.3/76/L.11/Rev.1, A/C.3/76/L.17/Rev.1 and A/C.3/76/L.18/Rev.1)

Draft resolution A/C.3/76/L.17/Rev.1: Follow-up to the Second World Assembly on Ageing

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

33. **Mr. Sakho** (Guinea), introducing the draft resolution on behalf of the Group of 77 and China, said that the world was continuing to grapple with the harsh reality revealed by the COVID-19 crisis, which had exposed existing inequalities and had amplified human rights protection gaps for older persons.

34. The draft resolution emphasized the urgent need to tackle issues related to ageism and to develop responses to the pandemic that promoted and protected the human rights and dignity of older persons and took into account all forms of violence, discrimination, stigmatization, exclusion, inequalities, elder abuse and neglect, social isolation and loneliness. It also emphasized the urgent need for robust health systems and universal health coverage, including access to all essential health technologies, diagnostics, therapeutics, medicines and vaccines, in order to ensure that COVID-19 immunization was available to all, and in particular to older persons.

35. In addition, Member States were urged to increase the resilience of older persons, address the digital gap,

protect older persons from violence and abuse in digital contexts, strengthen legal and social protections, adopt adequate employment measures, provide better care and support services, promote long-term care and support at home, in the community and in institutional settings and develop national vaccination plans that prioritized older persons.

36. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Austria, Bosnia and Herzegovina, Canada, Croatia, Germany, Ireland, Israel, Italy, Malta, Mexico, Norway, Portugal, Serbia, Slovenia and United Kingdom of Great Britain and Northern Ireland.

37. He then noted that the Republic of Korea also wished to become a sponsor.

38. *Draft resolution A/C.3/76/L.17/Rev.1 was adopted.*

39. **Ms. Squeff** (Argentina) said that the COVID-19 pandemic had revealed enormous areas of concern with regard to human rights protections for older persons, in the form of ageism, stigmatization, exclusion, inequalities, social isolation and loneliness. It had also contributed to financial insecurity and increased poverty risk, a lack of protection and social inclusion, inadequate access to health services and a lack of autonomy and participation in decision-making among older persons, in addition to increased violence and abuse towards them. Those topics had therefore been incorporated into the draft resolution for the first time.

40. The draft resolution encouraged Member States to contribute to the work of the Open-ended Working Group on Ageing, of which she was the Chair. Consensus needed to be reached in order to create a legally binding international instrument which ensured that all older persons were able to enjoy their human rights on an equal basis with others.

41. **Mr. Kuzmenkov** (Russian Federation) said that his country recognized the importance of improving the situation of older persons and finding the best way possible for the international community to protect the rights and interests of those persons. The Madrid International Plan of Action on Ageing provided a solid foundation for further progress, while the contributions of the Open-ended Working Group on Ageing were valuable in the international context. It was, however, premature to change the format of the Working Group to a model that included the adoption of intergovernmentally negotiated recommendations. There was no consensus on even the most basic aspects of the format proposed in paragraph 58 of the draft resolution, and such an approach risked paralysing discussions and creating

obstacles to the adoption of the Working Group's outcome documents. His delegation therefore wished to disassociate itself from the content of paragraph 58.

Draft resolution A/C.3/76/L.11/Rev.1: Policies and programmes involving youth

42. **Mr. Mahmassani** (Secretary of the Committee) said that, in accordance with paragraphs 41 and 42 of the draft resolution, it was envisaged that a one-day high-level plenary meeting of the General Assembly would be held in New York in 2025, with interpretation in all six official languages of the United Nations. That meeting would constitute an addition to the meetings workload of the Department for General Assembly and Conference Management in 2025.

43. It was envisaged that additional resource requirements for interpretation services would amount to \$11,000, on the basis that the meeting would be held during standard working hours and that there would not be any parallel meetings requiring interpretation. The date of the meeting would be determined in consultation with the Department.

44. In addition, in 2025, the Department of Economic and Social Affairs would require \$70,600 in additional resources to cover: the costs of travel for youth and expert speakers, amounting to \$30,000; the engagement, for four months, of an individual contractor to manage the various tasks related to the organization of the meeting, amounting to \$28,000; the production of promotional materials, amounting to \$6,000; and meeting services, including webcasting services, sign language and closed captioning, amounting to \$6,600.

45. Accordingly, if the draft resolution were adopted, additional resource requirements currently estimated at \$81,600 would be included in the proposed programme budget for 2025: \$11,000 under section 2, on General Assembly and Economic and Social Council affairs and conference management, and \$70,600 under section 9, on economic and social affairs. Additional resource requirements currently estimated at \$1,300 would be included in the proposed programme budget for 2025 under section 36, on staff assessment, which would be offset by an equivalent increase under income section 1, on income from staff assessment.

46. **Mr. Niang Diang** (Senegal), introducing the draft resolution also on behalf of Cabo Verde, Kazakhstan and Portugal, said that youth issues affected all Member States, irrespective of their socioeconomic, demographic or geographical situation. The draft resolution was therefore relevant for the development of young persons worldwide, providing a useful basis for action and policies at national, regional and international levels.

47. The draft resolution recognized that young persons were a major human resource for development and key agents for positive social change globally, and that full, effective, structured and sustainable youth participation in relevant decision-making processes was a useful tool for youth development and empowerment, including in the implementation of the 2030 Agenda for Sustainable Development.

48. As youth development could be promoted only through a comprehensive and holistic approach that demonstrated respect for all human rights, the draft resolution highlighted social issues that had long-term impacts on youth development, such as poverty, employment, education, gender equality, non-discrimination, HIV/AIDS and access to health and information technologies. It also acknowledged the positive contribution that youth representatives made to the General Assembly and other forums; in that connection, he gave special recognition to the numerous youth delegates who had participated in the negotiation process on the draft resolution.

49. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Andorra, Antigua and Barbuda, Argentina, Austria, Azerbaijan, Bangladesh, Belgium, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Chile, Colombia, Costa Rica, Croatia, Czechia, the Dominican Republic, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, India, Ireland, Japan, Jordan, Latvia, Lebanon, Lesotho, Lithuania, Luxembourg, Madagascar, Mali, Malta, Mexico, Monaco, Montenegro, Morocco, Namibia, the Netherlands, Norway, Palau, Papua New Guinea, Paraguay, Peru, the Philippines, Poland, Romania, Rwanda, San Marino, Serbia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, Timor-Leste, Tunisia, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of) and Zambia.

50. He then noted that the following delegations also wished to become sponsors: Albania, Belize, Botswana, Burundi, Djibouti, Ghana, Guinea, Mozambique, Niger, North Macedonia, Republic of Korea, Sao Tome and Principe, Sri Lanka, Tajikistan, Togo, Uganda and United Republic of Tanzania.

51. **Mr. Dicky Satria Pamungkas** (Indonesia) said that, while the draft resolution reflected the important role played by young persons in achieving social development and implementing the 2030 Agenda, his delegation remained concerned at the use of the terms "multiple and intersecting forms of discrimination" and "marginalized groups". The lack of flexibility shown by

a small number of delegations, and their insistence on imposing the specific interests of young persons in different national contexts, was regrettable. Future discussions on such resolutions should be inclusive, resist distractions from unsettled priorities and provide more time in which to overcome the divergent positions of delegations.

52. **Ms. Korac** (United States of America) said that her delegation welcomed the focus placed in the draft resolution on ensuring the full inclusion of and combating discrimination against youth, in particular youth facing multiple and intersecting forms of discrimination. The references made to the youth and peace and security agenda were also welcome.

53. Where youth were empowered to lead movements, economies grew, human rights were protected and the international community was able to work together to combat climate change. The COVID-19 pandemic had exacerbated the challenges faced by youth, especially marginalized youth. During rebuilding efforts, States must include youth in decision-making in response and recovery efforts.

54. It was regrettable that some delegations had objected to the phrase “multiple and intersecting forms of discrimination”, as it was long-standing and agreed language within the Committee and in other United Nations bodies.

55. In her delegation’s understanding, the right to privacy mentioned to in the twentieth preambular paragraph referred to protections set forth in article 17 of the International Covenant on Civil and Political Rights. In addition, while “disinformation” referred to information that was intentionally false and misleading, “misinformation” referred to information that was unintentionally inaccurate, misleading or false and was therefore not designed or implemented for a specific purpose.

56. Turning to the twenty-fourth preambular paragraph, she reaffirmed that any effort to counter the dissemination of scientifically inaccurate information that resulted in the restriction of speech must be carried out in accordance with the State’s obligations and commitments regarding freedom of expression.

57. With regard to the twenty-ninth preambular paragraph, as educational matters in the United States of America were primarily determined at the state and local levels, any time a resolution attempted to define or prescribe certain aspects of education or called on States to strengthen or modify certain aspects, it should do so in terms consistent with the responsibilities of federal, state and local authorities.

58. With regard to other issues relevant to the draft resolution, she referred to her delegation’s earlier general statement (see [A/C.3/76/SR.7](#)), the unabridged version of which would be made available online.

59. *Draft resolution [A/C.3/76/L.11/Rev.1](#) was adopted.*

60. **Mr. Kuzmenkov** (Russian Federation) said that children and young people should be two distinct categories. According to the Convention on the Rights of the Child, a child meant every human being below the age of 18 years unless, under the law applicable to the child, majority was attained earlier. Despite the lack of an internationally agreed age range for young people, that category was defined as persons aged 15–24 years in the World Programme of Action for Youth to the Year 2000 and Beyond. The provisions of the Convention on the guiding role of parents or legal guardians and on the need to take into account the evolving capacities of the child should be borne in mind when involving children under 18 years of age in public life.

61. The particular focus placed in the draft resolution on access to sexual and reproductive health-care services was highly controversial in the context of minors. Such services were not of paramount importance to child health, and access to them should be granted only with the consent of parents or legal guardians.

62. The high-level meeting on youth to be held in 2025 should be organized in accordance with the rules of procedure of the General Assembly and be intergovernmental in nature.

63. **Ms. Hassan** (Egypt) said that her country, in view of its concern for empowering youth, had on three occasions organized the World Assembly of Youth, which had brought together youth from across the world to exchange ideas on creativity, coexistence, peace and development. Egypt would host that Assembly for a fourth time in January 2022. Egypt wished to express reservations on the use of the unclear expression “intersecting forms of discrimination” in the thirteenth and thirty-first preambular paragraphs of the draft resolution, in place of the agreed formulation “all forms of discrimination”. In addition, the content of paragraphs 13, 15 and 16 should be interpreted in line with national legislation and a society’s cultural and religious norms.

64. **Ms. González** (Argentina), commending the transparency and attitude of the facilitators of the negotiations on the draft resolution, said that the draft resolution contained important elements to help strengthen the human rights of young persons, in particular by highlighting the role of knowledge and

comprehensive quality education, especially for preventing adolescent pregnancies, ensuring sexual and reproductive health and fostering respect. Education on gender equality, women's empowerment and human rights was also necessary to help young persons build their self-esteem, make informed decisions and develop respectful relationships.

65. Her delegation welcomed the inclusion of new diversity elements in the draft resolution. Once such needs had been identified, an inclusive approach must be taken, in which no persons were left behind, regardless of their race, migration status, sexual orientation or gender identity. It was therefore commendable that the intersectional approach had been strengthened in the draft resolution, which would help States to ensure that their national policies and strategies provided protection for the human rights of all young persons, without exception.

66. **Mr. Ghazali** (Malaysia) said that the draft resolution contained ambiguous elements, namely the reference to the phrases "young people's diverse situations and conditions", "multiple and intersecting forms of discrimination" and "multiple and intersecting forms of violence". As such phrases were inconsistent with its position, Malaysia dissociated itself from the thirteenth and thirty-first preambular paragraphs and from paragraph 12. It did not recognize those elements as agreed or consensus text. Nonetheless, his delegation agreed with the spirit of the draft resolution and had therefore joined the consensus on its adoption.

67. **Ms. Alalaiwat** (Bahrain), speaking also on behalf of the Gulf Cooperation Council countries of Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates, said that those delegations had joined the consensus on the draft resolution out of their belief in the subject's importance. However, they understood the references to "sexual and reproductive health" and "sexual and reproductive health-care services" in paragraphs 13, 15 and 16 in the context of their own national legislations and religious and cultural values.

68. **Ms. Andújar** (Dominican Republic), speaking also on behalf of Colombia, Costa Rica, Morocco, Namibia, Nepal, South Africa and Tunisia, said that, driven by the values of multilateralism, consensus and constructive dialogue in advocating for human rights, gender equality and sustainable development, their countries had engaged actively and constructively in the negotiations on the draft resolution with a view to reaching common ground and ensuring that youth remained at the centre of the discussions.

69. She welcomed the inclusion of many of their proposals in the draft resolution, such as the recognition

of the progress made through the Youth Strategy, the multiple and intersecting forms of discrimination that young persons faced, the reaffirmation of the General Assembly's commitment to the youth and peace and security agenda, the importance of the participation of young persons in the Conference of the Parties to the United Nations Framework Convention on Climate Change, the impact of the COVID-19 pandemic on the well-being of young persons, and human rights and gender approaches.

70. The draft resolution had been adopted at a critical time. To mark its seventy-fifth anniversary, the United Nations had committed to take actions guided by the purposes and principles of its Charter in pursuit of shared goals, including by listening to and working with youth. At the same time, the world and multilateralism were facing challenges that required urgent action for the sake of young persons and future generations. It was therefore regrettable that the draft resolution did not make any references to Our Common Agenda or its recommendations pertaining to youth.

71. While the draft resolution considered the impact of the COVID-19 pandemic on young persons, it should have also recognized the pivotal role that they had played in pandemic response.

72. For the sake of coherence and accuracy, the paragraphs that had not been opened by the facilitators should be discussed during negotiations on future draft resolutions on the topic.

73. **Ms. Arab Bafrani** (Islamic Republic of Iran) said that her delegation could not support the use of the terms "marginalized groups" or "vulnerable groups", as such terms were not agreed language, or the term "multiple and intersecting forms of discrimination", which was not in keeping with her country's cultural and religious norms.

74. **Ms. Al-mashehari** (Yemen) said that her delegation regretted that the draft resolution included concepts and language not agreed by consensus. It therefore wished to disassociate itself from those particular paragraphs, which were not in line with the national legislation of Yemen.

75. **Ms. Nassrullah** (Iraq) said that her country dissociated itself from the references in the draft resolution to "multiple and intersecting forms of discrimination", owing to the ambiguity of the phrase. Her delegation would have preferred the use of agreed and inclusive terminology, such as "all forms of discrimination". It also dissociated itself from elements mentioned in paragraphs 10, 13, 15 and 16. Those elements would be addressed in accordance with the

domestic laws and national policies of Iraq. In addition, her country dissociated itself from the use of the term “marginalization” in paragraphs 6 and 29. As that term had no agreed definition within the United Nations, Iraq could not accept it as an element of agreed language.

76. **Mr. Salah** (Libya) said that his delegation had supported the adoption of the draft resolution in its entirety by consensus owing to the importance of the issue. Libya, however, had concerns regarding the interpretation of language that was not in line with the country’s specific cultural norms. In particular, Libya generally objected to the references to “health-care services” and “sexual and reproductive health”. It also expressed reservations regarding the concepts of “multiple and intersecting forms of discrimination”, “diverse situations and conditions” and “marginalized groups”.

77. **Monsignor Hansen** (Observer for the Holy See) said that his delegation commended the recognition in the text of the importance of an enabling family environment for youth, the focus on education and skills, including during challenges such as conflict and COVID-19 and for young mothers, and the engagement of young persons in climate action. The inclusion of young persons, and the nurturing of their talents and gifts, were essential for achieving social development and ensuring the success of youth policies and programmes.

78. The Holy See was nonetheless concerned that controversial and ambiguous terminology had been inserted into the text. He reiterated the primary responsibility and the prior rights of parents with regard to the education and upbringing of their children, including on sexual and reproductive health, as enshrined in the Universal Declaration of Human Rights and in the Convention on the Rights of the Child. He underscored the centrality of the family and the role, rights and duties of parents regarding their children’s education. In addition, the Holy See understood the terms “sexual and reproductive health” and “sexual and reproductive health-care services” within a holistic concept of health that did not include abortion, access to abortion or access to abortifacients. It also understood the term “gender” to be grounded in biological sexual identity and differences.

79. **Ms. Charikhi** (Algeria) said that her delegation was concerned that the discussion had focused on terms and concepts on which no consensus had been achieved, when focus should instead have been placed on the most important issues, namely empowering youth and combating poverty. Algeria disassociated itself from concepts such as “sexual and reproductive health care”

and “multiple and intersecting forms of discrimination” because they were either ambiguous or not in line with its domestic law. At future negotiations, participants should focus on the most important common goals and avoid divisive issues.

Draft resolution A/C.3/76/L.18/Rev.1: Preparations for and observance of the thirtieth anniversary of the International Year of the Family

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

81. **Mr. Sakho** (Guinea), introducing the draft resolution on behalf of the Group of 77 and China, said that the title of the draft resolution had been updated to reflect the initiation of preparations for the thirtieth anniversary of the International Year of the Family. The draft resolution called on Member States, United Nations entities and relevant stakeholders to promote such preparations at national, regional and international levels through practical initiatives, including family-oriented policies and programmes that responded to the needs of all families.

82. The draft resolution recognized that the COVID-19 pandemic had led to a critical recognition of the need for more effective, inclusive and resilient systems to protect families, in particular families and family members in vulnerable situations, and to ensure a balance between work and family life. In the draft resolution, Member States, United Nations entities and relevant stakeholders were therefore encouraged to protect families and family members from the negative socioeconomic and health-related impacts of the pandemic, including, as appropriate, through expanded child and family benefits, paid parental leave and sick leave, improved flexibility of working arrangements and the introduction of gender-responsive services to reduce the burden of care.

83. **Ms. González Hernández** (Uruguay) said that, through the negotiations, the text had evolved in a way that had brought it more into line with her country’s position. Nonetheless, the text should have included clear references to gender-based violence, given that such violence was often committed by members of the same family and by intimate partners and had been exacerbated during COVID-19 confinement measures, and given that protecting women and children from it should be part of the key role of the family.

84. It was also disappointing that language reflecting the diverse conditions, situations and forms of the family could not be included in the draft resolution. The diversity of family situations and conditions was often the main motivation for discrimination and often

impeded the full enjoyment of rights. It was therefore essential that the draft resolution also give due attention to the various types of families that existed in different cultures, and recognized the existence of, among others, families headed by lesbian, gay, bisexual and intersex persons. Nonetheless, Uruguay hoped that the draft resolution would be adopted by consensus.

85. **Ms. Korac** (United States of America) said that her delegation was concerned that the draft resolution promoted a narrow vision of the family that impeded gender equality and excluded lesbian, gay, bisexual and intersex persons. Her delegation had advocated the addition of previously agreed language on the existence of various forms of families everywhere in the world, but the proposal had been rejected. It was essential, however, that the draft resolution incorporated that statement of fact, as the United Nations must be able to recognize the reality that different family structures existed in various places, including intergenerational family households, grandparents raising grandchildren, single parent families and families headed by same-sex households. That recognition was particularly important at a time when the international community was seeking to further address human rights and the family through United Nations forums. Her delegation looked forward to strengthening the text of future draft resolutions on the topic.

86. *Draft resolution A/C.3/76/L.18/Rev.1 was adopted.*

87. **Ms. Santa Ana Vara** (Mexico) said that her country recognized that families, as the core of society, had changed in form, function and in the types of relationships and roles of family members. Mexico protected various forms of families, including single-parent families, couples without children, partners of parents whose children had left the home, persons living alone, and same-sex couples with or without children. While it was regrettable that the draft resolution did not include further information on the diverse forms of family that existed in many parts of the world, her delegation agreed on the need to strengthen the resilience of families and the human rights of family members, especially during the pandemic. Mexico therefore understood all references in the draft resolution to “family” to include families in all their diverse forms.

88. **Ms. Moss** (United Kingdom) said that her country acknowledge the potential impact of COVID-19 on families, including as a result of the death of family members and caregivers, increased poverty, malnutrition, unemployment and unpaid care work, the disruption of education, worsening mental health outcomes and alarming increases in violence, in

particular domestic violence. It recognized the crucial role of parents, caregivers and families in improving outcomes for children and young people, the value of intergenerational interaction and cooperation, the important role of families concerning responsibility and care for older persons, and the need to provide support for families to do so. It acknowledged the valuable contribution that families made to strengthening societies and the need to develop policies to support their role.

89. If such policies were to be successful, they needed to be inclusive and responsive to the changing needs and expectations of families. Across the world, the make-up of families continued to change in response to economic and social developments, and the family unit now had an endless variety of definitions, all deserving equal societal support and respect. States therefore needed to introduce inclusive and responsive family policies and strategies, develop gender-responsive social protection systems for tackling family poverty, pay special attention to families in vulnerable situations and work with stakeholders in the development and implementation of such actions. The United Kingdom would continue to engage constructively with partners to advance conversations on family-related matters in the context of the United Nations with a view to ensuring that no person was left behind.

90. **Mr. Malovrh** (Slovenia), speaking on behalf of the European Union and its member States, said that, as families and family members in vulnerable situations required special attention, and as policies should be tailored to protect and promote their human rights, the European Union and its member States welcomed the inclusion in the draft resolution of new language on supporting families in preventing and eliminating domestic violence and harmful practices.

91. For policies to be successful, they must be inclusive and responsive to the changing needs and expectations of families. Across the European Union, as in the rest of the world, families continued to change with time in response to economic and social developments, which demonstrated that families were living, evolving and dynamic entities. Different situations and conditions required tailored and responsive policies and approaches. In that spirit, and in line with past practice at various United Nations conferences and summits held in the 1990s and their follow-up processes, it must be recognized that, in all discussions on family and family policies, various forms of the family existed in different cultural, social and political systems. The European Union and its member States understood all references to the term “family” within the draft resolution to reflect that fact.

Agenda item 70: Promotion and protection of the rights of children

(a) Promotion and protection of the rights of children (A/C.3/76/L.21/Rev.1)

Draft resolution A/C.3/76/L.21/Rev.1: The girl child

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

93. **Mr. Ligoya** (Malawi), introducing the draft resolution on behalf of the Southern African Development Community, said that, given the limitations of the current working conditions, the draft resolution had been updated with a narrow scope. It now highlighted issues affecting girls in remote and rural areas and the impact of the COVID-19 pandemic in the areas of education, health and nutrition. It called upon States to ensure that girls were protected and supported once it was deemed safe for students to return to schools and that teachers received proper training. It also called on States to bridge the digital divide, including the gender digital divide. In addition, the draft resolution reflected concerns regarding the lack of recent information and disaggregated data on the status of girls.

94. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Algeria, Bangladesh, Bolivia (Plurinational State of), Brazil, Burkina Faso, Egypt, Haiti, Kenya, Mongolia, Morocco, Philippines, Thailand, Tunisia, Turkey and Venezuela (Bolivarian Republic of).

95. He then noted that the following delegations also wished to become sponsors: Cameroon, Congo, Djibouti, Eritrea, Ghana, Guinea, Jordan, Paraguay, Sierra Leone, Togo, United States of America and Uruguay.

96. **Mr. Kuzmenkov** (Russian Federation) said that ensuring the well-being of children, upholding their rights and improving their situations were absolute priorities. Particular attention should be given to strengthening the traditional family, which was the most important element in a child's development and played a determining role in a child's success. All children, regardless of their sex, had equal rights. In order to realize those rights, children needed the support of parents, guardians or other persons legally responsible for them, who must provide guidance and direction in accordance with the laws of Member States.

97. **Ms. Korac** (United States of America) said that her delegation welcomed the inclusion in the draft resolution of stronger language on the strengthening of

health systems, including references to sexual and reproductive health services and to girls living with HIV/AIDS. With regard to the references in the draft resolution to international human rights law on economic, social and cultural rights, including education, and to the Convention on the Rights of the Child, she referred the Committee to her country's earlier general statement (see A/C.3/76/SR.7), the unabridged version of which statement would be posted online.

98. *Draft resolution A/C.3/76/L.21/Rev.1 was adopted.*

99. **Mr. Malovrh** (Slovenia), 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, Canada, Georgia, Iceland and the Republic of Moldova, said that, by adopting the draft resolution, the Committee had reaffirmed its strong commitment to the provisions of the Beijing Declaration and Platform for Action and the Convention on the Rights of the Child. The emphasis placed in the draft resolution on access to education and universal health, including sexual and reproductive health-care services, was welcome, as was the clear recognition of the need to ensure a gender-responsive approach and to step up efforts to counter sexual and gender-based violence. However, the text did not include a reference to the Generation Equality Forum, despite the positions expressed by Member States during the negotiations.

100. While the European Union and its member States fully supported most of the contents of the draft resolution, some key elements that needed to be updated had not been opened for negotiation that year. Paragraph 11, in particular, remained unbalanced and did not reflect international consensus, which took into account the best interests of the child.

101. **Ms. Morris Garrido** (Guatemala) said that the Constitution of Guatemala established the responsibility of the State for protecting persons, serving the common good and protecting the right to life, freedom, justice, security, peace and comprehensive development. In 2021, her Government had adopted a public policy on the protection of life and the institutionalization of the family. In that context, Guatemala wished to make a reservation on the use of the term "sexual and reproductive health services". It dissociated itself from all provisions in the draft resolution that were incompatible with, or that contravened, its domestic legislation.

102. **Mr. Salah** (Libya) said that his delegation appreciated the high importance of the draft resolution's

subject and supported its adoption by consensus, as that would strengthen its effective application. However, certain terms therein were controversial and not agreed by consensus, including the new reference contained in paragraph 23 to “sexual and reproductive health-care services”. Libya viewed that reference in a context that was aligned with its national legislation and stressed that those issues must be treated solely within the purview of national legislation and in line with each society’s cultural and religious norms.

103. **Ms. Alalaiwat** (Bahrain), speaking also on behalf of the Gulf Cooperation Council countries Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates, said that their delegations had joined the consensus on the draft resolution owing to their belief in the subject’s importance. However, they viewed the references to “sexual and reproductive health” and “sexual and reproductive health-care services” in preambular paragraph 26 and paragraphs 18, 23 and 49, in addition to other controversial references and ambiguous language, in line with their own national legislations and religious and cultural values.

104. **Ms. Moss** (United Kingdom) said that her country supported the inclusion in the draft resolution of language on the full, equal and meaningful participation of girls in decision-making relevant to them, the importance of education, including in the digital sphere, science and technology, the wholesale empowerment of girls and women and the enjoyment of the highest attainable standards of health.

105. While her delegation took note of the decision not to reopen the whole text owing to the challenges related to the virtual nature of the negotiations, the text of a number of paragraphs that included key concepts and language, and which had been in urgent need of updating even in 2019, remained unsatisfactory. Paragraph 15, in particular, was unbalanced and continued to run counter to the international consensus on evidence-based comprehensive sexuality education, which took into account the best interest of the child. The weakening of language on education connected to essential matters of sexual health and well-being was also disappointing.

106. At a moment of increased challenges for women and girls, who had suffered disproportionately during the COVID-19 pandemic, the rights of the child, as codified in the Convention on the Rights of the Child and as underscored in the Beijing Declaration and Platform for Action, were at risk, and girls’ specific needs were being ignored.

107. As a proud champion of gender equality, the United Kingdom remained committed to protecting and

empowering women and girls in all their diversity, to safeguarding the hard-fought progress already made and to advancing equal rights. Nonetheless, her delegation recognized the positive additions made to the draft resolution and looked forward to participating in a comprehensive review and update of the text at the next available opportunity.

108. **Ms. Arab Bafrani** (Islamic Republic of Iran) said that the provisions set out in certain paragraphs of the draft resolution, including paragraph 35, should be applied within the framework of national laws and rules. The draft resolution should take into account the reservations of certain countries regarding cultural, social and religious issues. The Islamic Republic of Iran could not accept any references to “health and social services”. Only the term “health-care services” would be acceptable. Her delegation could also not support the use of the phrase “those who are marginalized” in paragraph 9. It therefore dissociated itself from that paragraph.

109. While the Islamic Republic of Iran welcomed the efforts made to discuss a variety of issues included in the draft resolution, its concerns had not been met regarding the important role of parents and legal guardians in instilling knowledge, attitudes and life skills in girls under the age of 18. Her country therefore dissociated itself from the concepts contained in paragraph 49.

110. **Mr. Mamadou Mounsir Ndiaye** (Senegal) said that, while his country recognized the special attention that needed to be paid to children, and in particular girls, to ensure that they had a normal life and development, it had reservations regarding the interpretation of the term “sexual and reproductive health” as used in the draft resolution. The term “reproductive health care” would have been preferable.

111. While recognizing the importance of ensuring equitable access to education for boys and girls without discrimination and of promoting infrastructure development and teacher training, his delegation warned that education could also be used to instil values that were counter to the social, moral and cultural values sought. Each State should therefore be free to define its educational project in accordance with the reality in the country and the desired societal model and type of citizen. That presumption seemed to be called into question in paragraph 9 of the draft resolution, in which Member States were urged to transform their education systems and mainstream a gender perspective into educational programmes, infrastructure development and teacher training. His delegation therefore wished to make a reservation on paragraph 9.

112. **Ms. Elmansouri** (Tunisia), expressing her country's position in relation to several of the draft resolutions before the Committee at that session, said that it was important to ensure that the Committee's discussions were meaningful and addressed the reality experienced by real individuals, namely that peoples were not homogenous groups but instead faced diverse and changing situations and conditions that required tailored responses. To that end, the international community needed to take an ambitious approach that was anchored in respect for human rights and that reached all individuals, especially the most vulnerable and marginalized. In that regard, it was essential that the international community addressed the multiple and intersecting forms of discrimination faced by various individuals and groups, including girls.

113. Eradicating poverty and ensuring the enjoyment of the rights to education and to access to justice and health were key to achieving gender equality and empowering all women and girls. The concepts of sexual and reproductive health and reproductive rights, multiple and intersecting forms of discrimination, diversity and minorities represented long-standing and agreed language, which had been used in the Beijing Declaration and Platform for Action, in documents of the International Conference on Population and Development, in agreed conclusions issued by the Commission on the Status of Women and in various resolutions and document issued by the General Assembly and the Security Council, among others. The use of such terms in draft resolutions adopted by the Committee reinforced their status as agreed language.

114. Those facts were undeniable. Her delegation would continue to defend the use of long-standing, agreed language and the progress made through multilateralism that had led to such language. It would reject any pushback against such language in order to ensure the achievement of the 2030 Agenda, respect for human rights and gender equality.

115. **Monsignor Hansen** (Observer for the Holy See) said that the Holy See commended the focus in the draft resolution on the importance of quality education for girls, on an equal footing with boys, including for young mothers; the emphasis on ending harmful practices such as child, early and forced marriage, female genital mutilation and prenatal sex selection; and the recognition of the importance of the family and family engagement. Having convened high-level dialogues which had resulted in the adoption of the 2020 Rome Action Plan to accelerate research, development and uptake of diagnostics and medicines for children living with tuberculosis and HIV, the Holy See welcomed the invitation to States to advance the work in that field.

116. The Holy See was nonetheless concerned at the use of ambiguous terminology in the text. Parents had primary responsibility and prior rights with regard to the education and upbringing of their children, as enshrined in the Universal Declaration of Human Rights and in the Convention on the Rights of the Child. His delegation underscored the centrality of the family and the role, rights and duties of parents regarding their children's education.

117. The Holy See understood the terms "sexual and reproductive health" and "sexual and reproductive health-care services" within a holistic concept of health that did not include abortion, access to abortion or access to abortifacients. It also understood the term "gender" to be grounded in biological sexual identity and differences.

Agenda item 72: Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*)

(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action (A/C.3/76/L.61/Rev.1)

Draft resolution A/C.3/76/L.61/Rev.1: A global call for concrete action for the elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

118. **The Chair** drew the Committee's attention to the statement of programme budget implications in connection with the draft resolution, as contained in document [A/C.3/76/L.67](#).

119. **Mr. Sakho** (Guinea), introducing the draft resolution on behalf of the Group of 77 and China, said that, year on year, the draft resolution received the continuous support of many Member States owing to its relevancy as an instrument for curbing racism, racial discrimination, xenophobia and related intolerance, including towards Africans and people of African descent, Asians and people of Asian descent, indigenous peoples, migrants, displaced persons, refugees, and ethnic, religious and linguistic minorities.

120. The Durban Declaration and Programme of Action, which had marked its twentieth anniversary in 2021, emphasized that equality and non-discrimination were fundamental principles of international human rights and were essential in combating racism, racial discrimination, xenophobia and related intolerance. The COVID-19 pandemic had drawn attention to the fact that racism and racial discrimination continued to deeply affect millions of persons around the world and

remained an ongoing human rights challenge. There was therefore a need to stress the importance of consolidating all efforts aimed at combating racism, including with regard to racial equality and justice, under a single anti-racial discrimination unit.

121. In the light of the International Decade for People of African Descent and the adoption of General Assembly resolution 75/314 on the establishment of the Permanent Forum of People of African Descent, it was imperative to begin work on drafting a declaration on people of African descent, which would serve as the first step towards creating a legally binding instrument on the promotion, protection and full respect of their human rights.

Statements made in explanation of vote before the voting

122. **Mr. Baror** (Israel) said that his delegation had once again called for a vote on the draft resolution. Twenty years had passed since States had come together at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban, South Africa, in September 2001, with the aim of combating racism. While some States had chosen to commemorate that event during the General Assembly, it was not one that merited celebration.

123. Although the vast majority of participants at the Durban Conference had gathered in good faith to combat racism, a small number of participants had seen it as no more than a political opportunity. Israel had been forced to withdraw from the Durban Conference after those States had turned it into a platform for delegitimizing, demonizing and defaming the State of Israel – acts that verged on outright racism in their own sense. Eight years later, in 2009, Israel had also been forced to withdraw from the Durban Review Conference, which had only proven that the events of the 2001 conference had been intentional and that no lessons had been learned. The Durban Conference and its outcome document had caused lasting damage by mainstreaming politics into the fight against racism.

124. Israel hoped that the United Nations would find a way to unite against racism. The Durban Declaration and Programme of Action were not the tools for doing so, however.

125. **Mr. Riva Grela** (Uruguay) said that, while her delegation would vote in favour of the draft resolution, it wished to dissociate itself from the tenth preambular paragraph and from paragraph 24 thereof, as it did not agree with the language that had been introduced into those paragraphs. It also dissociated itself from the references made in the first preambular paragraph and in paragraph 31 to the events to commemorate the

adoption of the Durban Declaration and Programme of Action, as Uruguay had not participated in those events.

126. **Ms. Korac** (United States of America) said that her country remained committed to countering racism and racial discrimination in all its forms, both the domestically and internationally. In 2021, her Government had proposed a comprehensive strategy to embed racial justice and equity for marginalized populations throughout federal agencies, policies and programmes and had taken the lead on a joint statement condemning racism and racial discrimination and resolving to do more to address systemic racism, which had been signed by 158 countries. The United States of America remained committed to working with partners to promote racial and ethnic equity, and it strongly supported the creation of the Permanent Forum of People of African Descent. The International Convention on the Elimination of All Forms of Racial Discrimination provided comprehensive protections in that area and constituted the most relevant international framework for addressing all forms of racial discrimination.

127. The United States of America remained deeply concerned about any speech that advocated national, racial or religious hatred, especially in the form of discrimination, hostility or incitement to violence. The best antidote to offensive speech was a combination of robust legal protections against discrimination and hate crimes, proactive government outreach to racial and religious minority communities, and the vigorous protection of freedom of expression, both online and offline.

128. Her delegation deeply regretted that, once again, it could not support the draft resolution, as the text did not genuinely focus on countering racism, racial discrimination, xenophobia and related intolerance. It was concerned at the draft resolution's endorsement of the Durban Declaration and Programme of Action, the outcome of the Durban Review Conference and overbroad restrictions on freedom of speech and expression. Her delegation rejected any effort to advance the full implementation of the Durban Declaration and Programme of Action. The draft resolution would prolong divisions, rather than providing an inclusive way forward for the international community to counter racism and racial discrimination.

129. Her delegation also rejected the call contained in the draft resolution for States to consider withdrawing their reservations to article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination. The draft resolution had no effect as a matter of international law; as such, the United States of

America rejected the call for “former colonial Powers” to provide reparations “consistent with” the Durban Declaration and Programme of Action.

130. **Mr. Magosaki** (Japan) said that the lack of transparency during the negotiation process on the draft resolution and its programme budget implications was regrettable. Member States had been informed that the draft resolution would not have programme budget implications, only to then be informed otherwise after the close of business. Such an oversight was unacceptable.

131. Transparent and inclusive consultations were integral to ensuring the core values and principles of the General Assembly. Member States must be informed about any additional costs associated with draft resolutions during the course of consultations so that they could be discussed. His delegation requested the Secretariat to respect that principle.

132. *At the request of the representative of Israel, a recorded vote was taken on draft resolution A/C.3/76/L.61/Rev.1.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Eswatini, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, United Republic

of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Australia, Austria, Canada, Croatia, Czechia, France, Germany, Hungary, Israel, Marshall Islands, Nauru, Netherlands, Slovakia, Slovenia, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Albania, Andorra, Armenia, Belgium, Bosnia and Herzegovina, Bulgaria, Cyprus, Denmark, Estonia, Finland, Georgia, Greece, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, New Zealand, North Macedonia, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Sweden, Switzerland.

133. *The draft resolution was adopted by 125 votes to 17, with 35 abstentions.*

134. **Mr. Malovrh** (Slovenia), 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 European Union remained fully committed to the total elimination of racism, racial discrimination, xenophobia and related intolerance, including its contemporary forms, as well as to the promotion and protection of human rights for all without discrimination on any grounds. Racism, in all its forms, must be tackled through effective measures at the national, regional and international levels, and in particular through the ratification and implementation of the International Convention on the Elimination of All Forms of Racial Discrimination. The European Union remained firmly committed to the primary objectives and commitments of the 2001 Durban Conference.

135. While the informal consultations had been welcome, a wider compromise on the draft resolution should have been sought. The European Union and its member States had engaged constructively and had made several proposals to that end, as consensus was needed in order to start focusing on implementation. It was regrettable that none of the European Union's substantive proposals – most notably on changing the language of the text to address stereotypes, essentialization, stigmatization and assigned identities, all of which were crucial concepts in the fight against racism – had been accommodated and that the draft

resolution did not, therefore, bring the Committee any closer to consensus. It was hoped that future negotiations would be more impactful. Given the importance of the topic for all regions, the European Union and its member States hoped to be able to support future iterations of the draft resolution, but it could not support the current draft resolution.

136. **Ms. Moss** (United Kingdom) said that her country remained fully committed to the elimination of racism, racial discrimination, xenophobia and related intolerance, as well as to the promotion and protection of human rights for all without discrimination on any grounds. While her delegation agreed that much remained to be done to fully eradicate racism, it regretted the unwillingness of the sponsors to address well-known and long-established concerns regarding the contents of the draft resolution.

137. The United Kingdom could not accept the multiple, positive references made to the Durban Conference or to the commemorative event, given the overt antisemitism that had been expressed and the abominable rhetoric seen at the 2009 Durban Review Conference. The draft resolution served as a vehicle to prolong the divisions caused by the Durban Conference and its follow-up mechanisms, rather than providing a comprehensive and inclusive way forward for the international community to counter the scourge of racism and racial discrimination.

138. The United Kingdom – along with nearly 40 other States – had chosen not to attend the commemorative event for the Durban Conference, which posed the question how the international community could move forward together. A new approach must be found if consensus was to be achieved in future. The importance of the topic required the international community to move forward together on a common path. Despite the need to tackle racism in all its forms, the United Nations had, for far too long, downplayed the scourge of antisemitism. The United Kingdom would not attend any future iterations of the Durban Conference while concerns over antisemitism persisted.

139. **Ms. Buist-Catherwood** (New Zealand) said that her country remained fully committed to combating racism, racial discrimination, xenophobia and related intolerance. The founding document of New Zealand provided for reciprocal rights and obligations, mutual respect and cooperation between Māori – the indigenous people of New Zealand – and the Government. While New Zealand had a strong human rights record, it fell short of its own aspirations for addressing racism within the country. The impacts of colonization continued to be felt in the form of entrenched structural racism and poor outcomes for Māori.

140. New Zealand was committed to addressing such inequities and to fostering an inclusive, empathetic and compassionate society. An inclusive approach to debating the important issue of racism at the United Nations should be found in a way that brought countries together and engaged civil society. New Zealand supported dialogue, as the International Convention on the Elimination of All Forms of Racial Discrimination remained the basis for all efforts to prevent, combat and eradicate racism in all its forms.

141. **Ms. DaCosta** (Jamaica) said that her Government remained committed to the pursuit of reparatory justice for victims of slavery, the slave trade, the trans-Atlantic slave trade, apartheid, genocide and past tragedies, as well as their descendants. Her delegation was therefore pleased by the inclusion of paragraph 14 in the draft resolution, which called on all relevant States that had not already done so to dispense reparatory justice, thereby contributing to the development and recognition of the dignity of the affected States and their people. The adoption of such provisions was yet another milestone in the global progress towards ending racial discrimination and inequality, following the establishment of the Permanent Forum of People of African Descent and the commemoration of the twentieth anniversary of the adoption of the Durban Declaration and Programme of Action. Momentum was growing within the United Nations framework towards improving the lives of Afro-descendants who had suffered the pains of racism, racial discrimination and the legacies of enslavement, including structural underdevelopment.

142. The draft resolution represented a stepping stone towards true reparatory justice. During the International Decade for People of African Descent, Jamaica would seek to advance international recognition of that imperative within the United Nations and other forums. To that end, her delegation looked forward to engaging Member States, including those that had voted against the draft resolution or had abstained from voting, in constructive dialogue on the issue of reparations.

Agenda item 74: Promotion and protection of human rights (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/76/L.32)

Draft resolution A/C.3/76/L.32: Subregional Centre for Human Rights and Democracy in Central Africa

143. **Ms. Korac** (United States of America) said that her country wished to sponsor draft resolution A/C.3/76/L.33/Rev.1, on the effective promotion of the

Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. Owing to a technical error, it had been unable to express its desire to sponsor the draft resolution at the time of its adoption.

144. **The Chair** said that draft resolution [A/C.3/76/L.32](#) had no programme budget implications.

145. **Ms. Banaken Elel** (Cameroon), introducing draft resolution [A/C.3/76/L.32](#) on behalf of the Economic Community of Central African States, said that, since its establishment in 2001, the Subregional Centre for Human Rights and Democracy in Central Africa had carried out important activities in the area of human rights on behalf of government institutions, professional associations, national human rights institutes and civil society organizations.

146. The draft resolution, which reflected the impact of the COVID-19 pandemic and the Secretariat's liquidity crisis on the activities of the Centre, encouraged the Centre to continue to strengthen its cooperation and invest in relations with subregional organizations and bodies, including the peacekeeping missions of the subregion. It also encouraged the Centre, in its activities, to give consideration to all human rights, including civil and political as well as economic, social and cultural rights, and recalled that the Centre required additional resources so as to enable it to move more rapidly towards the achievement of the Sustainable Development Goals in Central Africa.

147. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Algeria, Austria, Bangladesh, Bulgaria, Cabo Verde, Canada, China, Comoros, Costa Rica, Democratic People's Republic of Korea, Egypt, Eritrea, Greece, Hungary, Kenya, Luxembourg, Morocco, Pakistan, Qatar, Romania, Uganda and Venezuela (Bolivarian Republic of).

148. He the noted that the following delegations also wished to become sponsors: Australia, Djibouti, Ghana, Guinea, Japan, Malawi, Mali, Namibia, Niger, Tunisia and Zambia.

149. *Draft resolution [A/C.3/76/L.32](#) was adopted.*

The meeting rose at 12.40 p.m.