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Chair: Mr. Grünwald (Vice-Chair) (Slovakia)

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In the absence of Mr. Marschik (Austria), Mr. Grünwald (Slovakia), Vice-Chair, took the Chair.

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

Agenda item 69: Elimination of racism, racial discrimination, xenophobia and related intolerance

- (a) Elimination of racism, racial discrimination, xenophobia and related intolerance** (A/78/18, A/78/277, A/78/302 and A/78/385)
- (b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action** (A/78/197, A/78/273, A/78/317 and A/78/538)

Agenda item 70: Right of people to self-determination (A/78/261 and A/78/535)

1. **Ms. Brands Kehris** (Assistant Secretary-General for Human Rights and Head of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in New York), presenting three reports of the Secretary-General, said that the report entitled “A global call for concrete action for the elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action” (A/78/197) drew on submissions received from Member States, regional organizations, national human rights institutions and other stakeholders, and included information on activities undertaken by United Nations entities, including OHCHR, the mechanisms established to follow up on the implementation of the Durban Declaration and Programme of Action and human rights mechanisms mentioned in resolution 77/205.

2. The information submitted by Member States and other stakeholders showed that there had been some progress in combating racism, racial discrimination, xenophobia and related intolerance. Several States had adopted or amended constitutional provisions and national legislation; criminalized racial discrimination; established national equality bodies; initiated the development of national and regional policies, including national action plans; and engaged in data collection, among other measures.

3. Despite those efforts, however, racism persisted, and the implementation of the Durban Declaration and Programme of Action was lagging. In his report, the Secretary-General urged further action and offered recommendations on how to address those challenges.

4. The report entitled “Implementation of the International Decade for People of African Descent”

(A/78/317) focused on reparatory justice, which had been a topic of discussion ever since the adoption of the Durban Declaration and Programme of Action in 2001. The International Decade had seen an increasing willingness to acknowledge the need to repair and address the continuing impacts of enslavement, the transatlantic trade in enslaved Africans and colonialism, including through reparatory justice. And yet, while several States had admitted a moral, and sometimes historical and political, responsibility for past wrongs and harms, they rejected legal responsibilities on grounds such as the intertemporal principle in international law or statutes of limitation, or merely because of financial concerns or a lack of political will.

5. Drawing on the observations and recommendations of United Nations bodies and experts and contributions from stakeholders, the Secretary-General recommended that States take a comprehensive approach, grounded in international human rights law, that sought to address legacies of the past in order to build societies that were free from systemic racism and racial discrimination. The approach should be participatory, gender-sensitive and inclusive, and should combine a plurality of measures, including, where appropriate, restitution, rehabilitation, satisfaction and guarantees of non-repetition.

6. The report of the Secretary-General entitled “Right of peoples to self-determination” (A/78/261) summarized developments between August 2022 and June 2023, provided guidance on how the right to self-determination was currently interpreted by United Nations human rights mechanisms and called attention to the connection between the right to self-determination and other human rights. The number of references to the right to self-determination by the main organs of the United Nations and the Human Rights Council, its special procedures and subsidiary bodies attested to the engagement of the United Nations system in the realization of the rights of peoples to self-determination.

7. **Mr. Breen** (United States of America) said that his country remained gravely concerned over the lasting and painful effects of racism and racial discrimination on marginalized racial, ethnic and Indigenous communities, including people of African descent. In the words of President Biden, advancing equity was not a one-year project but rather a generational commitment. To that end, the United States had developed a whole-of-government equity agenda to promote equal opportunities for underserved communities. The Secretary of State had appointed the first-ever Special Representative for Racial Equity and Justice in charge of programmes to guarantee the human

rights of racial, ethnic and Indigenous communities and build partnerships to combat racism and xenophobia globally.

8. The United States hailed the Permanent Forum on People of African Descent as a space for addressing persistent inequities and ensuring a more just and peaceful world, and was committed to working with United Nations mandate holders. The Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance would be making an official visit to the United States the following week.

9. He wished to ask the Assistant Secretary-General how Member States could better address inequities experienced by underserved communities in seeking access to justice, health care, housing and work.

10. **Mr. Kuzmenkov** (Russian Federation) said that Russophobia and discrimination against Russians and Russian-speaking persons was unacceptable and urged the Assistant Secretary-General and other human rights experts to pay closer attention to such incidents.

11. Citing horrific terrorist attacks, hostage-taking, bombing and air strikes affecting civilians, and barriers to humanitarian assistance in the Occupied Palestinian Territories, he noted the efforts of the Security Council and the General Assembly to de-escalate the unprecedented exacerbation of the Israeli-Palestinian conflict and asked what concrete measures the United Nations High Commissioner for Human Rights was taking to that end.

12. **Ms. Banaken Elel** (Cameroon) said that Cameroon was monitoring United Nations treatment of its African and Afrodescendent staff members. She asked about measures to enhance logistical support to people of African descent, ensure equity in staffing and geographic distribution and prevent the use of force by law enforcement officers. Cameroon would appreciate more information on OHCHR reports in that connection. She asked whether steps would be taken to prevent the kind of organizational problems that had arisen at the celebration of the International Day for People of African Descent, held in New York in August 2023.

13. **Mr. Tegoni** (Observer for the Sovereign Order of Malta) said that, as Pope Francis had stated in his papal encyclical, racism was rooted in the false and malevolent belief that one human being had less dignity than another.

14. Countries had no excuse for violating the human rights of minorities. African, Asian and Indigenous migrants and refugees did not leave their homes by

choice and then become victims of racism, xenophobia and intolerance.

15. The Sovereign Order of Malta was steadfast in its support for those impacted by poverty, illness and conflict and in its efforts to help refugees and migrants lead a decent life. It promoted disaster risk reduction; access to nutrition, clean water and hygiene to those in need without regard for race, religion or political affiliation; and ran a state-of-the-art maternity and critical care centre serving poor women and children throughout the Mediterranean region. At its Holy Family Hospital, a critical care centre in Bethlehem, Christians, Jews and Muslims worked together to help those in need without regard for religion, ethnicity or ability to pay.

16. **Ms. Brands Kehris** (Assistant Secretary-General for Human Rights and Head of the Office of the United Nations High Commissioner for Human Rights in New York), replying to the representative of the United States, said that the first step was to acknowledge the urgent need to address problems of racism and make full use of the expertise and human rights support mechanisms available in one's own country or offered by OHCHR. States should examine their institutional frameworks, legislation and social and economic policies to determine how best to address inequalities.

17. Replying to the representative of the Russian Federation, she acknowledged the alarming rise in hate speech and hate incidents globally and the need to be extremely vigilant. OHCHR was making every effort to track xenophobia and related intolerance and gather data to combat it.

18. Regarding the Israeli-Palestinian conflict, OHCHR was very much engaged in promoting the right to self-determination and continued to monitor the current situation very closely.

19. Replying to the representative of Cameroon, she said that OHCHR had drafted an agenda with 20 actionable recommendations and a meeting of all eight anti-racism mechanisms had been held. She acknowledged the need to ensure that the International Day for People of African Descent could be celebrated without issue, both in New York and Geneva. She hoped that the logistical challenges that had arisen in the New York would serve as a lesson learned.

20. **Ms. Suchocka** (Chair of the Group of Independent Eminent Experts on the Implementation of the Durban Declaration and Programme of Action), introducing the report of the Group of Independent Eminent Experts on the Implementation of the Durban Declaration and Programme of Action on its eighth session ([A/78/385](#)),

said that while States were finally beginning to acknowledge the existence and consequences of systemic racism, real transformative change on the ground was still a long way off.

21. There was simply no global tool that could measure the occurrence of racism and racial discrimination worldwide and provide a definite and evidence-based conclusion. Nevertheless, the mere persistence and pervasiveness of racism, racial discrimination, xenophobia and related intolerance, which were well-documented in countless international, regional and national reports, should be alarming enough for States – and for everyone – to take immediate and unconditional action.

22. At its eighth session in August 2022, the Group had held six public thematic discussions, on, inter alia, the links between racism and global emergencies such as climate change and natural disasters, racism against refugees and migrants, and racism and the implementation of the Sustainable Development Goals.

23. In the conclusions and recommendations of its report, the Group reiterated its concern at the lack of political will and dedicated resources to effectively implement the Durban Declaration and Programme of Action, and at misinformation and disinformation on its content.

24. The Group called on States and other stakeholders to promote the consideration of racism, racial discrimination, xenophobia and related intolerance in the implementation of the 2030 Agenda for Sustainable Development and in preparations for the Summit of the Future to be held in 2024.

25. The report on the ninth session of the Group, held in August 2023, would be presented at the fifty-fifth session of the Human Rights Council in 2024, in line with Council resolution [54/27](#). Preliminary recommendations adopted by the Group at the end of the session had been posted on the relevant webpage.

26. Since its inception, the Group had faced challenges to its functioning. Its incomplete membership was one such challenge. The previous year, the Human Rights Council and the General Assembly had adopted welcome provisions setting a limit to the tenure of Group members and requesting the Secretary-General to appoint the five Eminent Experts from among candidates proposed by the President of the Human Rights Council, after consulting with the regional groups, by the end of 2023.

27. She urged those regional groups that had not yet done so to nominate their candidates. New and different

experiences, expertise, perspectives and vision were necessary to revitalize the Group and its work.

28. Another challenge was the extremely broad mandate entrusted to the Group, namely, to monitor the implementation of the provisions of the Durban Declaration and Programme of Action. She therefore welcomed the revisions to the terms of reference decided by the Human Rights Council in 2022, as well as the recent request for the Group to conduct two annual advocacy visits to raise awareness about the fight against racism and racial discrimination and increase political support for the implementation of the Durban Declaration and Programme of Action.

29. Going forward, the Group would have to define its areas of priority. The active cooperation and support of Member States and other stakeholders would be crucial.

30. **Mr. Zumilla** (Malaysia) said that his delegation agreed with Ms. Suchocka on the need to reassess the fundamental role of the Durban Declaration and Programme of Action and the importance of regular meetings and the exchange of information among United Nations mechanisms working to combat racism and racial discrimination.

31. He asked what strategies could be used to address the challenge of promoting equity and addressing discrimination in countries that lacked resources, including financial and institutional capacity, to support anti-racism initiatives.

32. **Mr. Kuzmenkov** (Russian Federation) said that the tragic situation facing migrants in the Mediterranean could be blamed largely on irresponsible actions by European coastal States. Migrants were often fleeing from conflicts or economic despair caused by the many years of colonization pursued by the very same European countries that were now refusing to accept migrants. When migrants were accepted into European countries, they encountered overt racism, racial discrimination, xenophobia and intolerance, especially if they were from the African continent. He called for greater attention to the situation of Russians and Russian-speaking persons facing those same issues in European countries.

33. **Ms. Banaken Elel** (Cameroon), referring to the delay in addressing problems over the composition of the Group of Independent Eminent Experts, requested updates on the status of its membership, on the political implications of its work, and on how Member States could further contribute to its work. She asked how the celebration of the seventy-fifth anniversary of the Universal Declaration of Human Rights could bolster

action by the international human rights system to combat racism and the effects of colonization.

34. **Ms. de Sousa** (Timor-Leste) said that her country remained committed to addressing social and economic inequality and understood that poverty and inequality were significant barriers to human rights. She asked how discrimination could be measured and prevented on a global scale in implementing the Durban Declaration and Programme of Action.

35. **Ms. Suchocka** (Chair of the Group of Independent Eminent Experts on the Implementation of the Durban Declaration and Programme of Action) said that because the Group of Independent Eminent Experts was only one of eight mechanisms combating racial discrimination, better cooperation and coordination was of the utmost importance. All eight mechanisms had held a meeting the day before to determine how to make the best use of the limited financial resources at their disposal and improve coordination among them.

36. Migration was most certainly one of the issues discussed by the Group. At its August 2022 and 2023 sessions, it had acknowledged that migration was a growing problem and urged countries to take specific action to help migrants.

37. Stemming from a difference in views on the distinction between migrants and refugees, the membership of the Group was incomplete. Fresh proposals by Member States would be helpful in resolving that issue as the Group adjusted to its new role alongside seven other mechanisms.

38. **Ms. Rwakazina** (Chair-Rapporteur of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action), introducing the report on the twentieth session of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action ([A/HRC/52/78](#)), said that over two decades, the Intergovernmental Working Group had looked into contemporary manifestations of racism, shared good practices to combat racism around the world and recommended measures to enhance the effectiveness of mechanisms to follow up the Durban Declaration and Programme of Action. In 2022, it had celebrated its twentieth anniversary.

39. In 2021, the General Assembly had entrusted the Intergovernmental Working Group with the mandate to elaborate a draft United Nations declaration on the promotion and full respect of the human rights of people of African descent and requested that the Working Group devote at least half of its session to that task. The

mandate had been reiterated by the General Assembly in 2022.

40. As a first step, she had drafted a preparatory document that advanced concrete measures to combat racial discrimination against people of African descent and set out their rights in accordance with international human rights law. Based on input from Member States, the Permanent Forum on People of African Descent, the Working Group of Experts on People of African Descent and civil society organizations, it addressed both historical and contemporary manifestations of racism that had had a particular impact on people of African descent.

41. The Intergovernmental Working Group had made substantive progress during the first reading of the draft declaration. It had proposed a broad preamble (see [A/HRC/52/78](#), annex I) covering, *inter alia*, the importance of the economic, social, cultural, political and scientific contributions made by people of African descent to societies; concern about the pace of progress on reparatory justice and the elimination of all forms of racial discrimination against people of African descent; and the need for the international community to take responsibility for and repair human rights violations against people of African descent.

42. Despite those promising advances, much work remained to be done in a short amount of time, as the General Assembly had requested that the Intergovernmental Working Group submit the draft declaration for consideration at the high-level closing event of the International Decade for People of African Descent to be held in 2024.

43. To ensure the legitimacy of the elaboration process, the human rights concerns, lived experiences and aspirations of people of African descent must be integrated into the draft declaration. Some of the major human rights concerns had been highlighted during the first and second sessions of the Permanent Forum on People of African Descent and were included in its first report.

44. **Ms. Pereira Gomes** (Brazil) said that Brazil reiterated its commitment to the International Decade for People of African Descent and called on all Member States to declare a second decade. One decade was not enough to ensure the full enjoyment of human rights and equal opportunities by people of African descent. The Intergovernmental Working Group had a key role to play in negotiations on a second decade.

45. **Mr. Zumilla** (Malaysia) said that, unfortunately, the exercise of the rights to freedom of opinion and expression had provided cover for acts of racial

discrimination. The alarming spread of Islamophobia the world over was of particular concern to his country. Malaysia worked closely with the international community to eliminate the harmful effects of all forms of violence and extremist ideology and urged all Member States to demonstrate a stronger and deeper commitment to the Durban Declaration and Programme of Action. He asked what best practices or policies could be adopted by States to effectively curb the rise of hate speech, and particularly Islamophobia.

46. **Mr. Kuzmenkov** (Russian Federation) said that the Russian Federation fully supported the activities of the Intergovernmental Working Group and welcomed its efforts to elaborate a long overdue draft declaration. Negative stereotypes planted barriers to health, social protection, education, adequate housing and decent-paying jobs, and deep-rooted prejudices in certain societies led to racial profiling and acts of cruelty by law enforcement officers. Those were not one-off obstacles but rather systemic in nature and embedded in many societies. They were rooted in the era of colonialism and the enslavement of African peoples and the predatory exploitation of their resources. The draft declaration should contain a provision condemning the grievous legacy of colonialism and its vestiges. Past crimes against humanity should serve as harsh lessons to new generations to prevent the repetition of such evil.

47. **Mr. Liu Luoge** (China) said that Western countries still refused to acknowledge their responsibility for the slave trade and colonialism, which had been the main cause of racism. People of African and Asian descent and Indigenous Peoples continued to be victims of violent attacks and their rights were not guaranteed. Western countries must face up to their own history and break the vicious circle of social injustice and racism, and all countries should scale up efforts to implement the 2030 Agenda.

48. **Mr. Passmoor** (South Africa) said that for 22 years, the world had had a blueprint to address racism but it had been actively ignored. Racial divisions had become entrenched, and many countries were frustrated by the lack of commitment to the implementation of the Durban Declaration and Programme of Action. South Africa stood ready to support cooperation and due recognition of the internalized and systemic nature of racial discrimination, and the pursuit of an anti-racist agenda with the Durban Declaration and Programme of Action at its core.

49. He asked whether the Intergovernmental Working Group expected to complete the elaboration of a draft United Nations declaration on the promotion and full respect of the human rights of people of African descent

at its forthcoming session, given that it had been mandated to devote half of its annual session to that task.

50. **Ms. Banaken Elel** (Cameroon) said that the importance of education as part of reparations was a welcome addition to the draft declaration, and asked how countries could be urged to assume their full responsibility for reparations.

51. **Ms. Rwakazina** (Chair-Rapporteur of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action) said that the Intergovernmental Working Group was in favour of a second decade for people of African descent.

52. Best practices were considered at each session of the Intergovernmental Working Group, and an exhaustive list of best practices was regularly included in the reports shared with Member States. The two best practices she wished to emphasize were developing national action plans aligned with the Durban Declaration and Programme of Action and sharing them with the Intergovernmental Working Group for regular evaluation and follow-up, and regularly mainstreaming the fight against racial discrimination into national programmes.

53. Having completed its draft of the preamble, the Intergovernmental Working Group would focus on the body of the draft declaration on the promotion and full respect of the human rights of people of African descent when it met in the final week of November. Input from Member States, the Permanent Forum on People of African Descent and civil society would help to move the process forward, and consultations with the Permanent Forum would continue into early 2024. She felt confident that a draft United Nations declaration would be presented at the closing event of the Decade for People of African Descent in 2024.

54. Negotiations on the very important issue of reparations would take place in November. She encouraged all interested Member States to participate in those negotiations and to make good use of the proposals the Intergovernmental Working Group had shared on preparations for those negotiations.

55. **The Chair** invited the Committee to engage in a general discussion on the items.

56. **Ms. Navarro Barro** (Cuba), speaking on behalf of the Group of 77 and China, said that the Group of 77 and China was alarmed by the reappearance of racism, despite a half century of efforts to combat it, and by contemporary forms of discrimination, racial superiority and xenophobia on the Internet, which national

institutions and political and religious entities must all take action to combat. The Group of Independent Eminent Experts could be effective in mobilizing political will to that end.

57. The Group of 77 and China took note of the lack of progress in drafting complementary standards to fill existing gaps in the International Convention on the Elimination of All Forms of Racial Discrimination.

58. The Group of 77 and China stressed the power of education in eradicating all forms of racism and racial discrimination, and the importance of tackling racist messages and building interreligious and intercultural dialogue on tolerance and unity, in particular among young people. Everyone knew the consequences of ignoring dangerous propaganda on racial and ethnic superiority.

59. The Group of 77 and China continued to support the programme of activities of the International Decade for People of African Descent and urged Member States to contribute to the trust fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination.

60. Its support for the comprehensive measures set out in the Durban Declaration and Programme of Action remained steadfast and it welcomed the progress made by the Intergovernmental Working Group in elaborating a draft United Nations declaration on the promotion and full respect of the human rights of people of African descent.

61. **Mr. Nyman** (Representative of the European Union, in its capacity as observer), speaking also on behalf of the candidate countries Albania, Bosnia and Herzegovina, North Macedonia, the Republic of Moldova, Serbia, Türkiye and Ukraine, the potential candidate country Georgia, and, in addition, Andorra and San Marino, said that the European Union continued to build on the solid legal framework it had developed over the years in accordance with the International Convention on the Elimination of All Forms of Racial Discrimination, which, together with the International Covenant on Civil and Political Rights, was a major instrument on combating hate speech.

62. The Racial Equality Directive of 2000, which prohibited all direct or indirect discrimination based on racial or ethnic origin, was a central element of the European legal framework. The Directive required member States to establish bodies for the promotion of equal treatment between persons irrespective of racial or ethnic origin. Since 2008, public incitement of violence or hatred on the basis of race, colour, religion,

descent or national or ethnic origin had been criminalized across the European Union.

63. The first European Union Anti-Racism Action Plan 2020–2025 set out a number of actions to tackle racism and discrimination, placing equality at the centre of all policy areas. Particular attention was focused on economic, social and cultural rights, especially the right to education, work, health and housing. The Action Plan provided for better enforcement of European Union law in many different areas and a review of policies and activities from a non-discrimination and equal opportunities perspective. Its implementation was regularly assessed.

64. In 2020, the first European Commission Anti-Racism Coordinator had been appointed to ensure coordination and mainstreaming into all relevant European Union policies and provide a direct point of contact to the communities concerned and civil society organizations.

65. To counter hate speech online, the European Union had adopted the Digital Services Act which regulated network use. Its code of conduct on countering illegal hate speech online, which was a voluntary commitment by information technology platforms to review and, where necessary, remove illegal hate speech content, often related to discriminatory and racist comments.

66. Work was ongoing on a new proposal for legislation on binding standards for equality bodies that would offer support to victims of discrimination, ensure that European Union rules on equal treatment were properly enforced and promote equality and non-discrimination.

67. The European Union had a long-standing tradition of engaging actively and constructively in all racism-related initiatives, both in the Human Rights Council and the General Assembly. It supported the programme of activities of the International Decade for People of African Descent, followed the discussions of the Permanent Forum on People of African Descent with great interest and had participated in negotiations on the draft United Nations declaration on the promotion and full respect of the human rights of people of African descent during the twentieth session of the Intergovernmental Working Group. It was fully committed to the primary objectives and commitments undertaken at the 2001 Durban World Conference to combat racism, racial discrimination, xenophobia and related intolerance.

68. The European Union took an active part in deliberations on the follow-up to the Durban Declaration and Programme of Action, in negotiations

on related United Nations resolutions and in the meetings of the Durban follow-up mechanisms. It called for an inclusive and consensus-based debate on how to better assure global participation in the Durban follow-up process. Available resources should be primarily devoted to combating racism and all forms of discrimination on the ground. It also believed that the normative standards provided by the International Convention on the Elimination of All Forms of Racial Discrimination and other human rights instruments, the Durban commitments and follow-up mechanisms, as well as the institutional set-up of the United Nations human rights system, offered an adequate framework to address all contemporary forms of racism.

69. **Mr. Altarsha** (Syrian Arab Republic), speaking on behalf of the Group of Friends in Defence of the Charter of the United Nations, said that the Group strongly condemned any attempt, whether by Nazis, neo-Nazis, fascists or proponents of other ideologies, to establish the superiority of one group over others. Governments that preached lessons on good governance and political virtue but did not promote the rights of their own citizens or protect them from discrimination were nothing short of a contradiction in terms.

70. The establishment of the Permanent Forum on People of African Descent had marked an important step towards combating discrimination and defining the historic rights of all people of African descent. The deliberations of the Third Committee on the International Convention on the Elimination of All Forms of Racial Discrimination should emphasize the need for reparations and measures to settle the historical debt owed to those people.

71. **Mr. Da Cruz** (Angola), speaking on behalf of the Southern African Development Community (SADC), said that SADC was alarmed by the growing evidence of contemporary forms and systemic manifestations of racism and racial discrimination, xenophobia and related intolerance in many parts of the world, and in particular the rise of hate speech and incitement to hatred online. It welcomed all deliberations undertaken by the numerous special procedure mandate holders on racial discrimination with the aim of further strengthening and advancing the global fight to eliminate all forms of racial discrimination.

72. In line with paragraph 199 of the Durban Declaration and Programme of Action, SADC called for the elaboration of complementary standards to update the International Convention on the Elimination of All Forms of Racial Discrimination in order to address contemporary manifestations of racism and fill substantive and procedural gaps in international law. It

welcomed the recently launched United Nations Strategy and Plan of Action on Hate Speech.

73. SADC reiterated the importance of the full and effective implementation of the Durban Declaration and Programme of Action, which remained the only instructive outcome of a United Nations world conference. SADC also reaffirmed its commitment to the full and effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and strongly urged other Member States to work towards universal ratification of the Convention and the removal of any reservations to it, especially to article 4. Continued reservations to that article were defeating the object and purpose of the Convention.

74. SADC expressed its support for the Permanent Forum on People of African Descent. It looked forward to the finalization of the United Nations declaration on the promotion and full respect of the human rights of people of African descent to be adopted at the closing event of the International Decade for People of African Descent and the continued successful implementation of the programme of activities for the International Decade and beyond.

75. **Mr. Wallace** (Jamaica), speaking on behalf of the Caribbean Community (CARICOM), said that CARICOM welcomed, in particular, the report of the Secretary-General on the implementation of the International Decade for People of African Descent (A/78/317), which focused on reparatory justice and the need to address the ongoing impact of enslavement and colonialism. It had been 189 years since the systemic and very well-organized slave trade had been abolished in the Caribbean, and 185 years since the abolition of slavery, but there was yet to be any full atonement for the wrongs committed. Delayed atonement prevented people of African descent from healing and moving on, and the damage caused by chattel slavery was so deeply entrenched that restitution or monetary compensation alone would not be enough to repair it. The perpetrators and their descendants must acknowledge those barbaric acts, express remorse, or offer a formal apology. CARICOM called on States that had taken preliminary, if tentative, steps to that end to accelerate the pace, and urged those that had not yet taken any action to seize the moment.

76. As the International Decade for People of African Descent neared an end and the United Nations looked ahead to 2030 and beyond, CARICOM nations were firmly convinced that progress, prosperity and sustainability for all could not be achieved until the chapter on slavery and its legacies was definitively

closed. That called for innovative thinking on the dispensation of reparatory justice, taking into consideration the existing and emerging challenges faced by developing countries like those in the Caribbean region. In that vein, CARICOM had convened a panel discussion entitled “Pragmatic advancements towards achieving reparatory justice” on the sidelines of the second session of the Permanent Forum on People of African Descent, held in May 2023. Government, institutional and individual participants in that panel discussion had all recognized that the path of reparatory justice was not linear. In the broader context of the Permanent Forum, it was made clear that progress in addressing racial injustice worldwide had been insufficient.

77. As greater political and personal will were necessary to move purposefully and confidently forward, CARICOM joined the call for an extension of the International Decade for People of African Descent to allow space for further dialogue, rebuilding trust and creating a foundation for sustainable action.

78. **Ms. González López** (El Salvador), speaking on behalf of the Central American Integration System (SICA), said that laws and punitive measures alone would not be sufficient to counter violent forms of racism, racial discrimination and xenophobia, including hate speech; a paradigm shift in social attitudes was needed. Recognizing the importance of human rights education in promoting respect for cultural diversity and combating racism and racial discrimination, SICA called for special attention to people of African descent, and in particular, to the situation of children, adolescents, women, older persons, persons with disabilities and victims of multiple and intersecting forms of discrimination.

79. Central America registered 3.5 million persons of African descent, equivalent to 8 per cent of its total population. Taking into account that the historical denial of their cultures and identities might have discouraged many people of African descent from identifying as such, those figures could be even higher. Children, youth, older adults, Indigenous women and women of African descent must be empowered through development plans and effective public policies that allowed for substantive input from the communities and peoples concerned and, where appropriate, special measures to ensure their implementation.

80. SICA member States understood the need for affirmative action to reduce and remedy disparities and inequalities, accelerate social inclusion, close gaps in access to education and employment, and guarantee the rights of people of African descent in the judicial

system. The Permanent Forum on People of African Descent established in 2021 had a key role to play in achieving those goals. SICA urged all Member States, the United Nations system and international and regional organizations to increase their support for the Permanent Forum and its secretariat and to allocate additional resources within the United Nations system for the effective implementation of the Programme of Action, the activities of the International Decade and the Permanent Forum.

81. SICA endorsed the declaration of a second decade for people of African descent and welcomed the progress on the elaboration of a draft United Nations declaration on the promotion and full respect of the human rights of people of African descent to complement the Durban Declaration and Programme of Action.

82. **Mr. Edbrooke** (Liechtenstein) said that a broader understanding of self-determination could inform conflict prevention and resolution. The Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations encouraged the consideration of self-determination not only in terms of statehood through decolonization but also in terms of any situation where a community had the potential to freely determine its political status. The explicit references to self-determination in the United Nations Declaration on the Rights of Indigenous Peoples were but one example of how the concept could and should apply beyond the decolonization paradigm.

83. Liechtenstein had long noted that many conflicts around the world began over State responses to communities, including minority groups, seeking a greater degree of internal self-determination in the form of autonomy, self-governance, or self-administration. A fuller understanding of how political tension could arise from a call for internal self-determination might prevent armed conflict and assist in building sustainable peace. As noted by the Special Rapporteur on minority issues the previous day, the joint United Nations-World Bank *Pathways for Peace: Inclusive Approaches to Preventing Violent Conflict* and other studies showed that self-governance arrangements such as federalism could reduce local conflict. Moreover, forms of self-governance, decentralization and the devolution of powers could contribute to upholding target 16.7 of the Sustainable Development Goals on responsive, inclusive, participatory and representative decision-making at all levels.

84. Understanding self-determination also helped to highlight where relevant principles had been abused.

Nowhere was that more evident than in the Russian aggression against Ukraine, in which secession claims had repeatedly been imposed on communities without giving them the opportunity to freely determine their political status. That was contrary to international law and had the effect of undermining the sovereignty and territorial integrity of Ukraine. Political status for all Ukrainian peoples would be a key step towards the achievement of a just peace.

85. Liechtenstein had published a handbook that set out a range of practices for States, mediators and other key actors interested in preventing and resolving self-determination conflicts, including through forms of self-determination short of secession. Such principles could be applied to the current situation in Nagorno-Karabakh.

86. **Mr. Dai Bing** (China) said that every effort should be made to eradicate systemic racism and religious intolerance and address their root causes, namely, poverty, marginalization, social exclusion and economic disparity, through increased focus on the implementation of the 2030 Agenda.

87. China was home to 56 ethnic groups and promoted the development and harmonious coexistence of all its ethnic regions. The human rights situation in China had never been better.

88. China rejected the interference of Western countries in its internal affairs under the pretext of human rights. The week before, 72 countries had issued a joint statement recognizing that Taiwan was part of China and condemning interference in the internal affairs of his country.

89. Some Western countries had denounced China on grounds of racism in an unjustified attempt to politicize and weaponize human rights issues and cover up their own criminal record and historical responsibility. Those countries would do well to rectify their own racial injustices, crack down on hate speech and other acts of discrimination and safeguard ethnic minorities in their own countries.

90. Self-determination was a solemn political right that must not be misinterpreted or used as a pretext for the division of sovereign States. China called for the restoration of the legitimate rights of the Palestinian people and a two-State solution leading to the peaceful coexistence of Palestine and Israel. China would make every effort to promote a comprehensive and lasting solution to the Palestinian question.

91. **Ms. Kinyungu** (Kenya) said that post-colonial structures, systems, policies and practices continued to mimic the intent and purpose laid down during enslavement and colonization, subjecting African

people to a third wave of economic deprivation and hardship. Vestiges of colonialism were ingrained in banking and finance, insurance and taxation, unfair and unequal terms of international trade, and limited climate action. The effects were far-reaching, robbing Africa and people of African descent of their dignity, opportunities and, in many cases, their lives.

92. The Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, Attiya Waris, had highlighted disparity in risk assessments by credit rating agencies which often assigned a “junk” status rating to developing countries despite their robust economies. The cost of borrowing was higher for Africans and people of African descent, a modern form of systemic and structural racism where colonial mindsets were embedded in viability determinations and credit scores.

93. Key steps towards eliminating racism and discrimination in international financial and credit services would include debt relief or debt restructuring options for highly indebted low and middle-income countries; the establishment of independent and publicly owned credit rating agencies to assess the credit rating of African countries and other countries that were predominantly Black; and a genuine commitment by all Member States to correct past economic injustices.

94. **Mr. Elizondo Belden** (Mexico) said that intolerance – of people of African descent, Indigenous Peoples, refugees, migrants, women, children, persons with disabilities, or on the basis of religion or sexual orientation – was in the DNA of white supremacy and other extremist ideologies. It was a social construction and, in some cases, the product of centuries of colonialism and slavery. Mexico, a multi-ethnic, multicultural and multilingual country, was convinced that its diversity was its greatest asset.

95. The exponential rise in discrimination, online hate speech, algorithmic prejudice and artificial intelligence bias was alarming. Technical advances must not be misused to reproduce and program new forms of discrimination. The latest technologies should serve as tools to promote inclusion and tolerance, not instruments of exclusion and hatred.

96. Mexico made use of multilateral forums to combat racism and discrimination. In 2022, it had organized the second edition of the Global Forum against Racism and Discrimination in partnership with the United Nations Educational, Scientific and Cultural Organization (UNESCO). The Global Forum had helped to form the

basis for the UNESCO road map against racism and discrimination.

97. **Mr. Bauwens** (Belgium) said that the various international mechanisms to combat racism should be streamlined to increase efficiency. Belgium favoured holistic implementation of the outcomes and recommendations of existing mechanisms.

98. The International Convention on the Elimination of All Forms of Racial Discrimination should remain at the core of efforts to combat racism. His delegation urged all States to ratify it without delay. Belgium would continue to support the commitments undertaken at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban in 2001. It welcomed the adoption of an intersectional approach to addressing multiple forms of discrimination and fully supported the activities of the International Decade for People of African Descent. As the Decade drew to a close, Belgium was sponsoring a programme of activities and events to memorialize the struggles of people of African descent and honour their contributions to society, which had too often gone unnoticed.

99. **Ms. Joyini** (South Africa) said that the death of apartheid had been the only truly significant accomplishment since the need to eliminate racial discrimination had first been recognized in 1965. Racism continued unabated in societies and pervaded every element of social interaction and development. The painful history of South Africa should serve as a reminder of the atrocities of systemic racial discrimination and the consequences of apathy. South Africa encouraged all nations to learn from its experiences, both its failures and its successes, and to recognize the importance of collective action.

100. Racism was defined not only by overt acts of discrimination but also by an infectious attitude embedded in systems and institutions that perpetuated inequalities. Regrettably, multiple international mechanisms that had been established to address the underlying causes of racism were being politicized and misrepresented. South Africa continued to call on all States to fully implement the provisions of the Durban Declaration and Programme of Action and the outcomes of subsequent meetings.

101. **Ms. Ashipala** (Namibia) said that her country had borne the brunt of colonialism for many years and continued to feel its lasting effects. Namibia lamented the inability of the 17 Non-Self-Governing Territories to exercise their right to self-determination in accordance with General Assembly resolution 1514 (XV) and continued to advocate for a viable, enduring and

realistic solution to the decolonization of Western Sahara. It urged Member States to fully respect the sovereign will of the Sahrawi people and their inalienable right to decide their political future in accordance with international law.

102. The inhumane conditions and oppressive rule endured by the people of Palestine for so many years must come to an end. Namibia called on Israel to cease its attacks, to refrain from engaging in provocative acts against the Palestinian people and to respect international humanitarian law. It continued to support diplomatic efforts aimed at reaching a lasting peace and a two-State solution along the 1967 Israeli border, with East Jerusalem as the capital of Palestine.

103. **Mr. Akram** (Pakistan) said that the peoples of Palestine and Kashmir had been denied the right to self-determination, a core principle enshrined in Article 1 of the Charter of the United Nations, the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action. It was to be hoped that the General Assembly would succeed where the Security Council had failed in putting a stop to the latest Israeli aggression.

104. On 5 August 2019, India had taken unilateral measures to annex Jammu and Kashmir, and its extremist leaders had committed war crimes, crimes against humanity and genocide. Despite the call for an investigation in reports issued by OHCHR and by dozens of special rapporteurs and special mechanisms, India had still not allowed anyone to visit the occupied territory. India was violating human rights and international law with impunity under the protection of certain major powers. Like Israel, it not only intensified its oppression but also took a belligerent stance against all those who called on it to cease committing its crimes. Its ministers, including its Minister of Defence, had threatened aggression across the Line of Control with Kashmir.

105. Earlier that day, Pakistan had sent a letter to the Security Council, the General Assembly and the Secretary-General to update them on the situation in Kashmir and request immediate action to halt human rights violations and enable the people of Jammu and Kashmir to exercise their right to self-determination in accordance with Security Council resolutions and the findings of the United Nations commission of inquiry.

106. **Ms. Tozik** (Belarus) said that Belarus would always remember the losses it had suffered under Nazism during the Second World War. The lives of one third of its people had been taken in the name of an ideology that prioritized racial, ethnic and religious intolerance.

107. Belarus had established a comprehensive legal framework for the prevention of discrimination at all levels, including in government institutions. Belarusian society was characterized by inter-ethnic and interreligious harmony.

108. Belarus stood ready to support international efforts to eliminate racism, racial discrimination, xenophobia and related intolerance. However, it rejected any attempt to utilize anti-discrimination as a means of interfering in the internal affairs of States.

109. Belarus supported the annual draft resolution on combating the glorification of Nazism and neo-Nazism sponsored by the Russian Federation. International organizations, human rights organizations and human rights mechanisms should investigate State approaches that contributed to the promotion of racism, xenophobia and intolerance and propose concrete measures for the elimination of those phenomena.

110. **Mr. Ghanei** (Islamic Republic of Iran) said that his country had long been a land of cultural diversity and a place where many different ethnic groups resided. Similar respect for cultural diversity and dialogue could be effective in combating racism and racial discrimination at the international level as well. Having participated actively in the 2001 World Conference against Racism and the follow-up Durban review conferences, the Islamic Republic of Iran was concerned over the lack of political will and resources, at the national, regional and international levels, to effectively implement the Durban Declaration and Programme of Action two decades after its adoption.

111. As part of its commitment to combat racism and racial discrimination, the Islamic Republic of Iran had submitted its combined twentieth to twenty-seventh periodic reports on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination in March 2022. It attached great importance to the Ad Hoc Committee on the Elaboration of Complementary Standards and the implementation of its mandate in the context of relevant decisions and resolutions of the Human Rights Council and the General Assembly.

112. Unfortunately, severe forms of discrimination persisted across the globe. In recent decades, the United States had imposed inhuman, illegitimate unilateral coercive measures and an unrelenting economic embargo considered to be one of the most inhumane examples of discrimination based on nationality or place of origin in the world. As a result, the rights of the Iranian people, including their right to life, health and development, had been widely and systematically

violated. The European Union had collaborated with the United States in those malicious endeavours.

113. The steadfast violation of human rights by the United States was evident in its starkly racist Guantánamo prison system, which subjected the largest prison population in the world to the routine brutality of solitary confinement and capital punishment. The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism had expressed serious concerns about the systematic arbitrariness that pervaded the day-to-day life of prisoners.

114. The situation of Africans and people of African descent, who had been subjected to enslavement, colonization, segregation and degradation, was worsening. Deprivation and hardship continued to plague people of African descent as a result of post-colonial structures, systems, policies and practices.

115. In his report entitled “Promotion and protection of the human rights and fundamental freedoms of Africans and of people of African descent against excessive use of force and other human rights violations by law enforcement officers through transformative change for racial justice and equality” (A/HRC/54/66), the United Nations High Commissioner for Human Rights encouraged the participation of people of African descent in public affairs so that their lived experiences and expertise could inform decision-making. The Islamic Republic of Iran joined the call for reparations to compensate the historical injustices of enslavement and colonialism.

116. Muslims in European countries suffered discrimination, stigmatization and exclusion in all areas of life, including employment, education and political participation. They were subjected to racist violence and hate speech, especially on online platforms and in the Western countries. The burnings of their holy book, the Qur'an, had been condemned by Muslims worldwide and had led to the adoption of resolutions by both the Human Rights Council and the General Assembly. Muslim women were disproportionately affected by Islamophobia, especially if they abided by the Islamic dress code. Islamophobia was a specific form of racism fuelled by Governments that protected violation of the rights of Muslims under the guise of freedom of expression and opinion.

117. Turning to agenda item 70 on self-determination, he said that the Islamic Republic of Iran reaffirmed its principled and longstanding support for the realization of the inalienable right of the Palestinian people to self-determination. As indicated in the report of the Secretary-General on assistance to the Palestinian

People (A/78/86-E/2023/83), Palestinian living conditions deteriorated on a daily basis under the continued occupation of the territory of Palestine by the Zionist regime.

118. The Secretary-General and the United Nations High Commissioner for Human Rights had consistently raised concerns over the apparent excessive use of force and unlawful killings, including extrajudicial executions, of Palestinians by Israeli forces. The Human Rights Committee had expressed concern over the demolition of Palestinian houses and other infrastructure, such as schools, hospitals, water, sanitation and hygiene structures, and the forced evictions and forcible transfer of those whose homes had been destroyed. The Islamic Republic of Iran denounced the settler-colonial agenda of Israel aimed at ethnically cleansing the Palestinian land of its Indigenous inhabitants.

119. The international community was witnessing yet another horrific uptick in atrocities and collective punishment against the Palestinian people in the Gaza Strip by the Israeli regime, particularly the heinous terrorist attacks on Ahli Arab Hospital, in clear violation of international humanitarian law. The indiscriminate killing of innocent people in Gaza, including women and children, and the devastation of civilian infrastructure amounted to war crimes of the gravest nature. No one was safe anywhere in Gaza, not even women, girls, youth, children, older persons, persons with disabilities, journalists, health-care workers, and United Nations and other international humanitarian personnel.

120. The United Nations was duty-bound to address the situation. The Islamic Republic of Iran called for an immediate ceasefire, a cessation of all attacks that targeted or indiscriminately affected Palestinian infrastructures and an investigation into war crimes and crimes against humanity committed by the Israeli apartheid regime and its allies. Since 1972, the United States had vetoed 53 resolutions to prevent Israel from condemnation for its recurring war crimes. As such, it was a strategic partner in disrupting the equitable international order and violating the right to self-determination of the defenceless Palestinian people.

121. **Ms. Pereira Gomes** (Brazil) said that in the general debate of the General Assembly, President Lula had announced that Brazil would voluntarily adopt a “Sustainable Development Goal 18: Reaching racial equality”. The creation of the Ministry of Racial Equality was tangible proof that Brazil was committed to that goal. The Ministry was already developing and implementing several policies to promote and protect

the human rights of people of African descent, and to provide educational and socioeconomic opportunities for their development.

122. The Ministry had been working to ensure the titling of territories belonging to the Quilombola, a traditional people of African descent in Brazil. The land regularization process also served to recognize and protect the memory of the Quilombola people and express appreciation for their culture. The Black Youth Alive Plan focused on providing opportunities to Black youth, and on reducing homicides and social vulnerabilities that disproportionately affected them. The Ministry had also established a working group on actions to combat violence and religious racism that targeted traditional peoples and communities of African origin.

123. Home to the world’s largest population of people of African descent outside Africa, Brazil was firmly committed to combating racism, racial discrimination, xenophobia and related intolerance, and to the effective implementation of the Durban Declaration and Programme of Action.

124. As President Lula had said, Brazil would be pleased to host a session of the Permanent Forum on People of African Descent. Brazil had sent a large official delegation, including high-level authorities, as well as civil society representatives, to the second session of the Permanent Forum, where its Minister of Racial Equality had emphasized that the global fight against racism could reduce social, gender and economic inequalities as well.

125. Brazil reiterated its commitment to the International Decade for People of African Descent and called on all Member States to support a second decade.

126. **Mr. Ladeb** (Tunisia), speaking on behalf of the Group of African States, said that any doctrine of superiority on the basis of race was unjust. Sadly, racial discrimination and segregationist policies persisted in some parts of the world.

127. The Group of African States hoped that the recommendations of the Permanent Forum on People of African Descent would continue to provide input to the Human Rights Council. Since the adoption of the Durban Declaration and Programme of Action, a number of countries had introduced legislation to combat racism, and had shown respect for the knowledge of people of African descent by recognizing and promoting their cultural heritage and their contribution to the global economy. The Group of African States welcomed those initiatives by Member States and, at the regional level, the CARICOM plan for

reparatory justice, and the European Parliament resolution affirming the fundamental rights of people of African descent in Europe and the need to redress past injustices and crimes against humanity.

128. As emphasized in the Durban Declaration and Programme of Action, education and awareness-raising, literacy and access to free primary education were not an option but a necessity. The African Group called for cooperation and partnership to increase equal opportunities in trade, the market, technology transfer and economic growth as well, and for the lifting of all unilateral coercive measures in line with Agenda 2063 of the African Union.

129. **Mr. Salerno Vega** (Panama) said that Panama had come to understand that the richness of human diversity was the pathway to building a more just society. Firmly convinced that education was a basic pillar in the fight against intolerance and discrimination, it had launched initiatives to make quality education more accessible in rural and Indigenous communities and for people of African descent.

130. Panama had taken significant steps to empower its communities of African descent and acknowledge their valuable contributions. In the 2020 census, over 1 million persons had identified as people of African descent, representing roughly one third of the population. That figure had been much lower in 2010 (only 9 per cent), perhaps indicating a reluctance to identify as a person of African descent. Panama had also established a government department specifically designed to strengthen the inclusion of both its communities of African descent and its Indigenous communities, and a programme to improve the quality of life of its most underserved communities.

131. **Ms. Lelisa** (Lesotho) said that the rights enshrined in the Durban Declaration and Programme of Action, the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action were interrelated and interdependent. Under those international instruments, it was incumbent on States to refrain from disregarding or putting labels on any of their citizens. Greater political will to that end and to advance racial equality was sorely needed.

132. Her delegation welcomed the report of the Working Group of Experts on People of African Descent outlining its efforts to promote the rights of people of African descent while remaining cognizant of the challenges they faced in their day-to-day lives that left them more susceptible to multiple forms of abuse and human rights violations. In that context, Lesotho supported the call for a second decade for people of African descent. It also concurred that finalization of a

draft United Nations declaration on the promotion and full respect of the human rights of people of African descent was indispensable.

133. Lesotho urged States to reassess their commitments to the principles contained in the Durban Declaration and Programme of Action and welcomed the deliberations on a follow-up to the World Conference against Racism. It called on all stakeholders to scale up efforts to combat racial discrimination. Lastly, her delegation attached great importance to the implementation of the 2030 Agenda, for no one must be left behind.

The meeting rose at 1.05 p.m.