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Chair: Mr. Mac-Donald (Suriname)
later: Ms. Šćepanović (Montenegro)

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The meeting was called to order at 3.10 p.m.

Agenda item 69: Promotion and protection of human rights (A/67/387–S/2012/717 and A/67/390) *(continued)*

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms *(continued)* (A/67/159, 181, 71, 56, 163, 260 and Add.1, 293, 296, 226, 288, 267, 285, 287, 396, 303, 292, 289, 268, 299, 304, 286, 310, 277, 368, 178, 275, 305, 302, 278, 380, 261 and 357)

(c) Human rights situations and reports of special rapporteurs and representatives *(continued)* (A/67/362, 333, 327, 370, 379, 383 and 369)

1. **Ms. Sepúlveda Carmona** (Special Rapporteur on the question of human rights and extreme poverty) said that as a result of the global financial crisis and the austerity measures taken by many Governments, poverty was more extreme and inequality more deeply entrenched than before. Whereas the international commitment to end extreme poverty had apparently not been acted upon, people in many countries had mobilized against unacceptable levels of inequality and poverty had been clearly established as a human rights issue, nationally and internationally.

2. In September 2012, the Human Rights Council had adopted the Guiding Principles on Extreme Poverty and Human Rights. The Principles would be a practical tool for policymakers and could play a key role in protecting and empowering those hit hardest by the global economic crisis. She called on the Committee to endorse them and ensure their widest dissemination and implementation nationally.

3. Her report (A/67/278) to the General Assembly focused on the lack of access to justice, which prevented those living in poverty from enjoying their human rights and escaping the poverty cycle. Access to justice, a human right in itself, was essential for tackling the root causes of poverty yet the impoverished faced a number of obstacles to seeking redress through the justice system. Women living in poverty faced additional obstacles, owing to discrimination, economic disadvantages and social and cultural constraints. In the report, she had addressed the inadequate legal assistance available to persons living in poverty and recommended ways of remedying that situation.

4. Her report was global in scope, applying equally to mature democracies. The need for budgetary constraints did not legitimize the adoption of laws and policies that diminished access to justice by the poorest members of society. Not only did those measures undermine human rights but they also ignored the long-term negative impact on societies of preventing the poorest from challenging injustice. She concluded by underlining States' legal obligation to ensure that nobody was deprived of equal access to competent and impartial judicial and adjudicatory mechanisms. States must improve access to justice by the poor in order to create more inclusive and equitable societies.

5. **Mr. Errázuriz** (Chile) agreed with the Special Rapporteur that those living in poverty needed assistance to ensure they were protected from injustice, and expressed his Government's support for the Guiding Principles. Chile had set the eradication of extreme poverty as a national political priority. Thanks to economic growth, the Government had been creating jobs, improving social rights to empower women in particular, and offering poorer families financial support, sometimes linked to access to health care and education. With regard to the lack of access to justice, Chile joined the consensus in support of a rights-based approach. The Special Rapporteur was right to insist that States must ensure that measures taken to address the economic crisis did not harm the human rights of those living in poverty.

6. **Mr. Oliveira** (Brazil) said that his country had set up new local and national institutions aimed at protecting the human rights of all vulnerable groups and helping them to gain access to justice and related services. Brazil welcomed the Guiding Principles as it believed that international cooperation was important for improving access to justice for all.

7. **Mr. Geurts** (Observer for the European Union) asked the Special Rapporteur how she envisaged ensuring a sustainable partnership between the Office of the United Nations High Commissioner for Human Rights (OHCHR) and national human rights institutions in connection with her mandate.

8. **Ms. Nguyen Cam Linh** (Viet Nam) said that in her country fundamental human rights were protected under the Constitution and institutions been set up to guarantee access to justice for all. In conjunction with the United Nations Development Programme and other donors, her Government had conducted national

surveys to assess legal needs and access to justice and the findings had been taken into account in the framing of government strategies for improving legal systems.

9. **Ms. Sepúlveda Carmona** (Special Rapporteur on the question of human rights and extreme poverty) called for greater cooperation between OHCHR and national human rights institutions, as well as stronger emphasis on poverty in the work of the International Criminal Court. She had noted during her country visits that even highly rated national human rights institutions failed to tackle the issue of extreme poverty. They should make more specific efforts in that regard, taking into account the indivisibility, interdependence and interrelatedness of human rights. Lastly, she called on States to take economic recovery measures that respected all human rights, in particular those of persons worst affected by the current crisis.

10. She then read out on his behalf the statement of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. Since the previous General Assembly, he had undertaken country missions to Azerbaijan, Tajikistan and Viet Nam. In June 2012, he had submitted to the Human Rights Council a report (A/HRC/20/15) on occupational health as a fundamental component of the right to health.

11. Presenting the Special Rapporteur's report to the General Assembly (A/67/302), she said that he had carried out multi-stakeholder consultations and sought submissions to questionnaires on existing challenges with regard to access to medicines, with a view to presenting a report to the Human Rights Council in 2013. In 2013, he intended to continue those consultations along with regional civil society consultations to disseminate information on the right to health, seek information and raise awareness of the mechanism for receiving individual complaints. He planned to conduct three country missions over the coming year, including one to Japan in November 2012.

12. Turning to the statement by the Special Rapporteur on the promotion and protection of the rights to freedom of opinion and expression, she said that his report focused on hate speech. He had insisted that ways should be found to reconcile the protection and promotion of the rights covered by his mandate with the fight against intolerance, discrimination and incitement to hatred.

13. Expert workshops on the prohibition of incitement to national, racial or religious hatred had been organized in four regions by OHCHR. They had revealed significant differences in legislative, political and judicial practice on incitement to hatred within and between regions. The aim of the Special Rapporteur's report was to underline the basic principles of international human rights law, identifying elements for determining what kinds of expression could be qualified as hate speech. The right to freedom of opinion and expression and the prohibition of incitement to hatred were mutually supportive.

14. While the right to freedom of expression should be restricted in extreme cases, it should also be protected and promoted as a means of improving understanding among peoples, combating negative stereotypes, offering alternative views and creating an atmosphere of mutual respect worldwide. Legislation against hate speech must be carefully construed and applied, and should be complemented by a broad set of measures to bring about changes of mindset, perception and discourse. Such an approach, supported by political will and social commitment, helped to address less severe forms of hate speech while raising awareness and preventing incitement to hatred.

15. Turning to the statement by the Special Rapporteur on the human rights to safe drinking water and sanitation, she said that her report to the General Assembly (A/67/270) concerned the principal challenges linked to the realization of those rights. Undoubtedly the most persistent challenge was inequality, with about one in three humans lacking access to improved sanitation. During her country missions, the Special Rapporteur had witnessed the systematic exclusion persisting among marginalized groups.

16. Whereas such inequality was not new, the time had come to address it. The international community could not make genuine progress in poverty reduction and social development without reducing inequality of access to fundamental services. It must start answering essential questions about its development priorities, such as who was excluded, why, and how progress could be more effectively measured so that the most marginalized were no longer ignored. In her report, the Special Rapporteur offered recommendations for responses to those questions. Since equality and non-discrimination must be at the heart of the post-2015 Development Agenda, a global and generic stand-alone goal on equality should be adopted.

Furthermore, specific goals, targets and indicators must be set for water, sanitation and hygiene, on an equal footing with other priority areas for development.

17. One of the aims of the future development agenda must be universal enjoyment of the right to water and sanitation, through prioritization of the most excluded. Admitting that it was an ambitious goal, the Special Rapporteur reminded the Third Committee that its adoption by the General Assembly lay in its hands.

18. Turning to the statement by the Special Rapporteur on the right to education, she said that his report to the General Assembly (A/67/310) was devoted to technical and vocational education and training, which was growing in importance and played a key role in social development. As he had informed the Human Rights Council earlier in the year, quality imperatives were inextricably linked to technical and vocational education and training while innovative and equitable approaches to quality technical and vocational education and training could provide responses to the youth unemployment crisis. New trends had emerged at the Third International Congress on Technical and Vocational Education and Training (Shanghai, China, May 2012).

19. In his report he had analysed norms developed through international instruments, underlining the importance of national standard-setting in keeping with States' obligations. He had drawn on the work of the United Nations human rights treaty bodies and the United Nations Educational, Scientific and Cultural Organization, the International Labour Organization and the World Bank, highlighting international initiatives and developments.

20. In the conclusions to his report, the Special Rapporteur had outlined some key principles to guide States in establishing, expanding and consolidating their technical and vocational education and training systems. They were the principles of social justice and equity, of a humanistic vision of education, of social interest in education, of equal opportunity and access, and of social dialogue, partnership and participation.

21. Turning to the statement by the independent expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of human rights, particularly economic, social and cultural rights, she said that his report to the General Assembly (A/67/304) focused on the impact of sovereign debt and related policy conditionalities on

women's rights. The independent expert wished to thank the Asia Pacific Forum on Women, Law and Development for its contribution.

22. In July 2012, the Human Rights Council had endorsed the Guiding Principles on Foreign Debt and Human Rights. All States and other stakeholders should implement the Principles in the context of their external debt arrangements, debt relief operations and economic policy reforms.

23. The independent expert wished to emphasize some of the recommendations made in his report. States should ensure that women's human rights were not undermined by agreements concerning loans, debt and debt relief; include gender considerations in debt-related policies, law reforms, revenue-raising policies and poverty reduction strategies; and adopt gender-responsive budgeting to ensure that inequalities were addressed. He called on international financial institutions and other lenders to stop linking the provision of loans, grants and debt relief to harmful policy reforms that undermined democratic processes in borrower countries, reduced women's access to resources and essential services, deepened equality and contributed to the feminization of poverty. Measures should be taken to increase public revenues by taxing higher income earners, enhancing tax collection and combating tax evasion.

24. **The Chair** said that delegations could submit to the Secretariat, in writing, questions addressed to the special rapporteurs and independent expert. The answers would be provided in writing and circulated to everyone.

25. **Mr. Lazarev** (Belarus) said his delegation wished to know how the Special Rapporteur on the promotion and protection of the rights to freedom of opinion and expression would assess the extreme case of Julian Assange, who faced the death penalty in the United States of America. His delegation was disappointed that the Special Rapporteur had not commented in his report on recent human rights violations in Belgium, Canada, Germany, Poland, Slovakia, Spain, the United Kingdom and the United States, where disproportionate use of force had been used against protesters. International pressure regarding the rights to freedom of opinion and expression should not be limited to developing countries, as had been the case when an anti-Muslim film had led to demonstrations. Lastly, would the Special Rapporteur comment on the

European Union's visa ban on Belarusian journalists, which his country had already raised in the Human Rights Council in June 2012?

26. **Mr. Šimonović** (Assistant Secretary-General for Human Rights), introducing reports submitted under agenda item 69 (b), said that the consolidated report of the Secretary-General and the High Commissioner for Human Rights on the right to development (A/67/159) emphasized the need to ensure human rights-based policy coherence in the global partnership for development. The report of the Secretary-General on human rights and unilateral coercive measures (A/67/181) contained information received from a number of Governments on the effects of unilateral coercive measures on their populations. The report on globalization and its impact on the full enjoyment of all human rights (A/67/163) summarized the views of several Governments and United Nations agencies. The report on human rights in the administration of justice (A/67/260 and Add.1) contained information on developments in international law, the work of human rights treaty bodies and special procedures, and examples of developments and activities in the United Nations system. The report on combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief (A/67/296) identified steps taken by States and the United Nations system.

27. The report of the Secretary-General on the moratorium on the use of the death penalty (A/67/226) outlined significant developments towards the universal abolition of the death penalty since the adoption of General Assembly resolution 65/206. The report on the role of the Ombudsman, mediators and other national human rights institutions (A/67/288) contained information on the activities undertaken by the human rights office to establish and strengthen independent and autonomous national human rights institutions, as well as measures taken by governments in that regard. The report on missing persons (A/67/267) outlined the implementation of measures to address persons reported missing in connection with armed conflict and other situations of violence and insecurity.

28. The two reports of the Secretary-General submitted under item 69 (c) were on the situation of human rights in the Democratic People's Republic of Korea (A/67/362), which noted the inability of the United Nations systematically to monitor and record

the human rights and humanitarian situation in the country in a context of consistent reports of a deterioration of that situation; and on the situation of human rights in the Islamic Republic of Iran (A/67/327), which dealt with the death penalty, torture, women's rights, the rights of minorities and other human rights issues. It expressed concern at the significant increase in executions over the previous year, the intensified crackdown on media professionals, human rights defenders, lawyers and women's rights activists, and the prolonged house arrest of opposition leaders since February 2011. The report also took note of positive developments, including the appearance of the Islamic Republic of Iran before the Human Rights Committee in October 2011.

29. **Mr. Eshraghi Jahromi** (Islamic Republic of Iran) said his country safeguarded all human rights by complying with its international commitments and upholding the principles enshrined in its Constitution. However, it could not accept the resolution requesting the Secretary-General to prepare a report on the situation of human rights in the Islamic Republic of Iran; it was unfair, selective and biased, contained deficiencies and contradictions, and gave a redundant mandate to the Secretary-General to compile a report in parallel with that of the so-called Special Rapporteur on the situation of human rights in the Islamic Republic of Iran.

30. The reports of the Secretary-General were an important mechanism, provided they were professional and not politicized. Yet the report under consideration overlooked his country's many achievements and positive developments in the area of human rights; suffered from partiality and lack of balance; and had adopted a selective approach to the information provided. By repeating unfounded, illogical and unrealistic allegations and resorting to biased sources, the report had suffered a great loss of credibility. Nevertheless the Islamic Republic of Iran welcomed constructive cooperation with the United Nations human rights mechanisms. His Government had expressed its readiness to cooperate with the Secretary-General during his visit to the country and had invited the High Commissioner for Human Rights to visit in the near future.

31. **Mr. Khammoungkhoun** (Lao People's Democratic Republic) said, with reference to report of the Secretary-General on the moratorium on the use of the death penalty, that his country protected the rights

of the child and accordingly prohibited the death penalty in the case of minors and pregnant women. The Secretary-General's report should be based on thorough research and reflect the situation on the ground.

32. **Mr. Nambiar** (Special Advisor to the Secretary-General on Myanmar), introducing the Secretary-General's report on the situation of human rights in Myanmar (A/67/333), said that he had visited Myanmar several times since October 2011 and had accompanied the Secretary-General on a visit in May 2012. During the General Assembly, the Secretary-General had met President Thein Sein, Daw Aung San Suu Kyi and the official responsible for negotiating with Myanmar's armed ethnic groups. President Thein Sein had spoken publicly of the irreversible steps taken by his country in the democratic reform process. He had acknowledged Ms. Suu Kyi's role in parliament, stressed the importance of bridging the gap between rich and poor, guaranteeing workers' rights and ensuring that investments in the mining sector were transparent, and emphasized the need to address the issue of the armed ethnic groups in order to build a genuine democracy. Ms. Suu Kyi's recent visit to the United States had included a number of public engagements.

33. There were strong indications the Government of Myanmar was continuing with democratic reforms. For example, in September 2012, 424 political prisoners had been released and parliament had recently enacted a foreign investment bill amended by the President to allow more foreign direct investment. Nonetheless, much remained to be done before political changes were seen to improve the lives of ordinary people. Most important, Myanmar would need to address pressing issues such as the rural exodus and the country's large young population, who would be the country's growth engine. The international community had already responded to developments in Myanmar with considerable interest. Significant steps taken by the United States and European Union to allow their corporate enterprises to enter Myanmar should create jobs and stimulate growth. Australia, Japan and the Republic of Korea had also increased their economic cooperation with Myanmar.

34. Most armed ethnic groups had signed ceasefire agreements with the Government. Although the role of the United Nations and other international actors in that regard was being defined it remained marginal. In

September, he had pledged United Nations support if the Government needed it. The Government had expressed its concern at the lack of progress with the armed group in Kachin state, citing mistrust between the communities. Further peace talks were due and it was hoped they would address troop deployments on both sides in a step towards ending an intractable conflict.

35. In Rakhine state, clashes that had initially flared in May 2012 had resumed with ferocity in recent weeks, a sign of the profound distrust between the two communities. During both his visits to Myanmar since May, he had been briefed openly on the situation and believed the Government understood that escalation of the conflict would hurt its efforts to normalize relations with the international community. The President's attempts to bring the violence under control and the Government's willingness to allow diplomats and the media into Rakhine were indicative of the country's new openness. Moreover, the Government's announcement of a commission of inquiry into the causes of the violence had been welcomed worldwide. The Secretary-General had urged the President to set up an institutional mechanism to initiate reconciliation between the two communities and had warned that unless the violence ended the fabric of the social order would be irrevocably damaged. The United Nations had been accused of partiality for directing much of its humanitarian assistance in Myanmar to Muslim communities, but it believed those communities were the most vulnerable. Most of the United Nations staff wrongfully detained by the authorities had been set free and every effort was being undertaken to bring about the release of remaining detainees.

36. It remained to be seen whether the advent of an open society would lead to more harmony among political forces in Myanmar. As the Secretary-General had stated, parliament was a place where people of various ethnicities and backgrounds could come together. In 2011, the General Assembly had looked at the good offices on Myanmar in a new light and he hoped that future engagement by the United Nations in the country would reflect that perspective. The United Nations would provide support for Myanmar's population and housing census in 2014 and the preparations for the 2015 presidential election. Myanmar had repeatedly said that its engagement with the United Nations was a cornerstone of its policy. Its leadership had shown courage and would have to play

a responsible role in running parliamentary institutions and ensuring a healthy relationship between the executive and the legislature. A peaceful and inclusive transition in Myanmar might offer the international community a new paradigm for understanding how such transitions came about.

37. **Mr. Than Swe** (Myanmar) thanked the Special Advisor for his positive and balanced statement and the Secretary-General for his comprehensive and constructive report. Myanmar had brought about an all-inclusive political process but was well aware of the challenges remaining on the road to democratization. Ceasefire agreements had been signed with armed groups, but the complexity of a peace process in a multi-ethnic country should not be underestimated. Recent changes in Myanmar had been recognized by the international community, leading to the easing of sanctions and paving the way for the resumption of assistance from United Nations agencies and multilateral financial institutions. Noting the large number of exchanges between the United Nations and the country's leaders in recent weeks, he said that Myanmar hoped to see the international community's focus switch from political support to socioeconomic development and peacebuilding.

38. It was unfortunate that, at a time of peaceful democratic transition, communal violence had returned to Rakhine state. His delegation rejected accusations that the violence was an act of religious persecution or condoned by the Government. The Government had taken immediate measures to restore law and order, exercising full restraint, and vowed to bring the perpetrators to justice, while continuing to work with the international community in a transparent and non-discriminatory manner for the relief and rehabilitation of both communities. Rejecting efforts to exaggerate the situation or incite hatred, the Government had called on all concerned to resolve the issue peacefully.

39. Myanmar had swiftly and successfully instituted many key reforms, as its President had promised a year earlier. Nobody should doubt the vitality of those reforms and their overwhelming support in the country. With the encouragement of the international community, Myanmar hoped to accomplish the goal of democratization in the near future.

40. **Ms. Casar** (Assistant Secretary-General and Controller in the Department of Management's Office

of Programme Planning, Budgets and Accounts), presenting the report of the Secretary-General on the Khmer Rouge trials (A/67/380), said that a serious financial crisis was imminently threatening the work of the international component of the Extraordinary Chambers in the Courts of Cambodia, the United Nations Assistance to the Khmer Rouge Trials. The judicial proceedings were at last bringing justice and it would be a tragedy if the partnership failed owing to a lack of funds.

41. The United Nations had run out of money to assist the Extraordinary Chambers, bearing out warnings by the former Secretary-General that the Court should be financed by assessed contributions instead of voluntary funding. With the revised budget for 2013 standing at about \$26.7 million, but only \$7 million in pledges, she appealed to all Member States to make immediate financial contributions. Member States must work together to find a financial package to rescue the international component of the Extraordinary Chambers and enable it to continue its essential work beyond 31 December 2012.

Agenda item 67: Elimination of racism, racial discrimination, xenophobia and related intolerance
(*continued*)

(a) **Elimination of racism, racial discrimination, xenophobia and related intolerance** (*continued*)
(A/66/18, A/67/18, A/67/321, A/67/322 and A/67/328)

(b) **Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action** (*continued*)(A/67/325 and A/67/326)

Agenda item 68: Rights of peoples to self-determination (A/67/276 and A/67/349)
(*continued*)

42. **Ms. González Loforte** (Cuba) said it was increasingly urgent for all Member States to implement the Durban Declaration and Programme of Action and the Outcome Document of the Durban Review Conference. It was unacceptable that civilizations and religions should be demonized while millions of immigrants were deprived of their rights, discriminated against and marginalized in developed societies. The root causes of present-day racism, discrimination and xenophobia must be eliminated by taking measures within a new international order, based on equality, solidarity and social justice. Negative stereotypes must

be combated, and respect for diversity must be taught. Cuba hoped that States would show greater commitment and political will to put an end to racism and all forms of intolerance.

43. Cuba would again be presenting a draft resolution on the use of mercenaries, in support of the exercise of peoples' right to self-determination. Since the exercise of that right was a pre-condition for the enjoyment of all human rights, Cuba supported the inalienable right of the Palestinian people to establish an independent sovereign State.

44. For over 50 years Cuba had suffered a unilateral economic, commercial and financial blockade despite the repeated condemnations of the international community. While the Cuban people had faced serious aggression by the Government of the United States of America, it would defend to the last its right to self-determination.

45. **Mr. Yahiaoui** (Algeria) said that racism, which lay at the heart of human rights issues, had adapted to the modern world, often based on the belief in the superiority of some humans over others. In certain countries, extremist and xenophobic organizations incited hatred against immigrants and their descendants. Under the guise of freedom of expression, parts of the media had accused certain communities and religions of being responsible for all ills. Instead, the freedom of expression must be used to enhance mutual understanding, solidarity and fraternity. The Algerian Constitution enshrined the elimination of all types of racism, making all citizens equal before the law. It also granted equal treatment and enjoyment of rights to foreigners on its territory.

46. The right to self-determination was crucial for the full enjoyment of all rights enshrined in international law. Its violation was a violation of all rights and a form of discrimination. Isolated attempts to reinterpret that right violated people's right to choose their fate. The United Nations had gradually built up a right to decolonization and had striven to apply it. The destiny of the Palestinian people and those who lived in the 16 remaining Non-Self-Governing Territories, including the Sahrawi people, lay with the international community.

47. **Ms. Niang** (Senegal) said that self-determination and racism were among the most important issues facing the international community. The Occupied Palestinian Territory had suffered the imprisonment and collective punishment of its people, the

construction of a separating wall, the destruction of goods and infrastructure and the expansion of illegal Israeli settlements. Her delegation called on the Israeli Government to resume its cooperation with the Human Rights Council. Violations of Palestinians' rights should be condemned internationally as discrimination. Senegal reasserted its attachment to the land-for-peace approach, in connection with a two-State solution.

48. Issues of racism and intolerance remained relevant, as the rights of many ethnic and religious groups were being violated in some countries. Her delegation regretted the flourishing of xenophobic acts against vulnerable groups, as well as the racial discrimination committed by some Governments against foreigners on the grounds that they threatened national cohesion and social stability. Regrettably, some countries prioritized security or identity over human rights when framing their immigration policies. All Member States that had not done so should ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

49. *Ms. Šćepanović (Montenegro), Vice-Chair, took the Chair.*

50. **Mr. Butt** (Pakistan) said that the exercise of the right to self-determination was firmly grounded in a set of accepted principles. His delegation regretted that it continued to be denied in Jammu and Kashmir, whose people continued to wage a peaceful struggle to achieve self-determination despite repression and human rights violations. Pakistan supported the realization of their right through peaceful means but, despite recent positive developments, Jammu and Kashmir symbolized the failures of the United Nations. A peaceful resolution of the dispute would usher in an era of peace, security and harmony in South Asia.

51. Pakistan was actively involved in combating racism and the legacy of colonization, in the belief that racism negated the fundamental values of equality and justice. Regrettably, international commitments made to the Durban Declaration and Programme of Action had not been translated into real action. Instead there were increasing instances of intolerance, discrimination and violence based on religion or belief and Muslims had become a target of racism and intolerance as misperceptions spread. With the assistance of OHCHR, Member States must take effective legal and administrative measures to combat

such acts. Interreligious and intercultural dialogue and the promotion of tolerance and respect for religious and cultural diversity were essential for combating racial discrimination and related intolerance. Pakistan would continue to cooperate with its partners to combat all forms of racism.

52. **Mr. Fiallo** (Ecuador) said his country was building a plurinational State where all communities lived in harmony and peace. The Constitution enshrined the human rights of indigenous people, Afro-Ecuadorians and other minorities; they had the right to recognition, reparation and compensation for the consequences of racism. Recent reforms to the Penal Code established severe penalties for hate crimes. Broader social reforms aimed to eradicate poverty and exclusion and included unprecedented investment in health, education and other forms of social protection. Affirmative action had resulted in the involvement of Afro-Ecuadorians in diplomacy for the first time in the country's history. Though Ecuador had made considerable progress, much remained to be done to eradicate racism and discrimination.

53. The Government of Ecuador reiterated its solidarity with the Palestinian people and urged other Member States to join it in recognizing their right to self-determination in an independent State.

54. **Mr. Alomarey** (Saudi Arabia) said that his country's position on racism and racial discrimination was based on Islamic sharia, which honoured the dignity of human beings regardless of gender, colour, race or religion. In Saudi Arabia there were numerous laws, rules and regulations prohibiting all forms of racial discrimination along with policies and institutions aimed at creating a society free of discrimination and strengthening the culture of tolerance and peace within the community. He highlighted the establishment of the King Abdullah Bin Abdulaziz International Centre for Interreligious and Intercultural Dialogue in Vienna.

55. However, the increasing intolerance against religions in general and the hatred spread against Islam in particular caused great concern. Freedom of speech and expression should not be abused to promote such animosity. Islamophobia lay behind several recent incidents against Islam, and he called for efforts to address the issue in accordance with the Durban Programme of Action. His Government had established two human rights bodies, one governmental and one

non-governmental, and was party to several international conventions and agreements prohibiting racial discrimination. A world based on justice and equality and free of racism, discrimination and xenophobia could be achieved only through dialogue, clarity of intention, sincerity of will and a true spirit of cooperation among all Member States. His delegation called on Member States and international organizations to take a firm stand against anyone who offended or defamed religions and their symbols.

56. **Mr. Zeidan** (Observer for Palestine) called on the international community to take effective measures to eliminate racism and all forms of intolerance. The Palestinian people had suffered from racist policies and practices since 1948, as Israel had continuously been expelling indigenous Palestinians from their homeland and replacing them with Jewish settlers. For 45 years, Israel had seriously violated international humanitarian and human rights law in the Occupied Palestinian Territory, including East Jerusalem. It continued to destroy Palestinian homes and evict their inhabitants, entrenching its occupation rather than seek a peaceful settlement, despite international efforts to bring about peace based on the two-State solution.

57. A recent poll of Israelis had shown 58 per cent believing that Israel already practised apartheid against the Palestinian people, with 75 per cent in favour of such policies. Israel was in persistent violation of the Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid. In recent years, there had been a rise in settler attacks against Palestinian civilian, property and crops. Israeli settlers committed hate crimes against Palestinian mosques, churches and cemeteries under cover of night, with the protection of Israeli forces. Sites had been burned, and slurs and slogans had been written in the ashes. He called on the international community to muster the political will to rid the world of racism and racial discrimination, work for a future of tolerance and cultural understanding and end Israel's occupation, in fulfilment of its international obligations. Israel must allow the Palestinian people to live without oppression in an independent State with East Jerusalem as its capital.

58. **Ms. Al-Fawwaz** (Jordan) said that the Palestinian cause was the core issue in the Middle East. A just and comprehensive solution to the conflict must ensure restoration of the legitimate rights of the Palestinians,

including their right to self-determination and the setting up of an independent State on their national soil. Jordan supported the initiative of the League of Arab States to achieve a just peace based on the two-State solution. Instead of responding to such calls for peace, Israel had continued to violate human rights in the occupied Palestinian territories through its settlement activities and other practices in violation of international law. King Abdullah II of Jordan had urged an end to the long delay in granting self-determination to the Palestinian people.

59. **Mr. Kariv** (Israel) said racism had plagued humanity for centuries at the cost of millions of lives. The Jewish people understood racism and its consequences: it was marking the anniversary of Kristallnacht, constantly remembered the holocaust, and had recently witnessed a resurgence of anti-Semitism, in Europe and elsewhere. Whereas European Governments had acted swiftly against its perpetrators, inflammatory anti-Semitic acts being committed in parts of the Middle East received insufficient attention. Some States, organizations and even groups affiliated to the United Nations had begun to abuse some of the most basic terms and concepts of the fight against racism in order to further their own political goals.

60. Israel and the Jewish people had a proud history in the struggle against racism, and the declaration of independence guaranteed equality for all inhabitants. The Government had taken decisive action to promote tolerance and understanding through the education system; racism was defined in Israel's Penal Code, with harsher sentences for offences motivated by racism or hostility towards minorities; police officers received extensive training in sensitivity to all groups within society; and active efforts were being made to enforce tolerance in the country's multi-ethnic society. The international community must speak clearly, loudly and unanimously against racism and hatred. With a strong sense of history, Israel stood at the forefront of that cause.

61. **Ms. Freimane-Deksne** (Latvia), speaking in exercise of the right of reply, said that her delegation regretted the use of the Committee by the Russian Federation to pursue its political agenda. The Russian authorities made no genuine effort to fight racism; ultranationalist Russian demonstrators, some of them wearing swastikas, had been allowed to chant racist slogans; Nazi youth groups had been flourishing in

Russia; and there had been many cases of racist violence, some resulting in deaths. Such racist incidents, along with the sense of impunity enjoyed by their perpetrators, could have potentially dangerous consequences for Russia, the region and the international community and should be strongly condemned by the Russian Government. Refuting accusations to the contrary, she said that her Government condemned and disassociated itself from all forms of extremism, including neo-Nazism. Expressions of totalitarian ideology and the use of Nazi symbols or slogans were illegal in her country.

62. **Ms. Juodkaitė Putrimienė** (Lithuania), speaking in exercise of the right of reply, said her delegation regretted that a war memorial event held in her country had been unduly politicized by the delegation of the Russian Federation in the Committee's discussions.

63. **Ms. Urb** (Estonia), speaking in exercise of the right of reply, said that the Russian Federation's representative had presented the Committee with misleading information. Estonia had repeatedly condemned crimes against humanity committed by all totalitarian regimes and allegations to the contrary were intended to serve certain interests. Like many other countries, Estonia held annual events to remember the sacrifices made in the fight against criminal regimes and commemorate war victims. The unfounded accusations were propaganda and were deeply offensive to the Estonian people.

64. **Mr. Zheglov** (Russian Federation), speaking in exercise of the right of reply, said that no country, including his own, was free from racism and extremism. Demonstrators in Russian cities who, on the previous day, had attempted to display swastikas had been prevented from doing so. The Russian people would never forget Nazi atrocities and would not let neo-Nazism grow. In the Russian Federation it had long been illegal to be a Nazi and the authorities were fighting racist extremism, which was not the case in some of the Baltic countries. However, his Government also supported the right to freedom of speech and expression. He called on the Governments of Estonia and Latvia to act on the recommendations of international human rights bodies and begin combating neo-Nazism and other forms of extremism.

The meeting rose at 6.05 p.m.