



# General Assembly

Seventy-seventh session

Official Records

Distr.: General  
14 April 2023

Original: English

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## Third Committee

### Summary record of the 37th meeting

Held at Headquarters, New York, on Friday, 28 October 2022, at 10 a.m.

*Chair:* Ms. Al-thani (Vice-Chair) ..... (Qatar)

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*In the absence of Mr. Blanco Conde (Dominican Republic), Ms. Al-thani (Qatar), Vice-Chair, took the Chair.*

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

**Agenda item 68: Promotion and protection of human rights (continued)**

**(a) Implementation of human rights instruments**

*(continued)* (A/77/40, A/77/44, A/77/228, A/77/230, A/77/231, A/77/279, A/77/289 and A/77/344)

**(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (continued)**

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**(c) Human rights situations and reports of special rapporteurs and representatives (continued)**

(A/77/149, A/77/168, A/77/181, A/77/195, A/77/220, A/77/227, A/77/247, A/77/255, A/77/311, A/77/328 and A/77/356)

**(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action (continued)** (A/77/36)

1. **Mr. Rajagopal** (Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context), introducing his report (A/77/190), said that he had seen how a home could, in just few seconds, be turned into rubble. The destruction of a home meant that memories, savings and the comfort of belonging were also destroyed, a social and psychological trauma. Such situations demonstrated a lack of respect for the human right to adequate housing during violent conflicts. He therefore called upon all Member States to sign the political declaration on strengthening the protection of civilians from the humanitarian consequences arising from the use of explosive weapons in populated areas, which, after

many years of negotiation, would be adopted in November 2022 in Dublin.

2. That political declaration was an important step forward and should be followed by an international treaty banning certain explosive weapons in populated areas. It had been possible through international agreements to ban landmines and cluster ammunitions; there was no reason why States could not ban the use of explosive weapons that every year killed and maimed hundreds of thousands of people in cities and destroyed the civilian infrastructure necessary for survival.

3. The current state of affairs should not be met with complacency. Gross violations of economic, social and cultural rights, such as the right to adequate housing, should be prosecuted by national and international tribunals on an equal basis with any other human rights violation. The victims deserved more than empathy and humanitarian assistance and should not be left behind without any form of justice, restitution or reparation. Those responsible for such egregious crimes must face international justice.

4. The right to adequate housing was the right to live in safety and dignity. It should not be reduced to the right to survive in fear in a bomb shelter. It was time to recognize systematic or widespread violations of the right to adequate housing as “domicide”: a crime against humanity of its own standing.

5. **Ms. Martini** (United States of America) said that her delegation was deeply disturbed by the estimates in the report of the number of homes deliberately targeted by Russia in its aggression against Ukraine. The United States emphasized the importance of preventing conflict-related infringements on the right to adequate housing, which often entrenched housing discrimination and segregation and resulted in a lack of equitable redress and limited options for voluntary return. The international community should promote just and durable solutions for refugees, internally displaced persons and stateless persons, including those displaced by conflict and the effects of climate change, in particular women and girls and other vulnerable populations. Such solutions should include effective legal, policy and institutional measures that created sustainable and resilient housing solutions and that promoted housing choice and economic opportunity, in order to achieve more diverse and inclusive communities. Her delegation asked how the international community could address the housing needs of those displaced by the unprovoked war of Russia against Ukraine.

6. **Ms. Matos Menéndez** (Dominican Republic) said that the right to adequate housing remained weak, not

only in crisis situations but elsewhere, and her country shared the concern of the Special Rapporteur regarding continued violations of human rights. In his briefing, the Special Rapporteur had indicated that the exercise of the right to adequate housing was necessary for the exercise of other human rights, and that domicile therefore led to the deliberate violation of the rights to life, health, education, food, water, a healthy environment and protection against cruel and degrading treatment. The Dominican Republic viewed human rights as interdependent, indivisible and interconnected and recognized a direct link between the climate crisis and human rights violations. Her delegation wished to hear more on how violations of the right to adequate housing could be addressed and how that right was connected to the climate crisis and to conflicts.

7. **Ms. Ekmektzoglou** (Representative of the European Union, in its capacity as observer) said that the report shed light on the deliberate destruction of housing infrastructure in war, which had intensified in recent years as conflicts occurred more frequently in populated areas. The right to adequate housing was a precondition for the enjoyment of a range of other human rights and the failure to guarantee that right, especially in the context of conflicts, had disproportionate impact on women, children, persons with disabilities and older persons.

8. Her delegation noted with grave concern the deliberate targeting of homes in Syria, Libya, Myanmar, Afghanistan, Iraq and Palestine. In Ukraine, daily indiscriminate attacks by Russian forces on Ukrainian housing and civilian infrastructure, including in densely populated areas, were a grave breach of international law. The concept of domicile referred not only to the deliberate destruction of the physical structures of homes, but also to the systematic violation of housing rights in contravention of international law. She asked the Special Rapporteur to elaborate on what action the international community should take to establish domicile as a distinct crime under international law.

9. **Mr. Abdullah** (Bangladesh) said that his country was committed to ensuring affordable, safe and adequate housing for all, which was closely linked to the enjoyment of other human rights. Housing security accelerated economic emancipation and helped to avert discrimination. Bangladesh had established a project to provide housing to landless and homeless people and the victims of climate-induced displacement, which, within two years, had led to the construction of 200,000 homes, accommodating 1 million people.

10. Climate-induced displacement was driving urbanization. People faced difficulties in securing

housing in cities, which was a barrier to ensuring their basic necessities. In developing and least-developed countries in particular, scarce resources had become a major concern, and he asked how resources could be mobilized to address that issue.

11. Bangladesh currently hosted 1 million Rohingya people fleeing persecution and genocide. Their homes had been confiscated or set on fire. He asked how communities experiencing cross-border displacement could be supported in securing safe and adequate housing, in particular in their home countries.

12. **Mr. Kuzmenkov** (Russian Federation) said that the report of the Special Rapporteur was complex, but owing to time constraints, his delegation would refer only to the so-called aggression of the Russian Federation against Ukraine and the fate of the now Russian city of Mariupol, which seemed to be of such interest to the mandate holder.

13. The Special Rapporteur was unfortunately affected by a biased conviction, common to human rights discussions, that the events in Ukraine had begun in 2022. It was as if the unlawful coup d'état of 2014, supported by the West, or the Ukrainian Armed Forces' oppression of the people of south-eastern Ukraine had never happened. Those people had refused to recognize the nationalistic Government that had unlawfully seized power in Kiev and had announced the aim to eradicate all Russians in Ukraine. For eight years, the Donbass region had suffered mass bombardment by the heavy artillery and air force of Ukraine, which had obliterated entire housing blocks, civil infrastructure and hospitals. Although the United States and European Union had closed their eyes to that and openly supported the nationalistic Kiev regime, independent special rapporteurs should speak about the real state of affairs. Between 2014 and 2022, Mariupol had been under the control of the Azov terrorist regiment within the Ukrainian Armed Forces, which had driven people from their houses, robbed and pillaged, while nationalists had positioned military equipment at the very doorsteps of the local population. Mariupol was currently peaceful again and the Russian Federation was in the process of restoring critical services.

14. **Ms. Banaken Elel** (Cameroon) said that the right to housing was crucial to the fulfilment of the right to an adequate standard of living and the right to development. Her country had taken measures to ensure the right to adequate housing by enacting laws, policies and programmes that aimed at providing affordable housing, protecting tenants and landlords and facilitating access to land. Guaranteeing the right to adequate housing during violent conflict was

challenging. In Cameroon, terrorists had targeted civilian infrastructure, schools, hospitals and private homes. Government officials, civil servants and ordinary people who opposed terrorist positions had had their homes vandalized or totally destroyed. To address that issue, a plan had been launched in 2021 for the reconstruction and development of the north-western and southern regions of the country, which would provide supplies for house reconstruction.

15. Cameroon was well-placed to understand the concern about the right to housing in armed conflict, despite its reservations about the creation of new rights and crimes pertaining to non-human subjects. Noting that military targets were exceptions to the need to protect housing during conflict, she asked how it could be determined that a house targeted during conflict had not been transformed into a military target. Her delegation also wished to know how the recommendations in the report aligned with the discussion in the International Law Commission on the protection of the environment in relation to armed conflicts. Lastly, she asked how the Special Rapporteur viewed domicile in the context of non-international armed conflicts.

16. **Mr. Liu Xiaoyu** (China) said that the right to housing influenced the ability of people to live and work. His Government accorded high importance to housing. To mitigate the socioeconomic repercussions of the pandemic, it had launched various recovery measures including new housing construction and increased efforts to ensure housing security. The 2021 Chinese civil code included for the first time the right of residence, which provided legal protections for people in terms of housing supply. His Government had built more than 80 million units of subsidized housing, thus helping two million individuals with housing. China was also developing green and low-carbon cities while improving rural village conditions.

17. **Mr. Sharma** (India) said that his country was fully committed to ensuring adequate housing with all basic amenities for its citizens and to achieving the United Nations Sustainable Development Goals, in particular target 11.1 on ensuring access to housing, by 2030. India had been implementing the world's largest affordable housing scheme for its urban and rural poor, with over 23.5 million houses built. The Real Estate Act (2016) had been enacted to bring accountability, transparency, consumer protections and speedy dispute resolution to the real estate sector. Since the outbreak of the coronavirus disease (COVID-19) pandemic, the Government had provided dignified living spaces to people throughout the country. Affordable and comfortable rental housing for urban migrants and the

poor near their workplaces was being implemented across the country. The Government's "smart cities" mission was transforming cities into sustainable centres of economic activity that provided improved quality of life.

18. He asked the Special Rapporteur to elaborate on the statement in his report that domicile referred to the systematic violation of housing rights in violation of international law. The Special Rapporteur had asked States to enhance data collection and analysis of serial violations of the right to adequate housing, including through satellite and aerial imagery. India wished to have a better understanding of the role of such imagery in the analysis of violations.

19. **Ms. Bafrani** (Islamic Republic of Iran) said that there was an alarming continuation of gross, systematic and deliberate mass destruction of Palestinian homes by the Israeli regime, in violation of the right to adequate housing. The apartheid regime destroyed Palestinian homes as collective punishment with the intention of evoking fear and a sense of insecurity against the backdrop of the shared trauma of being a refugee. That policy also paved the way for additional settlements. Those illegal and punitive demolitions were carried out without taking into account the safety and security of families. She asked the Special Rapporteur to elaborate on his future plans to collaborate with other mandate holders in order to more effectively address that gross and systematic violation.

20. **Mr. Altarsha** (Syrian Arab Republic) said that, according to paragraph 6 of the report, in 2017, approximately one third of all homes in the Syrian Arab Republic had been either partially or totally destroyed. There was a governorate in Syria called Raqqah which had been completely destroyed as a result of bombardment by the so-called international counter-Da'esh coalition. The remains of the houses had been seized by the separatist Syrian Democratic Forces. The issue of Raqqah was very important and should have been mentioned in the report in the interest of including all points of view, assuming that the report was to be impartial and objective.

21. Paragraph 9 of the report stated that Law No. 10 of 2018 afforded the Syrian Government broad discretion to confiscate the properties of residents. He asked if the Special Rapporteur had read that law, which had been enacted to rebuild areas that had been destroyed by terrorists. It allowed third- or fourth-degree relatives or the relatives of individuals travelling abroad the right to dispose of properties on behalf of their owners. That was not mentioned in the report. The latest date mentioned in that regard was 2018, even

though the report covered the period 2021/22. The Syrian Arab Republic had enacted three new laws since then. The Special Rapporteur should therefore update the data contained in his report.

22. **Ms. Dabo N'diaye** (Mali) said that the right to housing was essential, as it greatly affected quality of life, especially during conflicts. However, that right was particularly weak in the least developed and developing countries, which faced challenges related to food security and access to basic services, especially during periods of conflict. Given the equal importance of various human rights and the constraints faced by developing and least developed countries, she asked what measures he recommended the international community should take to ensure that all of those rights were upheld and to make the right to housing a reality.

23. **Mr. Rajagopal** (Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context), in response to the questions about housing for refugees, said that the response from neighbouring countries to Ukrainian refugees had been robust and that Bangladesh had played a critical role in hosting refugees from Myanmar. In the future, cross-border flows of refugees would become the norm, rather than the exception, especially as climate change accelerated. The international community should focus on finding a just and durable solution to facilitate the settlement of refugees.

24. His upcoming report to the Human Rights Council would focus on the climate crisis and its impact on housing. It would also discuss how certain construction methods contributed enormously to carbon footprints. In preparing that report, he had been holding consultations with States, local governments, human rights organizations, non-governmental organizations, businesses and experts.

25. Whether housing had been used for military purposes was an empirical question. The argument contained in the report was that there must be a presumption in favour of excluding civilian housing from military targets as housing was *prima facie* only intended for civilian purposes and that the burden of proof that a structure was used for military purposes fell entirely on those making the assertion. Unfortunately, military manuals and other training materials did not approach the destruction of housing in that manner. Housing destruction should be treated in military strategy in the same manner as religious and cultural properties, which were granted enhanced protection in international law. There was no reason why housing should not also enjoy enhanced protection, particularly

in the light of its intersectional impact on a whole host of other rights.

26. The subject of non-international armed conflicts was a complicated one. Violations of housing rights tantamount to domicile were carried out by State and non-State actors alike. That issue also pertained to the question from the Russian Federation regarding the Azov Regiment and other actors. Non-State actors involved in the destruction of housing were accountable under international law and prosecuting authorities, such as the International Criminal Court, were responsible for impartially investigating the roles played by various actors.

27. Criminal prosecution of domicile took place after the fact, but there should be an equal or greater emphasis on prevention. Data collection and satellite imagery in particular could play a role in the prevention of domicile. Technology was important for understanding where, why and when violations were taking place and who the perpetrators were. Users of smart technology were not necessarily State actors but rather the victims themselves, who were on the front lines. They must be allowed to have access to that technology. In addition, the information collected must not be arbitrarily restricted on the basis of national security or other grounds but allowed to be circulated for purposes that were in line with international law. It was important to view the collection of information as increasing the capacity of States to more effectively govern their territories and to discharge their obligations under international law.

28. His collaboration with other mandate holders on the question of home demolitions in Palestine and in other contexts was extensive. When he had been appointed in May of 2020, his first act had been to work with other rapporteurs to call for a questionnaire to assess the impact of COVID-19 on a range of human rights. That joint effort had allowed the rapporteurs to gather information across sectors, which had been more effective than if each rapporteur had issued a separate questionnaire. He was grateful for the comment of the Syrian representative with an update about the various recent legal instruments that had been enacted, which would certainly be studied in greater detail and incorporated in future reports. He also took note of the comment about Raqqah, which indicated that the scale of housing destruction in the country was far worse than had been stated in the report.

29. **Mr. Fakhri** (Special Rapporteur on the right to food), introducing his report ([A/77/177](#)), said that he had gained a unique perspective on the food crisis over the past two and a half years. He had consulted with

Governments and communities from around the world and had engaged with more than a dozen international organizations. He had taken part in the United Nations Food Systems Summit and was an active participant at the Committee on World Food Security.

30. He had borne witness to how women faced overwhelming discrimination and violence while having to feed their families. Workers, peasants, pastoralists and fishers were essential but had been treated as expendable. Indigenous Peoples' homelands were being stolen, occupied and decimated at genocidal rates. The 2021 General Assembly resolution on the right to food (A/RES/76/166), the first multilateral response to the food crisis, had given the world hope and signalled to the world that more political and diplomatic energy should be devoted to addressing the food crisis.

31. Since then, recognition of the right to food had increased. The Global Crisis Response Group on Food, Energy and Finance and the Food Systems Coordination Hub recognized the importance of the right to food. The Government of Ireland had invited him to informally brief the Security Council on the right to food in the context of conflict. Nevertheless, a Government-led global plan of action to tackle the food crisis was needed. To that end, States should reaffirm the right to food and declare a right to food as outlined in the report's recommendations. Governments should build on measures that had been effective during the pandemic and make permanent their pandemic relief programmes.

32. In October 2022, at the plenary meeting of the Committee on World Food Security, Governments had been unable to agree on how to address the food crisis and were still negotiating a ministerial declaration on coordinating policy responses to it. The General Assembly resolution on the right to food should include language that recognized the vision of that Committee on implementing the right to food and its role as an inclusive international and intergovernmental platform that enabled stakeholders to work together to ensure food security for all. The Assembly should request that Committee to enhance its role as a coordinating platform in order to effectively address current and future food crises and enable a just transition towards more resilient and sustainable food systems.

33. **Ms. Novruz** (Azerbaijan), speaking on behalf of the Movement of Non-Aligned Countries, said that, at the eighteenth Summit of the Movement, held in October 2019, the Heads of State and Government had reaffirmed that hunger constituted a violation of human dignity and had called for urgent measures at the national, regional and international levels for its elimination. The Heads of State and Government had

also reaffirmed the right to access to safe and nutritious food, consistent with the right to food and the fundamental right to freedom from hunger, so that individuals could maintain their physical and mental capacities. The Heads of State and Government had also stressed the need for States to promote efforts to eradicate poverty in all its forms and dimensions.

34. The high volatility of global food prices and the limited progress made in reducing hunger globally were of deep concern. The continuing international economic and financial crisis, which affected trade, aid and financial links, hindered the global effort to fight hunger. The multiple and complex causes of the crisis required a comprehensive, coordinated and sustained response by the international community. The Movement of Non-Aligned Countries emphasized the importance of strengthening the Global Information and Early Warning System on Food and Agriculture and the Committee on World Food Security to help to address and prevent the recurrence of food crises.

35. The role of South-South cooperation and triangular cooperation should be leveraged in order to promote and support industrial and semi-industrial ventures and to ensure food security and nutrition. To that end, sustainable agriculture and food processing agro-industries, which had the potential to link with global value chains and effectively address the market needs of developing countries, should be promoted.

36. **Mr. da Fonseca Fernandes Ramos** (Portugal) said that food insecurity, which had been rising during the pandemic, was being exacerbated as key producers of agricultural commodities faced supply chain disruptions. High prices in global food markets had placed the most vulnerable populations at particular risk and rising inflation was affecting developed and developing countries alike. It should not be forgotten that food was a human right derived from the right to an adequate standard of living, as enshrined in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights. States had an obligation to take necessary action to mitigate and alleviate hunger, especially in times of economic turmoil.

37. The experience of Portugal was instructive in that regard. The country, through its national social security system, had implemented extraordinary measures to help the most vulnerable families to cope with rising prices. Portugal was also in the process of finalizing a national action plan to implement European Council recommendations on establishing a European Child Guarantee and was planning to gradually make meals free for all children attending public preschools.

38. Despite the unprecedented global food crisis and the renewed commitment to the right to food, very few countries or international organizations were acting in line with a right-to-food framework. He asked the Special Rapporteur whether he thought a multilateral commitment by the Member States to realize the right to food would help significantly in tackling the food crisis.

39. **Mr. Kuzmenkov** (Russian Federation) said that his delegation shared some of the concerns expressed by the Special Rapporteur but wished to clarify the issue of food insecurity in relation to the crisis in Ukraine. The Russian Federation had not blocked Ukrainian ports; mines had been laid there on the orders of the extremist Kiev regime. Russia was opening humanitarian corridors every day for trade ships but they unfortunately remained unused. Meanwhile, the unfriendly States supporting the Kiev ultranationalists had introduced unilateral coercive measures against his country. One glaring example was the blockade on fertilizers belonging to Russian private companies, which European Union member States refused to remove even though the United Nations had agreed to deliver them free of charge to countries in need.

40. In the interest of the entire international community, Russia had signed an agreement in Istanbul on the export of Ukrainian agricultural products via the Black Sea and on steps to remove restrictions on the export of Russian agricultural products and fertilizers. However, only the Ukrainian part of the deal was being carried out in full. According to the Joint Coordination Centre in Istanbul, by 26 October 2022, the humanitarian corridors had been used by 390 vessels to export some 9 million tons of food from Ukrainian ports, half of which had gone to European Union countries, the United Kingdom and Israel, whereas only 3 per cent had reached countries in need. Western countries were thus violating their obligations under the International Covenant on Economic, Social and Cultural Rights. In the same vein, whereas the aggression and unlawful occupation of territory in Syria by the United States had caused food shortages and hunger, Russia was seeking ways to resolve the global food crisis.

41. **Ms. Matos Menéndez** (Dominican Republic) said that food insecurity had grown at an alarming rate, with organized violence and armed conflict continuing to be its main causes. As indicated in the report, timely and concerted international action was needed in order to improve food security and nutrition and to extend initiatives that would contribute to addressing extreme circumstances. It was important to point out that the right to food did not merely entail providing food to people living in poverty; it also required an examination of who was experiencing hunger, the causes of hunger

and how powerful forces influenced the access to adequate food. In the context of the current global food crisis, the world hoped that multilateral action by Member States would make the right to food a reality.

42. The Special Rapporteur had recommended that the General Assembly should adopt a declaration on a multilateral coordinated response to the crisis. She asked how such a declaration could orient Member States to address the crisis and its various contexts.

43. **Ms. Greffine** (Representative of the European Union, in its capacity as observer) said that the unprovoked and unjustified war of aggression by Russia against Ukraine had generated a risk of imminent famine and starvation, which had added to existing pressures from the climate change crisis and the COVID-19 pandemic. She asked how global food systems could be transformed so that crises, such as that caused by the Russian aggression against Ukraine, would not lead to global food insecurity.

44. In his report, the Special Rapporteur had correctly indicated that the right to food was unique within the International Covenant on Economic, Social and Cultural Rights, as article 11 (2) obliged States to enact specific programmes to eliminate hunger and fulfil the right to food. She asked for examples of how multilateral commitments by Member States had resulted in the successful realization of the right to food.

45. **Ms. Padmasari** (Indonesia) said that the COVID-19 pandemic exacerbated and accentuated inequalities and extreme poverty, rolling back the progress that had been achieved in the fulfilment of the right to food. Indonesia, understanding that the right to food was fundamental even outside the context of a pandemic or a global crisis, had included food resilience as an important target of its national development agenda for the period 2022–24. That agenda aimed at achieving food resilience through increased agricultural productivity and efforts to improve the affordability and distribution of diverse and nutritious foods.

46. Her delegation noted the recommendation in the report regarding an international legally binding instrument. However, considering the time and political will that would require, other measures should be prioritized to solidify international cooperation on food security and to address the pressing food crisis. She asked what particular elements should be incorporated into capacity-building projects for small-scale farmers and farmer empowerment programmes in order to support the national agenda on food resilience.

47. **Ms. Bafrani** (Islamic Republic of Iran) said that the right to food was inherent to the right to life. As



stated in the report, equitable trade was not only a supply management issue, but also a matter of food sovereignty. Speculating on food price trends without actually trading in the commodities themselves disrupted global commodity markets and should be prohibited.

48. The Islamic Republic of Iran made efforts to improve the food supply by enhancing the cultural and biological diversity of its food systems, notably in wheat and rice cultivation. Unilateral coercive measures had negative impacts on the economies of targeted countries, including hers, and violated the rights to development and to food. As appropriately highlighted in the recommendations and conclusions section of the report, Member States should, as a matter of national policy, end all unilateral coercive measures and blockades. Her delegation also welcomed the recommendations made by the Special Rapporteur to encourage international cooperation and coordination.

49. **Ms. Banaken Elel** (Cameroon) said that her country welcomed the privileged position of the Special Rapporteur as a member of both the integration team of the United Nations Food Systems Summit and the Advisory Group of the Committee on World Food Security, which had enabled him to assess the outcomes of the Summit and make recommendations on their implementation. In his report, the Special Rapporteur had stated that the Summit had been a missed opportunity to address the food crisis and encourage international cooperation because it had not even considered the impact of the pandemic on the world food system and had not provided substantive or useful policy guidance to address challenges. She asked what substantive guidance he had expected from the Summit, particularly with respect to international cooperation, and how that could be addressed at other international forums.

50. The COVID-19 pandemic had highlighted the critical role of the right to food in the enjoyment of economic, social and cultural rights, in particular the right to development. Cameroon was concerned that, even before the pandemic, little progress had been made in realizing the right to food, a situation exacerbated by the increase in global food prices. She asked how the effects of the pandemic and inflation on food security and human rights could be addressed in line with a human rights-based approach. Furthermore, her delegation had taken note of the ambitious recommendations in the report, especially concerning the negotiation of new agreements on food. Such agreements should be based on food security and the right to work. She asked how he planned to influence

that process to ensure an approach that was based on the right to food.

51. **Mr. Tozik** (Belarus) said that the topic of the right to food had recently grown in importance because of a perfect storm of events. One strength of the report of the Special Rapporteur was that it reflected the many factors related to and exacerbating hunger, since those were often omitted or ignored by those wishing to make the topic a political issue. The broad scope of the report was, however, also its weakness. The title was succinctly formulated as “the right to food and the coronavirus disease pandemic”, and yet the report contained many additional, arguably superfluous, topics. The inclusion of such issues prevented an in-depth analysis of the central themes and resulted in the omission of key details, such as the role and influence of unilateral coercive measures on food security and hunger, which was referred to in only one subparagraph. His delegation wished to know whether the Special Rapporteur planned to explore the issue of unilateral coercive measures in his report to be issued in 2023 on the link between food security and armed conflicts.

52. **Mr. Yamaguchi** (Japan) said that, to respond to the global food crisis provoked by the COVID-19 pandemic and the invasion of Ukraine – a country that 26 other nations depended on for wheat – by the Russian Federation, Japan had taken concrete actions and spent \$200 million to support affected countries, including in the Middle East and Africa. His delegation asked how the response of the Group of Seven to the current food crisis was expected to impact advancements towards the right to food.

53. **Ms. Silva** (Angola) said that the right to food of several regions was directly threatened by climate change and various humanitarian crises. The increase in the price of certain food products as a result of financial speculation was one example of the structural constraints that existed in certain regions and which contributed to food insecurity in others. Her delegation welcomed the proposed legal framework to guide States in developing plans of action on the right to food, and to coordinate responses to food crises at the international level. At the national level, Angola was aligned with the 2022 theme of the Africa Dialogue Series, “Strengthening resilience in nutrition and food security on the African continent: Strengthening agro-food systems, health and social protection systems for the acceleration of human, social and economic capital development”. The right to food remained a priority for her Government, which had made great progress in eradicating hunger and reducing malnutrition, in particular by launching a school lunch programme that concretely implemented the right to food while



supporting community development and family farming. She asked the Special Rapporteur what efforts could reverse the lack of concerted action towards the positive transformation of food systems.

54. **Mr. González Behmaras** (Cuba) said that it was necessary to remove all economic, financial and commercial blockades in response to the pandemic and current food crisis, including the six-decade-long blockade imposed against Cuba by the United States, which had grown to unprecedented levels during the pandemic. It should not be overlooked that 10 per cent of the global population continued to suffer from hunger, and that millions of children suffered from emaciation. The technological resources to address that ethically unacceptable reality existed: what was missing was a true political will to resolve the scourge. Trillions of dollars had been devoted to military spending around the world, while millions had nothing to eat. To guarantee the right to food, a new international economic order was needed, one that prioritized lives over dividends. Every year, his delegation promoted the resolution on the right to food in the Committee; it expected that the resolution would be supported by a majority in the current session. Hunger was a violation of human dignity. His delegation invited the Special Rapporteur to continue studying the impact of the United States blockade on the right to food for the Cuban people.

55. **Mr. Liu Xiaoyu** (China) said that as it had 6.6 per cent of the world's freshwater supply and 9 per cent of its arable land, China supported close to 20 per cent of the world's population. It had eliminated hunger at its source and improved nutrition across the board, an achievement that had been internationally recognized. Under the South-South cooperation framework of the Food and Agriculture Organization (FAO), China was the developing country that had provided the largest financial assistance, dispatched the largest number of experts and carried out the most projects. Since 2016, China had cooperated with 10 United Nations entities and non-governmental organizations (NGOs) to provide food assistance to more than 50 countries, thus benefiting 20 million people. In September 2021, China had proposed a number of global development initiatives at the General Assembly, selecting food security as one of its eight priority areas. China remained committed to strengthening agricultural technical cooperation with developing countries, providing food aid, and promoting hybrid rice and other proven food technologies to eliminate global hunger and improve nutrition.

56. **Mr. Nze** (Nigeria) said that hunger was a violation of human dignity. Economic sanctions, poverty,

blockades, war and conflicts impeded the right to food and fuelled hunger as a result of rising food prices. It was unacceptable how little progress had been made on ending hunger. Climate change, terrorism, conflict, natural disasters, the persistent global economic crisis, the COVID-19 pandemic and crushing debt burdens for developing countries all negatively affected the right to food. States must promote efforts to eradicate poverty and hunger in all its forms. He asked how the Special Rapporteur hoped to galvanize the international community to fight the looming global hunger crisis, especially in developing countries where rising food prices and inflation posed a serious challenge to the right to food, which, if not addressed, could lead to political instability and conflicts.

57. **Mr. Altarsha** (Syrian Arab Republic) said that in his report, the Special Rapporteur had referred to the wrongful invasion of Ukraine by the Russian Federation, but had not mentioned the wrongful invasion of the Syrian Arab Republic by the United States, which was devastating crops in north-eastern part of the country. In addition, while paragraph 20 of the report had included some information provided by his country about decreases in groundwater and dam levels and food protection issues, a large amount of information submitted had not been included. His delegation had clearly communicated to the Special Rapporteur who was cutting off water and who was stealing crops; since the report did in fact single out other countries, it should have singled out the United States as well. In paragraph 91, the report called for an end to all unilateral coercive measures and blockades. However, two lines were not sufficient to speak about the effects of such measures currently levied against more than twenty countries; in subsequent reports, coverage should be expanded.

58. **Mr. Hassan** (Somalia) said that he would like to hear about ways to curtail illegal, unregulated and unreported fishing, which was a major problem in coastal countries, leading to food insecurity for millions and the destruction of the environment.

59. **Ms. Moutchou** (Morocco) said that the creation of the FAO during World War II was not only born out of the desire to increase agricultural cooperation, but also out of the ambition to free the world from hunger. Decades later, however, people were still dying from hunger and malnutrition as a result of climate change, natural catastrophes, economic and political crises, or just the unfair distribution of resources. She asked the Special Rapporteur to expound, in future reports, on the feasibility and benefits of creating a new, legally binding international treaty to prevent hunger and protect the right to adequate food, given that many texts

had been drafted on the subject but were still waiting for effective implementation.

60. **Mr. Fakhri** (Special Rapporteur on the right to food) said that it was important to recall that the International Covenant on Economic, Social and Cultural Rights had been negotiated in the 1960s based on the development framework and assumptions of the 1950s. Since much had changed legally, socially and economically since then, the language he had proposed in the report built on existing legal norms, such as the United Nations Declaration on the Rights of Indigenous Peoples, advancements in international labour laws, and progress on the rights of women and girls. Therefore, it was important to build on existing momentum but to understand the right to food in its contemporary context.

61. The problem with current global governance was that there were many ideas but no clear way forward. The United Nations Food Systems Summit had created a large degree of confusion by neglecting to put the pandemic on its agenda and by not originally focusing on the right to food as a central element. Although over 110 Governments had been incentivized to create national food pathways, those pathways tended to focus on national concerns and therefore did not engage with the right to food in terms of human rights principles. The General Assembly was urged to put forth a strong resolution so that he could work with FAO and other international organizations to develop a solid plan. Strong leadership from the General Assembly would also make it possible to establish relationships with people and galvanize engagement.

62. There was a Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, and he had sought to avoid overlapping with that mandate. However, his next report would focus not only on armed conflict but on all forms of violence; he invited all representatives to submit input, including on unilateral coercive measures and other forms of violence.

63. Different entities, Member States and organizations were focusing on different aspects of a multidimensional crisis, and were all consequently half-right. Although national concerns and international conflicts mattered, the global food crisis and climate change would not disappear even if all wars and pandemics ended in the near future. The food crisis reflected a problem in markets and financial systems and would in fact continue getting worse. His report had therefore focused on how to transform food systems in a globally coordinated and sustainable way and transition to agroecology. With regard to questions on supply chains and trade, he hoped to address illegal and

unregulated fishing in a future report. Moreover, he noted that there was no clear framework for trade and food security at the level of the World Trade Organization (WTO); in fact, WTO had often demonstrated that it was not a fruitful place to hold such discussions, as evidenced by the delays in COVID-19 vaccine development and distribution produced by WTO gridlock. Consequently, such discussions must continue to occur in other forums.

64. **Mr. De Schutter** (Special Rapporteur on extreme poverty and human rights) said that his report was a call to protect people from discrimination on the basis of poverty levels, in the context of an unprecedented assault on the purchasing power of low-income households, which were the most affected by global inflation. In Europe, inflation had hit a record high of 10 per cent, while in sub-Saharan Africa, food prices had surged by nearly 24 per cent. All around the world, many people were at risk of starving or freezing to death if immediate income-raising actions were not taken. Combined with the impacts of the COVID-19 pandemic, it was estimated that the global rise in energy and food prices would force an additional 75 to 95 million people into extreme poverty in 2022.

65. Povertyism, which he defined as negative attitudes and behaviours towards people living in poverty, remained widespread and threatened to restrict their access to employment, housing, healthcare, education and social protection – tools that were ostensibly designed to lift them out of poverty. He recounted several examples of people being bullied, shunned, refused housing, rejected from jobs or discriminated against based on their low-income backgrounds. For example, an experiment designed by ATD Fourth World had shown that candidates in France were less likely to be selected if their application showed they had lived in temporary housing or had worked in a social enterprise. In the United States, employers often refused to consider candidates who lived in homeless shelters, or to hire applicants who lived further away from the workplace. Companies often hesitated to hire job-seekers who had been unemployed for long periods of time.

66. In fact, negative stereotypes about people in poverty were rife not only among the general population, but also within the very institutions meant to support them: schools, social services, healthcare, the justice system and housing. When people in poverty were asked to describe their experiences, they often mentioned humiliation, social and institutional maltreatment and negative stereotyping. Discrimination restricted their access to employment, education, housing or social services. Moreover, povertyism was a major driver of non-take-up of rights, wherein people

eligible for certain types of assistance did not claim it, in part due to the stigma attached to receiving benefits or in order to avoid negative experiences with social services.

67. Povertyism was so entrenched in minds and institutions that, much like other forms of discrimination, it must be made illegal. The Committee on Economic, Social and Cultural Rights had noted that discrimination could cause poverty, just as poverty could cause discrimination, insisting that social origin and socioeconomic condition should be included in the anti-discrimination framework adopted by the States parties to the International Covenant on Economic, Social and Cultural Rights. However, despite the fact that a growing number of countries considered social origin as a potential cause for differential treatment, courts and lawyers did not often make use of that tool. Simply prohibiting discrimination on the grounds of socioeconomic conditions was perhaps insufficient: lawmakers should enact affirmative action policies. While affirmative action had traditionally been based on race or gender, class-based policies would support those from low-income backgrounds of all races and genders and would provide jobs and opportunities to reduce the effects of inherited social inequalities. Such policies would also reduce negative stereotypes about the poor, as had been illustrated by a variety of studies showing that intergroup contact tended to increase tolerance and reduce prejudice.

68. Affirmative action was also symbolic in value: it recognized the specific obstacles people in poverty faced owing to povertyism and challenged the mainstream narrative about society distributing outcomes on the basis of merit. It would also promote diversity in the workplace and provide role models for adolescents and young adults from underprivileged backgrounds. Povertyism must be combatted with the same vigour and persistence as sexism, racism, ageism, transphobia and homophobia, given that all were unacceptable and harmful biases that had no place in the contemporary world.

69. **Ms. Dime Labille** (France), speaking also on behalf of Albania, Belgium, Chile, Morocco, Peru, the Philippines, Romania and Senegal, said that fighting poverty required acknowledging the interdependencies between socioeconomic precarity and belonging to the most vulnerable groups. Ensuring the universal respect of socioeconomic rights, such as the right to housing, education and employment, would start with the implementation of frameworks to fight against all forms of discrimination. The active participation of people living in poverty was crucial for the success of such frameworks, as those individuals understood the lived

realities of poverty and precarity. She asked the Special Rapporteur what preliminary measures States could take to establish linkages between positive policies in favour of those living in poverty and anti-discrimination policies, in order to break the cycle of poverty.

70. **Ms. Banaken Elel** (Cameroon) said that the socioeconomic reality of people living in poverty or without housing meant facing constant discrimination and negative stereotypes. As the report had highlighted, there was a mutually reinforcing relationship between poverty and discrimination which led to a vicious cycle of human rights violations. Unlike discrimination that was based on immutable traits such as sex, race or birthplace, discrimination based on socioeconomic status could be easily targeted by investing in education, implementing universal healthcare, adopting a universal basic income, and making such forms of discrimination illegal. Poverty was not the result of laziness or lack of self-control: its roots lay in structural factors like high unemployment, stagnating wages and negative stereotypes, and intersected with other forms of vulnerability based on race, religion and migration status. She asked what more countries could do to address discrimination on the basis of socioeconomic disadvantage in their national legal frameworks, and how they could extend the definition of socioeconomic disadvantage beyond financial criteria alone. In addition, she wondered how the courts and the justice system could be used to combat poverty.

71. **Mr. Lohr** (Luxembourg) said that his delegation appreciated how the report attacked the myth of poor people being lazy and choosing poverty. On the basis of robust statistical analysis, the Special Rapporteur had shown how protections against socioeconomic discrimination were necessary to prevent povertyism and thwart negative stereotypes that threatened to entrench structural discrimination. The intersectional dimension of the issue warranted further attention.

72. At the national level, Luxembourg had a solid social security network that, in combination with other positive policies, worked to mitigate inequalities and to enhance social cohesion and promote an inclusive society free from all forms of discrimination, including socioeconomic discrimination. In addition, the official development assistance disbursed by his country had remained at one per cent of its gross national income, even during times of crisis. Luxembourg supported a multidimensional approach to sustainable development and the eradication of poverty, with the hope that international cooperation could effectively help to break the vicious cycle of poverty. He asked how Member States could better address povertyism at the national

level and within the context of official development assistance.

73. **Ms. Greffine** (Representative of the European Union, in its capacity as observer) said that the European Union fully supported the 2030 Agenda, in particular its objective of eradicating poverty in all its forms and dimensions. The role of the Special Rapporteur was crucial for analysing the causes of such inequalities and for proposing solutions to eradicate extreme poverty and ensure that all people could enjoy their fundamental freedoms.

74. The two-fold food and energy crisis, whose impact had been exacerbated by the consequences of the illegal aggression of the Russian Federation against Ukraine, directly affected millions of people who were already economically and socially vulnerable. While the COVID-19 pandemic had further entrenched existing inequalities, the meteoric rise of food and energy insecurity continued to threaten the whole world. Short-term solutions were insufficient: to eradicate extreme poverty, the international community must also fight against associated forms of discrimination, stigmatization and social exclusion. The European Pillar of Social Rights was focused on reducing inequality and ensuring equal opportunities for all. The European Union had thus implemented various measures to concretely reduce inequalities, such as the adoption of new rules on adequate minimum wages for all workers. In addition, the Social Protection Committee was studying inequalities and identifying ways to reduce them. A new social fund was allowing the European Union to financially support the inequality-reducing measures implemented by its member States. Given that the Special Rapporteur had suggested that the most vulnerable members of society should obtain better political representation, she asked what means could be used to achieve that representation.

75. **Mr. Kuzmenkov** (Russian Federation) said that discrimination on grounds of socioeconomic disadvantage seriously impeded the improvement of well-being in many countries. His delegation recognized that the phenomenon deserved more attention from the international community and appreciated the Special Rapporteur's exhaustive, academic and objective report on the topic. The universal enjoyment of the right to development was a fundamental factor in addressing poverty, since it involved improving quality of life, protecting the dignity, rights and freedoms of individuals, stimulating economic growth and strengthening social stability. Although States were fundamentally responsible for upholding the right to development, the international community should respect the principles of sovereignty, non-interference in

the domestic affairs of other States and the right of each State to determine its own path and model of development.

76. Inequality and poverty were priorities of the Russian Federation, especially in its efforts to achieve the Sustainable Development Goals through the implementation of various national projects. Russia had eliminated extreme poverty, since less than 1 per cent of the population could be classified as being in extreme poverty according to the internationally recognized definition of that term. The Russian approach to tackling poverty was to provide targeted social support to the most vulnerable population groups, in particular families with children and pensioners. The Government was also taking measures to modernize the social support system, including by digitizing it to make it more accessible and understandable and less bureaucratic.

77. **Ms. Silva** (Angola) said that socioeconomic discrimination was just another symptom of societal dysfunction, and that the systemic nature of anti-poor discrimination should be a concern for all. Prejudice and negative stereotypes about poverty must be deconstructed at all levels and the proper measures must be adopted to stop the vicious cycle. Positive actions with a focus on intersectionality would be essential for the successful implementation of a comprehensive anti-discrimination framework. The requirement of equal treatment included four distinct norms: equality before the law, the protection of the law, the regulation of private actors, and equal and effective protection against discrimination. She asked the Special Rapporteur which of those norms should be prioritized to address the issue of equal treatment at the national level, given the different realities among States.

78. **Mr. Liu Xiaoyu** (China) said that the eradication of poverty was the primary goal of the 2030 Agenda. In February 2021, China had triumphed against poverty in all its aspects: all of the country's 98.99 million rural poor that had been living under the poverty line had been lifted above it. In addition, poverty had been eliminated in all 28 minority ethnic groups with a small population. According to the global poverty criteria used by the World Bank, Chinese poverty reduction efforts accounted for more than 70 per cent of the global reduction in poverty. In fact, China had achieved the poverty reduction target of the 2030 Agenda ten years ahead of schedule, which was a historical achievement for human rights. It also offered a model and template for other countries to study when trying to eradicate extreme poverty.

79. **Mr. Altarsha** (Syrian Arab Republic) said that from a technical standpoint, the report of the Special Rapporteur was difficult to follow and full of repetitions. It focused on some Member States but not others, for example mentioning India in many sections but only referring to South Africa out of all the African nations. Moreover, the report made over 48 references to courts and laws in national contexts, but did not establish any linkages between those mentions.

80. He also questioned the lack of activities conducted by the Special Rapporteur in the previous year. Usually, the report contained a paragraph discussing visits and other activities, but that appeared to be absent from the current report. In fact, many of the studies mentioned in the report were woefully outdated, some containing results that were over a decade old. He therefore asked the Special Rapporteur to explain his methodology for producing the report.

81. **Mr. Maenpaa** (Observer for the Sovereign Order of Malta) said that the fight against poverty was the most pressing global humanitarian issue facing the world. The rise in inflation, the consequences of the war in Ukraine and the lingering effects of the COVID-19 pandemic meant that an additional 75 to 95 million people might be living in extreme poverty by the end of 2022, compared to pre-pandemic estimates. The consequences of the pandemic on the most vulnerable populations had highlighted the growing inequalities across shared development goals, and had also exacerbated disparities in how countries managed emergencies. Economics and social justice, both affected by the development of communications systems, had never been more intertwined. The need to maintain a healthy relationship between the two should remain a priority at the United Nations. Sadly, the Secretary-General had been correct when he had explained that the current geopolitical system was designed to protect developed and powerful countries at the expense of underdeveloped and vulnerable ones. While extreme poverty was prevalent in countries dealing with war, conflict and climate change, it was also deeply rooted in developing countries that had been negatively affected by historical exploitation and neglect. There were many gaps: for instance, many social protection systems did not ensure income security for women, especially single mothers. In 2015, there were 122 women in the 25–34 age range that lived in poverty compared to 100 men in the same age group; in addition, 160 million children were at risk of living in extreme poverty by 2030. Therefore, the international community must work together to achieve the goal of eradicating poverty and equitably distributing resources. Poverty was not merely material or monetary

in nature: cultural and social poverty could also arise from limited education, social discrimination, and various forms of exclusion. He asked the Special Rapporteur how the international community could elaborate a new vision to equitably distribute wealth and leave no one behind.

82. **Mr. De Schutter** (Special Rapporteur on extreme poverty and human rights) said that his report had provided an overview of the progress made towards eradicating extreme poverty, as well as the best practices used to do so. It was a comparative legal report that sought to accelerate a movement and encourage States to do more. The representative of France had asked what measures should take priority. In national laws, there should be protections against discrimination on the grounds of socioeconomic disadvantage. France had already achieved that by passing a 2016 law to combat discrimination on the basis of economic precarity or social vulnerability. The Government of Belgium had begun recruiting people who had lived in poverty to inform administrations on policy development, especially when the policies designed were at risk of not reaching their intended targets.

83. Responding to the representative of Cameroon, he said that while it was true that poverty was not an immutable trait like sex or race, it nevertheless trapped people in vicious cycles that were hard to escape. Therefore, effective access to justice was needed; South Africa provided one solution, with specialized jurisdictions focused on issues of discrimination. Many States had other mechanisms to help individuals fully exercise their rights.

84. With regard to the question from Luxembourg about addressing poverty in official development assistance programmes, he emphasized that basing those programmes on human rights would limit arbitrariness and protect people in poverty. A human rights-based approach to social services was essential to avoid negative stereotypes from limiting access.

85. The adoption of the European Pillar of Social Rights was a huge achievement, but unfortunately not all of the rights enshrined therein could be legally enforced in the current context. On the subject of minimum wage legislation, it should be noted that there were more than 20 million working poor in the European Union. His next report would look at the situation of the working poor and how the capacity of trade unions could be used to protect their purchasing power. The report would also look at the growing precarity of employment owing to short-term and limited contracts.

86. The observer for the European Union had asked about the political representation of poor people: article

25 of the International Covenant on Civil and Political Rights guaranteed political and civil rights for all people, including the right to take part in the conduct of public affairs. But that was not limited to the right to be consulted and to vote: it was also the right to help build solutions and participate in decision-making. Poor people were underrepresented in political decision-making and mechanisms of participatory democracy. In fact, a vicious cycle often occurred: poor people did not have the time, access or resources to participate in political decision-making, but since they did not contribute to those decisions, they were rarely represented by them. He was therefore working on developing a methodology and identifying best practices to enhance the effective participation of poor people.

87. Responding to the representative of Angola, he reiterated that the four norms of equal treatment were international human rights norms and therefore applied to all countries regardless of their development level. While the specific situation of different States must be considered when looking at economic, social and cultural rights, the prohibition of discrimination was an immediate norm that was not subject to gradual implementation. All States must guarantee that access to health, education, housing and employment could be ensured without discrimination on any basis, especially on the grounds of poverty.

*The meeting rose at 12.25 p.m.*