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Chair: Mr. Blanco Conde (Dominican Republic)
later: Ms. Kaczmarek (Vice-Chair)..... (Poland)

Contents

Agenda item 66: Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*)

- (a) 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 (*continued*)

Agenda item 67: Right of peoples to self-determination (*continued*)

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

Agenda item 66: Elimination of racism, racial discrimination, xenophobia and related intolerance
(continued) (A/77/18)

(a) Elimination of racism, racial discrimination, xenophobia and related intolerance (continued)
(A/77/233)

(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action (continued) (A/77/232, A/77/294 and A/77/333)

Agenda item 67: Right of peoples to self-determination (continued) (A/77/265 and A/77/268)

1. **Ms. MacLeod** (Chair-Rapporteur of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination), presenting the report of the Working Group (A/77/268), said that the report examined the pressing and complex challenges presented by violations of human rights and humanitarian law perpetrated by private military and security companies, mercenaries and related actors in the maritime context. It was well known that piracy had been a key driver of the increasing use of private military and security companies at sea and was of continuing and urgent international concern. Furthermore, there were security concerns around the use of ships in trafficking in persons, irregular migration, drug trafficking and trafficking in wildlife and wildlife commodities.

2. Although the use of private military and security companies to provide a wide range of maritime security services might ensure more secure maritime transit, it came at a cost to the human rights of seafarers, private security personnel and others. The Working Group had received information about the unregulated and disproportionate use of force at sea; violations of the rights to life, liberty and other physical integrity rights; violations of due process guarantees; and abuses of labour rights. Moreover, such violations were escalating owing to increased competition among private military and security companies, accompanied by a lowering of the quality of private security services provided and the consequent negative impacts on human rights. Weak vetting and training regimes, the proliferation of weapons and poor monitoring and oversight of the industry further contributed to violations.

3. The adoption of coherent and effective international and domestic regulations and oversight of private military and security companies operating at sea was essential, with flag States, coastal States and port

States playing an especially important regulatory role. Consistency across jurisdictions was crucial to prevent forum shopping by shipowners that otherwise took advantage of weak regulatory frameworks. Attention must be paid to the troubling and evolving trend towards the hybridization of security provision at sea, where public and private security actors combined to provide maritime security and which could present particular problems in relation to monitoring, oversight and accountability. In addition, the largely unmonitored and unregulated phenomenon of floating armouries must be addressed, potentially through the establishment of State-controlled armouries onshore.

4. While the abuse of the labour rights of private security personnel at sea was prevalent, any legislative initiatives must address violations of human rights at sea more broadly, focusing particularly on the disproportionate use of force, violations of the right to life and liberty, and due process guarantees. An effective legislative and regulatory framework in the maritime private security context must also ensure effective access to justice and remedy for victims.

5. In relation to mercenaries and mercenary-related actors, the Working Group had received worrying information about the increasing use of maritime vessels to transport weapons for mercenary purposes. Information had also been received that suggested links to trafficking in persons via the maritime transfer of coerced mercenary recruits from particular countries. Opacity around the use of maritime vessels to support mercenary-related activities was unsurprising, and the general lack of transparency around such activities was an issue that the Working Group had previously identified as being of concern in its reports that focused more broadly on mercenarism. It was clear, however, that further data collection and research on the subject were required.

6. Whether human rights violations were perpetrated by mercenaries or private military and security companies, there was a lack of accountability for them and an absence of access to justice and effective remedies for victims, driven by the specificities of the maritime context. It was therefore imperative for States to address those gaps by effectively regulating the maritime sphere in line with the recommendations made in the report.

7. **Mr. Polin** (Representative of the European Union, in its capacity as observer) said that the overall objective of the European Union's maritime security policy was to protect its citizens and economies from the consequences of unlawful, intentional acts against shipping and port operations. The European Union

regulation on enhancing ship and port facility security and the directive on port security provided a regulatory framework for the protection of the maritime link in the transport logistics chain against the risk or threat of an attack, were designed to ensure the best level of preventive security possible for maritime transport, respected fundamental rights and observed the principles recognized by the Charter of Fundamental Rights of the European Union.

8. Noting the mention in the report of violations and abuses of human rights by mercenaries and private security and military companies, he reaffirmed the European Union's position that the roles and actions of mercenaries, a category specifically defined in international law, should not be confused with the activities of private military and security companies. The European Union recalled the important role of the Montreux Document on pertinent international legal obligations and good practices for States related to operations of private military and security companies during armed conflict in reaffirming States' existing obligations under international law. The European Union supported the Montreux Document and encouraged all States that had not yet done so to endorse it. Lastly, the Working Group's work would be more effective if it focused more clearly on mercenaries and mercenary-related activities.

9. **Mr. Valido Martínez** (Cuba) said that his delegation remained concerned that such countries as the United States were encouraging, with resources and logistical support, the use of mercenaries to intervene in the internal affairs of developing countries, destabilize legitimately elected governments and curtail the right of peoples to self-determination, in violation of the Charter of the United Nations and international law. Also of concern was the use of mercenaries by the United States to protect its resource extraction and exploitation activities in countries of the South, which were often associated with or resulted in serious human rights violations. The Working Group must continue to assess both issues.

10. In order to prevent the impact of mercenary activities on human rights, States must refrain from recruiting, using, financing and training mercenaries and prohibit those activities in their national laws.

11. **Ms. Xu Daizhu** (China) said that, while there had been a steady increase in the number of transnational private military and security companies in recent years, there was little effective international oversight of their activities on land and at sea. China had always maintained that the activities of private military and security companies should strictly comply with

international human rights and humanitarian law and the domestic legislation of the countries concerned. The lack of transparency, regulation and accountability of certain countries' private military and security companies was a source of concern, as employees had killed unarmed civilians and committed abuse, torture and serious human rights violations abroad with impunity. China therefore urged the countries concerned to launch comprehensive investigations without delay and hold the perpetrators accountable.

12. **Ms. MacLeod** (Chair-Rapporteur of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination) said that the Working Group had a broad mandate that extended across mercenaries, mercenary-related actors and private military and security companies. It was important to remember, however, that the only term that had any sort of legal definition was "mercenary", and that such actors operated on a spectrum.

13. The Working Group had noted with great concern the increasing use of mercenaries in a variety of armed conflicts around the world. Furthermore, it had observed that the involvement of such actors served to prolong armed conflicts, since there was no incentive for mercenaries to bring them to an end; it increased the level of violence used against the civilian population, including mass killings, torture, sexual and gender-based violence, looting and targeting of human rights defenders. Moreover, in all those situations, mercenaries acted with impunity.

14. With regard to the reference made by the representative of the European Union to the Montreux Document, she said that the Working Group also urged all States to endorse that Document. A working group of the Montreux Document Forum had recently been focusing on the provision of security in the maritime context, as distinct from land-based contexts, due to the particular challenges associated with that environment, including the lack of accountability mechanisms, transparency and oversight.

15. Turning to the recommendations in the report, she said that effective licencing, registration and vetting of personnel hired by private military and security companies was needed. The scope of permissible activities, restrictions on the use of force and the management, transfer and use of firearms and other weapons were also of particular importance in the maritime context. In addition, given the increasing hybridization of the maritime security sector, it was essential to clarify who had overall authority on board a

vessel, particularly in relation to the use of force, arrest and detention.

16. States needed to ensure that human rights violations were effectively investigated, prosecuted and sanctioned and that victims were ensured effective access to justice, accountability and remedy. Moreover, it was important to regulate both private military security companies and mercenaries. As only 37 States were party to the International Convention Against the Recruitment, Use, Financing and Training of Mercenaries, the Working Group urged States to become a party to that Convention and criminalize mercenary activities and the recruitment, training, financing and deployment of mercenaries under national law. Similarly, States should participate in the open-ended intergovernmental working group to elaborate the content of an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies. The second draft of that instrument had recently been published, and States were urged to participate in the creation of a binding instrument that applied both on land and at sea and that recognized the vulnerabilities of particular communities and the urgent need to implement mechanisms to ensure accountability for human rights violations by private military and security companies.

17. **The Chair** invited the Committee to resume its general discussion of sub-items (a) and (b) of agenda item 66 and agenda item 67.

18. **Ms. Diop** (Senegal) said that all nations continued to be haunted by the health and economic consequences of the coronavirus disease (COVID-19) pandemic, which had amplified existing inequalities and created new ones and had destabilized communities, undoing many of the development gains of the past decades. More insidious scourges had come to the fore, increasing the rejection of “the other” and threatening the common desire for peace, prosperity and security.

19. In that context, the elimination of racism and racial discrimination remained one of the most pressing concerns facing the international community. All States must commit themselves to ensuring respect for human rights and resolutely combating all acts of racism, racial discrimination and xenophobia. It was regrettable that such phenomena were not only growing in scale but were disproportionately affecting persons of African descent, indigenous peoples, linguistic, ethnic and religious minorities, migrants, asylum-seekers and refugees.

20. For policies for the eradication of negative social phenomena to be effective and efficient, they must not rely solely on the adoption of stronger enforcement

mechanisms but place greater emphasis on awareness-raising and the mixing of peoples and cultures so as to overcome mistrust of “the other” and eliminate prejudice on racial, ethnic, religious and cultural grounds.

21. Senegal reaffirmed its commitment to contributing to international cooperation on human rights and actively supported the efforts of the international community in the fight against terrorism and violent extremism. It also reaffirmed its commitment to the principles of universality, objectivity, non-selectivity and non-politicization, which must guide States’ approaches to the resolution of such issues at all times.

22. **Ms. Chand** (Fiji) said that the adoption of the Durban Declaration and Programme of Action had been a watershed moment for marginalized groups everywhere, as the world had unequivocally recognized the adverse effects of racism, racial discrimination, xenophobia and related intolerance on national development, including the achievement of the Sustainable Development Goals.

23. The principles of the Durban Declaration reflected the cornerstone on which her country’s democracy was founded. The Fijian Constitution accorded all citizens, including the Rotuman and I-Kiribati peoples, with votes of equal value. In addition, it protected the rights of the country’s indigenous peoples, the iTaukei. All children were taught the iTaukei and Fiji Hindi languages in school, and Fiji was one of the few countries where Christmas, Easter, Diwali and the Prophet Muhammad’s Birthday were all paid public holidays.

24. Constant vigilance was needed against the forces of extremism, intolerance and racism, however. Like all other countries, Fiji struggled with social media platforms that fuelled racism and intolerance and harmed national unity. Algorithms that rewarded anger and fostered resentment could not be allowed to run wild. Fiji looked to the United Nations to provide stronger and sorely needed frameworks on the responsible regulation of online spaces. In addition, the international community should be far more proactive in assessing how new technology, like artificial intelligence, could further tear the fabric of societies.

25. Climate change was compounding inequalities and further limiting the enjoyment by individuals and communities of their rights and protections. The 39 small island developing States were among those marginalized groups. For that reason, States must join efforts to establish a loss and damage finance facility that was sufficiently funded to secure and protect the rights of climate refugees and climate-induced internally displaced persons. Such financial mechanisms were

integral to supporting the development aspirations of those nations that were most vulnerable to climate change by strengthening their capacity to respond to the multifaceted challenges posed by that phenomenon. Fiji hoped for various outcomes from the forthcoming twenty-seventh session of the Conference of the Parties to the United Nations Framework Convention on Climate Change in Sharm El-Sheik. It further hoped that the commitment made in 2009 to jointly mobilize \$100 billion per year in climate finance by 2020 would be honoured in accordance with the 2030 Agenda for Sustainable Development.

26. **Archbishop Caccia** (Observer for the Holy See) said that racism hinged on the distorted belief that one person was superior to another, standing in stark contrast to the fundamental principle that all human beings were born free and equal in dignity and rights. While overt racism was easily identified and rightly condemned, racial prejudice often took subtler forms, including in policies, practices and attitudes in the labour market, and in the education and criminal justice systems.

27. The international community could not be left indifferent to the seriousness of such phenomena. It must nurture and promote respect for the inherent dignity of every human person beginning with the family – where children learned from a tender age the values of sharing, welcoming, brotherhood and solidarity – but also in the various social contexts in which people engaged.

28. At a time when more people than ever were on the move, the Holy See consistently called attention to the plight of migrants, refugees and their families, recalling their inalienable dignity and recognizing that increased human mobility demanded, more than ever, an openness to others. Unfortunately, migrants, especially those from a different cultural background, continued to be the subject of racist and xenophobic attitudes, which only caused more suffering and anguish among those men, women and children who had left their homes in search of peace, prosperity and security. The struggle against racism demanded an awareness that was rooted in truth, human dignity and the family and cultivated at school and in society.

29. **Mr. Nze** (Nigeria) said that acts of racism and xenophobia were a deliberate attempt to reject the common humanity of all peoples and remained an affront to the Charter of the United Nations. By challenging the most basic principles of the Organization, such vices posed a threat to international efforts to further human rights and fundamental freedoms and realize the core objectives of maintaining

global peace, security and stability and directly undermined the right of peoples to self-determination.

30. Any doctrine of racial superiority was scientifically false, morally repugnant, socially unjust and dangerous. The international community must therefore stand together in denouncing and combating racism, racial discrimination, xenophobia and related intolerance. His country's principled stance against racial discrimination explained the huge human and financial sacrifices it had made in fighting colonialism, apartheid, minority rule and other forms of human domination over fellow humans, especially in Africa. Despite the discriminatory and xenophobic attacks committed against Nigerians, his Government had prioritized dialogue over confrontation and diplomacy over sanctions to resolve such incidents.

31. The international community should examine the progress made towards achieving the objectives set out in the proclamation of the International Decade for People of African Descent. Many Africans and their descendants were confronted with new forms of domination, while effective self-determination remained a mirage. More needed to be done to ensure recognition, justice and development for people of African descent.

32. As the most populous black nation in the world, Nigeria pursued a decidedly Afro-centric foreign policy. However, the country could not be considered to be fully developed while fellow Africans, both on the continent and in the diaspora, suffered want, hunger, deprivation and various forms of discrimination. In that context, he called on the international community to join forces in fighting discrimination against Africans and people of African descent and especially migrants, whose vulnerabilities were reminiscent of the past horrors of slavery and the slave trade.

33. **Mr. Weerasekara** (Sri Lanka) said that it was the duty of all nations to facilitate and ensure the total elimination of racism, racial discrimination, xenophobia and related intolerance in employment, health care and the environment. In that context, the Durban Declaration was key to responding to the hopes and aspirations of those who continued to suffer discrimination across the globe.

34. The Sri Lankan Constitution guaranteed the non-discrimination of persons, stating that no citizen should be discriminated against on the grounds of race, religion, language, caste, sex, political opinion or place of birth. Any doctrine of racial superiority was scientifically false, morally condemnable and socially unjust and dangerous, and Sri Lanka condemned theories that attempted to determine the existence of separate human races.

35. Mindful that the Internet could play a vital role in promoting equality, inclusion and non-discrimination as part of efforts to strengthen democracy and respect for human rights, Sri Lanka was deeply concerned about the manifestations of all forms of terrorism and violence on online platforms. Accordingly, it strongly believed that nations should come together and take comprehensive steps towards strengthening their national legislative frameworks to curb such incidents.

36. The Sri Lankan Government prioritized building trust and achieving reconciliation among communities, holding regular dialogues at various levels to ensure inter-ethnic harmony and understanding, and maintaining a zero-tolerance policy towards acts of religious hatred or intolerance.

37. Believing that matters of internal concern were best resolved by internal mechanisms, he said that it was his country's considered view that China would be best equipped to address its internal issues for the common good of its people.

38. If States were to truly address racism, xenophobia and discrimination and work together to achieve the Sustainable Development Goals, they would need to put aside their manipulative politics and look at what could be realistically achieved for the betterment of all.

39. **Mr. Nsowah** (Ghana) said that, despite the efforts undertaken at the national, regional and international level to address racism and racial discrimination, challenges persisted. Furthermore, the surge in conflicts globally continued to deepen the woes of refugees and migrants by increasing their vulnerabilities to various forms of racism and related intolerance. Other aggravating factors, such as the COVID-19 pandemic, had exposed many vulnerable groups, including women, youth and children, to various forms of discrimination owing to the increasing use of online platforms for work and transaction business. Urgent action was thus needed.

40. The Ghanaian Government was resolutely committed to combating racism and racial discrimination, in accordance with its Constitution. Institutions in Ghana, including the Commission on Human Rights and Administrative Justice and the National Commission on Civic Education, played a critical role through the implementation of educational and capacity-building programmes aimed at reinforcing the administration of justice and galvanizing the support of the citizenry around the democratic values that promoted a peaceful, just and inclusive society. Moreover, Ghana had revised its national cybersecurity policy and strategy and had passed a law on cybersecurity, which provided a plan for the development of the country's cybersecurity to help

sanitize the cyberspace from all forms of online abuses, including racism.

41. States should uphold their commitment to the Durban Declaration and Programme of Action and its follow-up processes, the International Convention on the Elimination of All Forms of Racial Discrimination and the Permanent Forum on People of African Descent. In addition, States that had not yet done so should adopt the International Convention on the Elimination of all Forms of Racial Discrimination.

42. Ghana welcomed the negotiations related to the drafting of a global convention on countering the use of information and communications technology (ICT) for criminal purposes and underscored the urgent need for Member States to engage in the negotiations in a manner that ensured that, when adopted, the document would include actionable elements that would be responsive and stand the test of time in combating racism in all its forms online. In that context, Ghana shared the view that the menace could be addressed through the adoption of a whole-of-society approach characterized by cooperation between States, the United Nations system and regional organizations. Cooperation among such key stakeholders as national parliaments, civil society, the private sector and academia was also paramount. Moreover, it was important for stakeholders to integrate gender perspectives into relevant policies, strategies and programmes of action as it would help deal with multiple and intersecting forms of discrimination.

43. Ghana further welcomed the Secretary-General's call for priority to be given to the attainment of racial equality in the implementation of the 2030 Agenda by allowing the victims of racial inequality to participate in consultations on human rights issues affecting them.

44. Turning to the issue of the right to self-determination, he noted with concern that the report of the former United Nations High Commissioner for Human Rights assessing the human rights concerns in the Xinjiang Uyghur Autonomous Region of China could have been drafted and released in a more orthodox manner. The process for addressing human rights must be seen to be impartial as any perception of the politicization of human rights undermined progress in their promotion.

45. **Mr. Yahiaoui** (Algeria) said that, despite the international community's efforts to eliminate racism, racial discrimination, xenophobia and related intolerance, new forms of injustice unfortunately persisted. The Durban Declaration and Programme of Action remained the key instruments for dealing effectively and collectively with the threats of racism, racial discrimination, xenophobia and related

intolerance. Global action was required to combat contemporary forms of discrimination and intolerance, which must be strongly rejected through political and legal means, including by condemning and stopping the misuse of communications technologies and developing awareness-raising and education campaigns.

46. In December 2017, Algeria had submitted resolution [72/130](#) to the General Assembly on declaring 16 May the International Day of Living Together in Peace as a contribution towards mobilizing the efforts of the international community to promote peace, tolerance, understanding and solidarity around the world.

47. Turning to the issue of self-determination, he said that the right to self-determination was a founding principle of the United Nations and its exercise was essential for the full enjoyment of all other rights. That right was a cardinal principle of the Algerian Government's foreign policy, and its unwavering support for the cause of those living under foreign occupation was a significant example of its principled position in that respect. In order to guarantee the full enjoyment by peoples under foreign occupation of their rights, international mobilization and coordinated actions were needed to ensure the full and effective implementation of all relevant United Nations resolutions.

48. **Ms. Ochoa Espinales** (Nicaragua) said that, from the transatlantic slave trade to the genocide committed against the Jewish people, racism and discrimination had served as an excuse for the most cruel and hateful ideologies and practices.

49. Her country's Magna Carta, autonomy statute and other laws referring to the rights of indigenous and Afro-descendant peoples were based on the principle of self-determination and non-discrimination on the grounds of race, ethnicity, culture, religion or spiritual belief and language. Firm in its commitment to eliminating poverty and implementing the 2030 Agenda, the Government of Reconciliation and National Unity guaranteed universal access to health and quality education, decent housing, electricity coverage and food sovereignty for all Nicaraguans without distinction. In addition, it had established laws and policies to guarantee the protection and effective participation of the most vulnerable groups, making Nicaragua the most equitable country in Latin America and the Caribbean in terms of women's political, social and economic participation.

50. Dialogue and cooperation offered the best possible solution to any situation without recourse to foreign intervention, external pressure, conditions or politicization. In that regard, Nicaragua supported the

efforts of the People's Republic of China to safeguard its sovereignty and territorial integrity and opposed interference in that country's internal affairs and the politicization of human rights issues. It further supported China in the implementation of the "one country, two systems" policy in the Hong Kong Special Administrative Region and endorsed the measures taken to ensure that the system functioned in a stable and lasting manner.

51. *Ms. Kaczmarek (Poland), Vice-Chair, took the Chair.*

52. **Ms. Teo** (Singapore) said that it was reprehensible that, more than two decades after the adoption of the Durban Declaration and Programme of Action, instances of racial discrimination and intolerance were on the rise. Societal fault lines had deepened, triggering hate, bigotry and xenophobia, and extremist and exclusionist ideas had been spreading throughout the Internet, with the dramatic increase in hate speech on social media a particular concern.

53. Having been taught a hard lesson thanks to the period of communal tension and violent racial riots preceding its independence, Singapore had carefully built a highly diverse but harmonious society. Her country's Constitution mandated equal protection and non-discrimination, the Presidential Council for Minority Rights scrutinized all legislation to ensure that it did not discriminate against any race or religious group, and the Presidential Council for Religious Harmony advised her Government on matters affecting religious harmony. In addition, a law on maintaining religious harmony ensured that religious leaders or groups did not incite feelings of enmity on the grounds of religion, or abuse religion for political ends.

54. Discrimination could not simply be eliminated through laws, however; mutual trust and respect were also needed. With that in mind, Singapore had expanded common spaces to promote interactions across communities and ensured a diverse mix of racial groups in public housing estates to prevent ethnic enclaves. Furthermore, its mandated national holidays included such ethnic and religious festivals as Chinese New Year, Vesak Day, Hari Raya, Deepavali and Christmas, and multiracial and multi-religious harmony circles organized interfaith and interracial events to strengthen community bonding, thereby contributing to deeper understanding and tolerance.

55. In building cohesive societies, States had much to learn from one another. Singapore therefore engaged various stakeholders in improving its approach in that area and stood ready to work with the international

community to eliminate all forms of racism, racial discrimination and related intolerance.

56. **Mr. Hill** (United States of America) said that inequity, injustice, discrimination and intolerance were threats to democracy, sustainable development and global stability. The deeply rooted legacies of racism and racial discrimination ran deep and spanned centuries – a reality to which no country was immune, including the United States. His country acknowledged that its leadership on human rights issues, especially on issues of racial justice, must begin at home for it to be a credible champion abroad, which was why the promotion of racial equality and justice was a top priority, as demonstrated by its efforts to advance racial equality and support for underserved communities, implement civil rights protections related to the use of emerging technologies, promote health-care equity, enhance voting access, ensure equitable implementation of infrastructure investments and advance environmental justice.

57. In August 2022, the United States had presented its periodic report to the Committee on the Elimination of Racial Discrimination, which highlighted the many actions taken across the entire Government to address racial and ethnic discrimination in the United States. Furthermore, its Secretary of State had appointed the first special representative for racial equity and justice to lead efforts to advance the human rights of persons belonging to marginalized racial and ethnic communities, including indigenous communities, and to combat systemic racism, discrimination, violence and xenophobia around the world.

58. The United States strongly supported the establishment of the Permanent Forum on People of African Descent and the International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement. In addition to its standing invitation to all Human Rights Council special procedures thematic mandate holders, the United States had recently extended invitations to the International Independent Expert Mechanism and to the Working Group of Experts on People of African Descent for official visits in spring 2023. It looked forward to those visits and to continuing constructive dialogue and engagement with all special procedures on the critical issues of racial equity and justice.

59. Rather than shrink from scrutiny of their human rights records, responsible nations should acknowledge issues with the intent to improve. All Member States should thus join the United States in that effort and confront the scourge of racism, racial discrimination and xenophobia because, when all peoples, regardless of

their race or ethnicity, were free to live up to their full potential, collective security was strengthened.

60. **Mr. González Behmaras** (Cuba), noting that the commitments made in the Durban Declaration and Programme of Action had yet to be implemented, said that it was worrying that some developed countries continued to insist on ignoring or devaluing that fundamental instrument. It was also deeply worrying that such countries as the United States continued to justify the promotion of supremacist and racist ideas, including within the political system. It was inconceivable that a country as rich as the United States, which claimed to be a champion of human rights, had not yet been able to address the structural and systemic racism suffered by Afro-descendant, Latino and indigenous minorities. Racism, discrimination, xenophobia and intolerance were a part of daily life in that country. There was no other way of explaining the disproportionate representation of persons of African descent in the prison population or among the poor and homeless in the United States, or how they had been so disproportionately affected by the COVID-19 pandemic. The cases of George Floyd and Breonna Taylor were representative of the police brutality that persons of African descent faced daily as a result of an exclusionary and racist system.

61. Supremacist theories underpinning racism and racial discrimination were scientifically false, morally reprehensible and socially unjust and dangerous. Racism, racial discrimination, xenophobia and related intolerance must be combated and eliminated in all their manifestations. That goal could not be achieved, however, as long as the root causes of such phenomena, such as poverty and underdevelopment, the aftermath of colonialism, marginalization and social exclusion and lack of education, remained unaddressed and as long as a culture of tolerance and respect was not promoted. For Cuba, a proudly multiracial nation, the eradication of racism, racial discrimination and xenophobia was an ethical imperative. It was therefore continuing to implement its national programme against racism and racial discrimination to eliminate the racial prejudices that remained as a result of the legacy of centuries of exploitation and colonialism.

62. All peoples had the right to self-determination. However, for many peoples under colonial domination or foreign occupation that right remained an impossible dream. Those who had already paid a high price to achieve and preserve their independence saw how attempts were being made to violate that right through the imposition of unilateral coercive measures and subversive agendas to alter the constitutional orders established in their countries. The Cuban people knew

very well the value of self-determination. For daring to exercise that right, the United States had imposed on Cuba the longest economic, commercial and financial blockade in history. More than six decades of punishment, hostility and persecution were still in force and had been intensified during the COVID-19 pandemic, with the declared purpose of stifling and subjugating the Cuban people for the well-known desire of the United States for domination and control over Cuba. The blockade, which his delegation would never cease to denounce, was an affront to the Charter of the United Nations and international law, constituted a massive, flagrant and systematic violation of the human rights of the Cuban people and was the main obstacle to the country's development. However, after six decades of unsuccessfully applying the same policy, the United States should have already understood that the Cuban people would not relent in defending their right to self-determination and to choose their own path of economic and social development.

63. **Ms. Inanç Örnekol** (Türkiye) said that racism, racial discrimination, xenophobia and related intolerance continued to pose a challenge to the enjoyment of fundamental human rights and freedoms. The Turkish Constitution was based on the equality of all individuals without discrimination before the law, irrespective of race, colour, language, gender, political opinion, philosophical belief, religion and sect, or any other such consideration. In addition, the International Convention on the Elimination of All Forms of Racial Discrimination formed an integral part of her country's national legislation, and legislative and administrative measures were taken in the fields of education and law enforcement to combat discrimination.

64. Successfully combating all forms and manifestations of intolerance and discrimination would require joint efforts at the national, regional and international levels. Accordingly, Türkiye was party to all relevant international instruments and recognized the added value of regional efforts, including at the Council of Europe and through platforms of the Organization for Security and Co-operation in Europe.

65. The disturbing rise of racism, xenophobia, Islamophobia, antisemitism and hate speech was a cause of deep concern. The COVID-19 pandemic had further exacerbated pre-existing inequalities and had exposed the impact of racism on societies across the globe. That was particularly true for persons in vulnerable situations, who had suffered disproportionate and far greater socioeconomic impacts of the pandemic.

66. Members of religious or ethnic groups were increasingly subjected to hostile acts, people were being

stigmatized on the basis of race, colour, descent and national or ethnic origin and the use of racist propaganda in politics was becoming more commonplace. Politicians and the media must live up to their responsibility in combating those threats, and partnerships must be established with opinion leaders, religious communities, civil society and technology companies. Moreover, regional and global organizations must be better utilized to draw the world's attention to the gravity of the issue and to find comprehensive joint solutions. Tangible steps in that direction would include the strengthening of current mechanisms and the establishment of new platforms through which victims could directly report incidents.

67. At the same time, States needed to work in solidarity to promote a culture of peace. Türkiye continued to play a leading role in international efforts to combat racism, xenophobia, antisemitism, hate speech and Islamophobia on every platform. In that context, the adoption of the resolution that declared 15 March as the International Day to Combat Islamophobia was an important step. Furthermore, the United Nations Alliance of Civilizations initiative, spearheaded by Türkiye and Spain, stood out as a means for encouraging greater cross-cultural understanding and mutual respect. Another valuable tool was the Istanbul Process for Combating Intolerance, Discrimination and Incitement to Hatred and/or Violence on the Basis of Religion or Belief, the full potential of which remained untapped.

68. **Ms. Pereira Gomes** (Brazil) said that, as it was home to the largest population of people of African descent, Brazil was firmly committed to combating racism, racial discrimination, xenophobia and related intolerance and to pursuing racial justice and equality, in line with the Durban Declaration and Programme of Action. Over the past decades, Brazil had eliminated bail and statutory limitations for racism-related crimes, enacted a law on combating racism and promoting racial equality and launched a set of initiatives to promote the rights of persons of African descent, including human rights education for law enforcement officers, programmes to protect young victims of violence and measures to increase oversight of police officers. Moreover, it had recently ratified the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance, which would have a legal status equivalent to a constitutional amendment.

69. Brazil had adopted a wide system of affirmative action and quotas in public universities and in the public service, which provided Brazilians of African descent with greater opportunities and had created many new and successful role models, thus directly tackling the

challenges posed by negative stereotyping of the Afro-descendant population. Brazil fully supported the establishment of the Permanent Forum on People of African Descent as it would bring together civil society and governments, and looked forward to its first session. Moreover, Brazil was engaged in the negotiations on the draft United Nations declaration on the promotion, protection and full respect of the human rights of people of African descent and encouraged other States to do the same. All Member States should overcome their differences by engaging in dialogue and cooperation and avoiding politicization.

70. **Ms. Mendez Gruezo** (Ecuador) said that her country was committed to human rights, as evidenced by the fact that it had ratified all regional and international human rights instruments. Furthermore, the national Constitution declared that Ecuador was a plurinational and intercultural country and recognized the individual and collective rights of all population groups that made up the country. In 2016, Ecuador had reaffirmed its commitment to the International Decade for People of African Descent by declaring it a national policy, which had allowed for the creation of public policies to achieve the objectives set out in the framework of the three primary focus areas: recognition, justice and development.

71. During its visit to Ecuador in October 2020, the Working Group of Experts on People of African Descent had seen first-hand the progress made in the promotion and protection of the human rights of Afro-descendants, especially in combating the racism and structural discrimination that had historically limited that population's access to rights. The Working Group had recognized her Government's efforts in terms of access to justice and the criminalization of hate crimes, the generation of data disaggregated by race and ethnicity and the application of affirmative action to increase the rate of enrolment and retention in the school system. Moreover, it had reaffirmed the success of the strategies adopted to strengthen ethno-education and intercultural education as mechanisms to promote inclusion, culturally relevant education and the visibility of Afro-Ecuadorians. The creation of specific institutions, such as a secretariat for human rights and a national council for equality for peoples and nationalities, had also been commended.

72. The Working Group had also identified that the Afro-Ecuadorian population was one of the most vulnerable in terms of access to rights and had the worst socioeconomic indicators; it was thus essential to continue designing policies that promoted the welfare and dignity of that population. It was also important to implement the Durban Declaration and Programme of

Action in order to achieve the full inclusion of all peoples in a spirit of solidarity, cooperation and respect.

73. Fulfilment of the 2030 Agenda required a renewed commitment to the principles of equality, equity, peace and tolerance. To that end, it was imperative to eradicate all forms of racism, racial discrimination, xenophobia and related intolerance.

74. **Ms. Ahangari** (Azerbaijan) said that racism, racial discrimination, xenophobia and related intolerance were often among the root causes of armed conflicts and serious violations and abuses of human rights. Racism also continued to be a major obstacle to friendly relations among States. Hate propaganda, coupled with policies aimed at sowing dissension on religious and racial grounds, building mono-ethnic societies and advocating the ideas of ethnic incompatibility and supremacy fuelled identity-based intolerance, destabilized societies and undermined peaceful coexistence. Attempts to weaponize the past and promote fabricated historical narratives served the same purpose, resulting in generations growing up with a deep sense of hatred and intolerance. States needed to strengthen their efforts and insist at all levels that the inherent dignity and equal and inalienable rights of all should be recognized as the foundation of freedom, justice and peace in the world.

75. Azerbaijan was a multi-ethnic country in which all citizens and residents were entitled to the full enjoyment of their human rights and freedoms on an equal and non-discriminatory basis, in accordance with the country's Constitution and legislation. Her Government would continue its efforts towards maintaining civic cohesion and promoting inclusivity and human rights. In that regard, Azerbaijan had recently presented its tenth to twelfth periodic reports to the Committee on the Elimination of Racial Discrimination and had taken positive steps towards eliminating all forms of racial discrimination, including by strengthening existing laws against incitement of racial hatred and imposing stricter penalties. It had also made a concerted effort to ensure accountability for violations of the Convention by initiating criminal investigations into possible violations and prosecuting alleged perpetrators where there were sufficient grounds to do so.

76. Azerbaijan was committed to the protection of cultural heritage on a non-discriminatory basis, as set out in its laws and Constitution, and to meeting international standards on preserving cultural, religious and historical heritage, including in its liberated territories, regardless of ethnic, religious or cultural origin. Her Government had implemented new security measures on access to heritage sites, regularly

monitored the status and condition of the sites and had issued instructions for construction crews on procedures to minimize the risk of damage to the sites during reconstruction activities.

77. In facilitating the return of the hundreds of thousands of internally displaced persons to the liberated territories, Azerbaijan was committed to rebuilding the multi-ethnic and diverse communities that had populated the region prior to the occupation. That commitment came from the highest level, demonstrating her country's continued openness to all citizens regardless of their ethnic, religious or linguistic background.

78. In closing, she emphasized that, despite the devastating consequences of the war unleashed against Azerbaijan and the unspeakable atrocities and suffering that the Azerbaijani people had endured, her country would continue its efforts to promote multiculturalism and inclusivity.

79. **Ms. Lortkipanidze** (Georgia) said that the right to equality and non-discrimination was guaranteed at the constitutional level in Georgia. Moreover, promoting equality and ensuring the fulfilment of human rights and freedoms without discrimination was a core priority of her Government's national strategy for the protection of human rights for the period 2022–2030. Work was done in close cooperation with civil society representatives, who could join the advisory body to the Human Rights Council.

80. In 2020, a memorandum on cooperation had been signed by the Ministry of Internal Affairs, the Prosecutor's Office, the Supreme Court and the National Statistics Office of Georgia, resulting in the creation of a modern, comprehensive joint data system of statistics on crimes committed on the grounds of intolerance. In addition, a number of awareness-raising and tolerance-building campaigns were being conducted at the central and local level. Following the principle of "nothing about us without us", her Government regularly cooperated with minority organizations and activists.

81. Unfortunately, the human rights situation in the Russian-occupied Georgian regions of Abkhazia and Tskhinvali remained alarming. Discrimination on ethnic grounds, including torture and other forms of ill-treatment, infringements on the right to life, liberty and security of person and health, kidnappings, restrictions on freedom of movement and violations of the right to receive education in one's native language in both Russian-occupied regions continued to have an extremely negative humanitarian impact on people's daily life. Only through the concerted efforts of the international community would it be possible to

eliminate racism, racial discrimination, xenophobia and related intolerance, including ethnically targeted violations in the occupied regions of Georgia and in different parts of the world.

82. **Ms. Yapi Née Bah** (Côte d'Ivoire) said that racism hindered the social and moral development of millions of people and their enjoyment of their human rights, exacerbated inequalities, fuelled conflict and undermined United Nations efforts to leave no one behind. In addition, the growing gap between rich and developing countries increased marginalization and racial exclusion and fostered the growth of supremacist and extreme right-wing movements that subscribed to hate speech and racist language, particularly against migrants.

83. That situation should not overshadow the progress made by the international community in addressing the issue, however, particularly since the reaffirmation of the right of peoples to self-determination, the adoption of the International Convention on the Elimination of All Forms of Racial Discrimination and the Durban Declaration and Programme of Action, and, more recently, the establishment of the Permanent Forum on People of African Descent. The international community must redouble its efforts to build on that progress and end racism.

84. The fight against racism would only be effective if it addressed its root causes, including poverty, climate change and conflict, which drove migration and reinforced the superiority complex and contempt of host populations towards migrants. Measures were being taken to combat ignorance, which fostered the illusion of race superiority, intolerance and the use of social media as a vehicle for hate and supremacist messages.

85. Convinced that diversity and difference were a source of wealth and development, Côte d'Ivoire had acceded to all international instruments against racism and was a party to all relevant resolutions at the national level. Furthermore, racism was prohibited under its Constitution, which imposed prison sentences of between 5 and 10 years and fines. Those penalties were doubled if the offence was committed by a State official or via the press or social media. As part of its campaign against racism, Côte d'Ivoire had introduced into the school curriculum themes sensitive to racial, ethnic and religious tolerance in order to instil in young people the values of acceptance of difference and diversity.

86. **Mr. Kim Nam Hyok** (Democratic People's Republic of Korea), reaffirming his Government's principled position against all forms of racism, racial discrimination, xenophobia and related intolerance, said that racism and racial discrimination constituted crimes against humanity and a violation of dignity and equality

and, as such, could not be justified under any circumstances.

87. The Democratic People's Republic of Korea was deeply concerned about the abhorrent human rights abuses being committed in various parts of the world, with the dire human rights situation in the United States and other Western countries warranting particular attention. In the United States, serious violations of the right to life were occurring thanks to widespread and systematic racism and racial discrimination. Thousands of innocent African-Americans had lost their lives as a result of brutal police violence, and racial and other minority groups were living in extreme fear as the number of racism-related crimes were increasing annually at an exponential rate. In that context, it was a tragedy and show of double standards that the dire human rights situation in the United States and other Western countries was tolerated and had never been discussed at the Committee. His delegation therefore strongly demanded that the international human rights mechanisms carry out a comprehensive investigation into the widespread, systematic and gross human rights violations, including racism, racial discrimination, xenophobia and hate crimes, being committed in the United States and hold those responsible to account.

88. The Democratic People's Republic of Korea was further concerned about the undisguised attempts by some Member States to interfere in the internal affairs of other countries under the pretext of human rights. Human rights issues should never be used for political purposes but should be addressed in such a way as to promote international cooperation and constructive dialogue on a fair and equal basis, taking into account the political, historical, social, religious and cultural particularities of each country. In that context, the Democratic People's Republic of Korea rejected the attempt by certain countries to misuse the issues in Xinjiang and Hong Kong to interfere in the internal affairs of China. It appreciated the efforts and achievements of China in the field of human rights and its contribution to international human rights cooperation. Furthermore, his country continued to support the Chinese Government's defence of its sovereignty, security and territorial integrity and its efforts to ensure the prosperity and stability of Xinjiang and Hong Kong.

89. **Ms. Dhanutirto** (Indonesia) said that, while it was the duty of every Government to promote and protect the human rights of its citizens, each Member State had the right to determine its approach and policy options in pursuing development and addressing challenges to national security and integrity, guided by the applicable

international laws and norms. That right must be respected.

90. Work at the international level, including at the Committee, should be guided by the principles of impartiality, objectivity and inclusivity and should not run counter to the principles of the Charter of the United Nations, including those related to respect for sovereignty and territorial integrity.

91. The capacity of States to promote and protect human rights within their own territory should be strengthened, and State-led and State-owned mechanisms must be supported. Multilateral efforts should first and foremost prioritize measures to assist States, in accordance with their needs, in promoting and protecting the human rights of their citizens. Lastly, Indonesia reaffirmed that States must pursue constructive engagement while promoting and protecting human rights and uphold the spirit of cooperation in overcoming differences. An increased understanding of one another was of paramount importance to achieving tangible progress on the ground, as only then could States thrive in fulfilling the rights of their peoples.

92. **Ms. Kwishaka** (Burundi), reaffirming her country's principled position in support of respect for sovereignty, national independence and non-interference in the internal affairs of other States, said that her delegation commended the efforts and achievements of China in promoting and protecting human rights through a people-centred approach and reiterated its commitment to the principle of a unified and indivisible China. The constructive engagement of China in combating terrorism and violent extremism in Xinjiang in accordance with the law was appreciated. In that context, the assessment of the human rights concerns in Xinjiang by the Office of the High Commissioner for Human Rights with neither a mandate from the Human Rights Council nor the consent of the country concerned was a serious violation of the principles of universality, objectivity, non-selectivity and non-politicization. Burundi welcomed the cooperation and openness shown by the Chinese Government, in particular by receiving the visit to China, including Xinjiang, of former High Commissioner for Human Rights Michelle Bachelet. It further welcomed Ms. Bachelet's statement after her visit, in which she had mentioned the visible achievements made by China in many areas, especially in the protection of economic and social rights and the strengthening and respect of human rights.

93. Burundi believed that issues related to Xinjiang, Hong Kong and Tibet were matters of the internal affairs of China. Furthermore, it supported China in the implementation of the "one country, two systems"

policy in the Hong Kong Special Administrative Region, which had produced positive results for the return of peace and stability to that region.

94. **Ms. Moutchou** (Morocco) said that her country had a long tradition of tolerance, coexistence, respect for others and promotion of intercultural and interreligious dialogue. The Moroccan Constitution reinforced her Government's commitment to human rights, equality and non-discrimination. In particular, article 30 had been described as visionary, as it stipulated that foreigners under Moroccan jurisdiction were entitled to enjoy the fundamental freedoms granted to Moroccan citizens.

95. In the field of migration, her Government had adopted an approach based on the respect for human rights, humanitarian law, solidarity and tolerance. It was within that framework that a far-sighted and humanistic policy towards migrants living in Morocco was being implemented, which had allowed the regularization of the situation of thousands of migrants in recent years. In addition, several reforms had been undertaken to ensure that migrants enjoyed all rights on an equal basis.

96. At the regional and international level, Morocco contributed to the promotion of peace between peoples, interreligious and intercultural dialogue and the fight against hate speech and exclusion. It was proud to have been the instigator of such important United Nations and international documents as the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, the Plan of Action for Religious Leaders and Actors to Prevent Incitement to Violence that Could Lead to Atrocity Crimes and the Marrakesh Declaration on the Rights of Religious Minorities in Predominantly Muslim Majority Communities. In addition, Morocco had been the driving force behind the adoption of the General Assembly resolution proclaiming 18 June the International Day for Countering Hate Speech. Similarly, Morocco would host the ninth Global Forum of the United Nations Alliance of Civilizations in November 2022.

97. The culture of peace, harmony and coexistence that Morocco promoted at the national and international levels was highly renowned and welcomed. During his visit to Morocco in March 2019, Pope Francis had commended her country's commitment to providing high-quality training to combat all forms of extremism. To ensure the sustainability and efficiency of its activities in that area, Morocco endeavoured to give civil society a role as a partner in promoting respect for human rights and monitoring any possible violations in that regard.

98. **Mr. Alserkeek** (Libya) said that racial discrimination, xenophobia and related intolerance persisted in societies around the world, regardless of their level of advancement. While the expression of such hatreds varied from one country to another, the most heinous form of discrimination was that inflicted upon peoples living under illegal foreign occupation and racist laws that entrenched the occupiers' control over the lands and wealth of those peoples. A flagrant violation of international law, such discrimination reflected a policy of apartheid and constituted a crime against humanity.

99. Throughout history, the peoples of the African continent had been among the most affected by racism, forcibly enslaved and subjected to the ugliest forms of exploitation by colonizers. The Governments of colonial powers must bear the moral responsibility towards the peoples they subjugated and pay them restitution.

100. His delegation was concerned about the rise in intolerance, hatred and incitement on the basis of religion or belief and the wave of religious hatred stirred up by Islamophobic extremist groups. Islamic religious symbols and holy sites were being violated, and scaremongering about the so-called Islamic threat persisted, using freedom of opinion and expression as a pretext.

101. The egregious violations of the rights to life, health, education, employment, human rights, food, freedom of movement and self-determination perpetrated by the Israeli occupation authorities against the Palestinian people were amply documented in United Nations reports. His country would continue to champion the Palestinian people's right to self-determination.

102. All States should work to strengthen existing mechanisms for the effective implementation of regional and international obligations to combat racism, racial discrimination, xenophobia and related intolerance. The principles of non-discrimination and the equality of all human beings, integral tenets of the true Islamic faith, were enshrined in Libyan law.

103. **Mr. Pangipita** (United Republic of Tanzania) said that his delegation reaffirmed that respect for the sovereignty, independence and territorial integrity of States and non-interference in sovereign States' internal affairs represented basic norms governing international relations. In that regard, the United Republic of Tanzania opposed the practice of politicizing human rights issues, including issues related to Hong Kong, Xinjiang and Tibet, which were the internal affairs of China. All parties should abide by the purposes and principles of the Charter of the United Nations and the principles of the universality, impartiality, objectivity

and non-selectivity of human rights. Lastly, his country commended the Chinese Government on its efforts to protect and improve the livelihood of its people and the progress made in poverty alleviation.

104. **Mr. Liljert** (Observer for the International Organization for Migration) said that rising xenophobia had been identified as an interlocking challenge of the time, with xenophobia against migrants recognized as one of the main sources of contemporary racism and human rights violations. Over the past years, digital technology platforms had been used to spread xenophobic and racially discriminatory rhetoric and exclude migrants, with users disseminating extremist, sensationalist content that perpetuated harmful stereotypes. The stigmatization of people of different origins and the spreading of hate speech online always had real-world consequences. He therefore stressed the importance of including digital technology platforms in efforts to raise awareness of how such speech and attacks on rights holders, including migrants, had a direct impact on everyone in society.

105. In the absence of tolerance and empathy, inequalities, discrimination and intolerance towards others were set to grow. In that context, as stated in the Secretary-General's Call to Action for Human Rights, digital technologies needed to provide new means for people to advocate for, defend and exercise their rights. The international community had many good practices and tools on which to draw. For example, the Progress Declaration of the International Migration Review Forum marked one of the strongest texts negotiated by Member States under the auspices of the General Assembly on eliminating racism and discrimination of all forms in the context of migration.

106. As called for by the Durban Declaration and Programme of Action, the issue of racism, racial discrimination, xenophobia and intolerance based on other intersecting identities required real action. From global diplomacy to bullying at school, the international community needed to address the structural issues that perpetuated racism and focus on the inclusion of those voices that were most affected and that had traditionally been left unheard. Furthermore, it must work together to ensure the well-being and rights of all people, including migrants, and encourage action and cooperation to eliminate racism, racial discrimination, xenophobia and related intolerance.

107. **Ms. DaCosta** (Jamaica) said that the residual effects of centuries of enslavement and exploitation were a daily reality in Jamaica, where approximately 90 per cent of the population was of African descent. If people of African descent continued to be negatively

impacted by deficiencies in education, health and wellness services, among other systemic legacies of slavery and colonization, they might not be able to experience social and economic transformation. Too often, they existed in a social order in which chronic poverty led to pernicious violence and crime, further undermining States' efforts to achieve sustainable prosperity for their people. It was in that context that Jamaica remained determined to further the call for international recognition of reparatory justice as a necessary path to healing, restoration of dignity and progress for people of African descent.

108. While there were complexities associated with such a sensitive issue, the international community needed to summon the determination to take bold and creative steps. Indeed, there was increased momentum 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.

109. With only two years remaining of the International Decade for People of African Descent, even greater action was needed. To that end, Jamaica called on Member States to engage in frank, open and inclusive dialogue with a view to identifying pragmatic means of achieving reparatory justice.

110. **Mr. Galstyan** (Armenia) said that respect for all collective and individual human rights and fundamental freedoms was indispensable for promoting tolerance and non-discrimination within and among societies. Political leaders, academia, civil society and the media bore special responsibility in that regard. Open political debate, freedom of opinion, a vibrant civil society and a free media were key elements that raised society's level of protection against hate propaganda and indoctrination. That was why respect for fundamental freedoms was essential in countering racism, racial discrimination, xenophobia and related intolerance.

111. Incitement to hatred and hate crimes and the denial, justification or glorification of past crimes constituted detectable early warning signs that, if unaddressed, paved the way for future atrocities. Hate speech targeting ethnic and religious groups was often an underlying cause of violence and conflicts.

112. The Armenian people had experienced first-hand the grave consequences of State-led xenophobia and hate propaganda. A century after falling victim to a devastating genocide, the Armenian people continued to face incitement of identity-based hatred in the region. International and regional organizations and non-governmental organizations had extensively

documented State-led hate propaganda at all levels in neighbouring Azerbaijan based on distorted historical narratives, denial of the very existence of the Armenian people in their ancestral homeland and glorification of hate crimes against Armenians. A source of particular concern was the indoctrination of youth and the involvement of children in State-sponsored propaganda of anti-Armenian hatred via educational programmes.

113. During the recent aggression of Azerbaijan against the Armenian sovereign territory, the consequences of such indoctrination were evident, with multiple confirmed cases of summary executions of prisoners of war, body mutilations and gender-based violence, which had been cheered and glorified on social media. To hold the perpetrators accountable, Armenia had instituted proceedings against Azerbaijan before the International Court of Justice for violations of the International Convention on the Elimination of All Forms of Racial Discrimination.

114. Policies that dehumanized people of a particular ethnicity remained a serious threat to peace and security in the region and should be unequivocally condemned and effectively addressed at all levels. Unfortunately, his delegation often observed politicized and selective condemnations and outrage that omitted certain serial human rights violators. The selective and restrained approach taken by some countries that championed human rights globally was a source of grave concern in terms of the integrity and objectivity of the entire human rights discourse.

115. Armenia attached special importance to the international protection of collective human rights, namely respect for the principle of equal rights and self-determination of peoples, as enshrined in the Charter of the United Nations. The International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights empowered people to freely determine their political status and freely pursue their economic, social and cultural development, reflecting the strong interlinkage between the universal realization of the right to self-determination and the exercise of human rights and fundamental freedoms. Any attempt to suppress by force the aspirations of people to live in freedom and dignity should be viewed as a challenge to the purposes of the Organization and as a gross violation of human rights and be firmly rejected by the international community.

116. **Ms. Micael** (Eritrea) said that her country had acceded to the International Convention on the Elimination of All Forms of Racial Discrimination in 2001 on the basis of its firm belief that racism, xenophobia and discrimination of all kinds were grave

violations of human rights and needed to be addressed by all States. Colonialism and slavery based on racial prejudice had deeply rooted negative social and economic consequences that continued to affect societies. Despite the commitments made twenty years earlier to remedy the past injustices of racism and take robust action to prevent it, persistent manifestations of racism, racial discrimination and xenophobia were contributing to the perpetuation of poverty, inequality, violence and hate crimes across societies. Moreover, there were increasing trends of racism and ideologies of superiority affecting migrant communities, including the rejection of their customs, values and ability to freely exercise their religious, linguistic and cultural practices. Stronger political will was therefore needed to reform the existing legal, economic and political structures that perpetuated the effects of racism and colonialism.

117. It was necessary to avoid politicizing the discussion of the current agenda item, as doing so only served to demonstrate Member States' failure to consider seriously the topic at hand. In that regard, her delegation opposed the politically motivated criticism levelled at China before the Committee. Eritrea appreciated the cooperation and openness shown by the Chinese Government in receiving the visit to China, including Xinjiang, of the former High Commissioner for Human Rights and wished China success in its efforts to meet the needs of its population.

Statements made in exercise of the right of reply

118. **Mr. Guo Jiakun** (China) said that the delegation of the United States had again misused the Committee's agenda by concocting an anti-China joint statement by Western countries in a smear campaign against China, which his delegation firmly opposed. It was the eleventh time that the United States had provoked confrontation at the current session of the Committee with spiteful attacks against China, which his delegation sternly rejected.

119. Although the United States seemed to care more about the human rights in China than about those in its own country, it was not a sign of altruism. In fact, it was an attempt by that country to thwart the development of China with the ultimate aim of maintaining its own hegemony. The United States rejected facts and truth, made up no end of lies and engaged in coercive diplomacy. In October 2022, the Human Rights Council had unequivocally rejected the draft decision concocted by the United States and other Western countries on the Xinjiang issue and had unequivocally refused to endorse the so-called assessment on Xinjiang by the former High Commissioner for Human Rights. Their plot had been

foiled. However, being sore losers, they had come to the Committee to rehash the Xinjiang issue in another unprovoked attack against China by encouraging Canada to spearhead a joint statement against China and organizing a so-called side event on Xinjiang attended by a small clique of Western countries. Such an interminable, poorly executed show served to expose the political agenda of the United States aimed at containing China by exploiting the Xinjiang issue. While it was China that was currently in the cross hairs, later it would be some other developing country.

120. The joint statement made by Cuba on behalf of 66 countries illustrated the clear position of the general membership of the United Nations against the politicization of human rights issues and interference in the internal affairs of other countries. The international community had seen through the hypocrisy of the United States pretending to defend human rights but really pursuing and maintaining hegemony. The United States seemed to care more about the ethnic minorities in China than about the ones in its own territory. That did not mean, however, that it was “all-loving”. When it came to racism, that country was an absolute underachiever.

121. It was the United States that had openly and undisguisedly boycotted the high-level meeting of the General Assembly to commemorate the twentieth anniversary of the adoption of the Durban Declaration and Programme of Action in 2021. Its behaviour made it difficult for others to believe in its good faith and sincerity in combating racism and its willingness to engage in international cooperation in that area. The United States should cease its arrogance and prejudice, abandon its double standards and stop telling other countries what to do without delay.

122. **Ms. Ahangari** (Azerbaijan) said that her delegation rejected the allegations made by the representative of Armenia concerning so-called anti-Armenian hatred and the destruction of Armenian cultural heritage in Azerbaijan. Azerbaijan was a multi-ethnic country, and all its citizens and residents were entitled to the full enjoyment of their human rights and freedoms on an equal and non-discriminatory basis, in accordance with the country’s Constitution and legislation. Her Government would continue its efforts to maintain civic cohesion and promote inclusivity and human rights in Azerbaijan.

123. Armenia, on the other hand, had unleashed aggression against Azerbaijan, committed heinous crimes during the conflict, carried out ethnic cleansing on a massive scale and methodically and systematically pursued a policy of destroying any traces of other

cultures in the territories under its control. A country where international terrorists, war criminals and even Nazi collaborators were honoured as national heroes was attempting to portray another country as intolerant. The ideology cultivated in Armenian society on the basis of ethnic hatred and demonization was the root cause of ethnic cleansing and unprecedented vandalism in the formally occupied lands of Azerbaijan. Furthermore, Armenia continued to incite hatred and Azerbaijanophobia and wage an extensive online disinformation campaign against Azerbaijan and its people. It was disturbing that anyone who dared to speak about reconciliation and peaceful coexistence with Azerbaijan was labelled and treated as a traitor.

124. Azerbaijan had instituted proceedings through the International Court of Justice and the European Court of Human Rights to hold Armenia to account for its past and ongoing violations of international law and to restore justice. In his statement, the representative of Armenia had deliberately omitted to mention that there were two proceedings in the International Court of Justice under the International Convention on the Elimination of All Forms of Racial Discrimination. In the one initiated by Azerbaijan against Armenia on 7 December 2021, the court had delivered a provisional measure and ordered Armenia to take all necessary measures to prevent the incitement and promotion of racial hatred, including by organizations and private persons in its territory targeted at persons of Azerbaijani national or ethnic origin.

125. Armenia must come to terms with its glaring misdeeds and realize that durable, lasting peace and stability could not be achieved through territorial claims, groundless accusations, animosity towards a neighbouring State and its people and contempt for their legitimate right to live in their own homeland. Azerbaijan had initiated the process of normalizing inter-State relations with Armenia based on mutual recognition of and respect for each other’s sovereignty and territorial integrity within their internationally recognized borders. Accordingly, it looked forward to the commencement of negotiations on a bilateral peace treaty and tangible progress in that direction.

126. **Mr. Galstyan** (Armenia) said that, rather than respond to any of the outstanding issues voiced by his delegation under the current agenda item, the representative of Azerbaijan had instead engaged in propaganda, perpetuating narratives that were at the core of the Azerbaijani Government’s decades-long xenophobic, anti-Armenian policies. His delegation had responded multiple times in other forums to the same false accusations and diversions made by Azerbaijan at the current meeting. As for the manipulation of the

proceedings in and the orders of the International Court of Justice, he would neither explain what a mirroring case was nor engage in voluntary interpretations of the Court's deliberations. Everyone in the room was capable of differentiating facts from allegations and documented events from false accusations.

127. At some point, Azerbaijan should take careful note of when, why and in what context its name was mentioned in discussions on certain agenda items and not react with the same old manipulative arguments but at least reflect inwardly on the questions raised. The existing high level of xenophobia could not be addressed by a statement that depicted a parallel reality and ignored every report and conclusion of human rights treaty bodies and reputable non-governmental organizations. In its concluding observations on the combined tenth to twelfth periodic reports of Azerbaijan, the Committee on the Elimination of Racial Discrimination had recommended that that country should adopt measures to monitor and combat hate speech and the incitement and promotion of racial hatred and discrimination. Moreover, having documented hate propaganda on ethnic grounds in educational curricula in kindergartens and schools, the Committee had recommended that Azerbaijan should review its school textbooks and ensure that history was taught in such a way as to prevent a dominant historical narrative and ethnic prioritization. Azerbaijan must take its recommendations very seriously and implement them as soon as possible in order to counter the extremely dangerous effects of xenophobic propaganda on society before they became irreversible.

128. **Ms. Ahangari** (Azerbaijan) said that it was ironic that the representative of Armenia had accused her delegation of spreading so-called propaganda when it was Armenia that had first made accusations against Azerbaijan under the general discussion. Armenia continued without hesitation to deny its responsibility for the numerous war crimes committed by its forces, agents, officials and other persons under its direction and control and refuse to prosecute and punish the perpetrators and offer an appropriate remedy and redress for its breaches. Armenia, which tried to present itself as a tolerant country, was uniquely mono-ethnic and had achieved that situation through a deliberate policy and practice of ethnic cleansing and cultural erasure targeted at other peoples, including Azerbaijanis, which once made up the largest national minority in Armenia. The expulsion of 205,000 Azerbaijanis from Armenia in the late 1980s had been accompanied by the brutal killing of hundreds of innocent people. Furthermore, Armenia had consistently and purposefully eradicated Azerbaijani

historical and cultural heritage from its territory and from the formerly occupied territories of Azerbaijan.

129. United Nations bodies and other international organizations had more than once expressed their serious concern about the spirit of intolerance prevailing in Armenia and the discriminatory policies and practices pursued in that country. In its concluding observations in the periodic reports of Armenia, the Committee on the Elimination of Racial Discrimination expressed concern at the racist hate speech and discriminatory statements in the public discourse of the country. In addition, in its report on Armenia, the European Commission against Racism and Intolerance noted intolerance towards Azerbaijanis. In that context, she called on the Armenian delegation to refrain from using the discussion under the current agenda item to voice its intolerance of Azerbaijan in a manner that was contrary to the spirit of the discussion.

130. **Mr. Galstyan** (Armenia) said that the representative of Azerbaijan had again paired counter-accusations with imaginary falsehoods which no one else had ever heard. In reality, there was no shortage of documented evidence of a State-led policy of dehumanizing Armenians, which created fertile ground for hate crimes. The Azerbaijani delegation's mantra that Armenia was a mono-ethnic country was particularly ironic considering that country's long-standing record of systemic and well-documented violations of the human rights of its national minorities. Needless to say, what mattered most for international human rights law was not the number of ethnic minorities but the protection of their rights. In that regard, he reiterated that Azerbaijan should start implementing the recommendations of the human rights treaty bodies to mitigate the incredibly high level of xenophobia and hate propaganda in all spheres of public life, from political discourse to the education of young generations. Such policies remained a serious threat to peace and security in the region and should be immediately and effectively addressed at all levels.

The meeting rose at 12.35 p.m.