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Chair: Ms. Mesquita Borges (Timor-Leste)

Contents

Agenda item 106: International drug control (*continued*)Agenda item 61: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*)

Agenda item 65: Rights of indigenous peoples

(a) Rights of indigenous peoples

Agenda item 66: Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*)(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action (*continued*)Agenda item 118: Revitalization of the work of the General Assembly (*continued*)

Conclusion of the work of the Committee

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The meeting was called to order at 10.20 a.m.

Agenda item 106: International drug control
(continued) (A/69/87-E/2014/80; A/C.3/69/L.15/Rev.1)

Draft resolution A/C.3/69/L.15/Rev.1: International cooperation against the world drug problem

1. **The Chair** recalled that draft resolution A/C.3/69/L.15/Rev.1, as orally revised, had been adopted at the Committee's 54th meeting.

2. **Mr. Marini** (Italy), speaking on behalf of the States members of the European Union, said that they were concerned by paragraph 55 of the draft resolution, in which the Secretary-General was invited to organize a high-level event in 2015. The General Assembly had already requested the Commission on Narcotic Drugs to engage in the preparatory process for a special session of the General Assembly on the world drug problem in 2016, and the Commission had adopted its resolution 57/5 in response. The European Union member States had joined the consensus on the draft resolution on the understanding that the event in 2015 would be organized within existing resources. Furthermore, the Commission on Narcotic Drugs should have an active role in the organization of any such meeting. The European Union had shown great flexibility during the negotiation process and regretted that the main sponsor had chosen not to engage in a transparent and inclusive discussion on paragraph 55.

3. **Ms. Mukhametzyanova** (Russian Federation) said that her delegation noted the significance of the adoption of the draft resolution, which was particularly relevant ahead of the special session of the General Assembly on the world drug problem in 2016. The special session would be an important step towards a full-scale review in 2019 of the implementation since 2009 of the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem. In preparation for the special session, a comprehensive approach to the drug problem should be developed by the Commission on Narcotic Drugs. Although her delegation had, in a spirit of compromise, joined the consensus on the draft resolution, it remained seriously concerned by paragraph 55. The Third Committee, on the recommendation of the Economic and Social Council, had already adopted a draft resolution (A/C.3/69/L.8) that established the necessary basis for the preparation and carrying out of the special session.

The high-level event in 2015 provided for in paragraph 55 was a duplication of the efforts already being made by the Commission in Vienna.

4. **Ms. Keeling** (Canada) said that preparations for the 2016 special session of the General Assembly on the World Drug Problem by the Commission on Narcotic Drugs were well underway, and her delegation was concerned that the organization of a high-level debate at the General Assembly in 2015 would be an inefficient use of resources and involve duplication of work. It was unfortunate that the consensus reached by the Commission on Narcotic Drugs had broken down and that time had again been spent focusing on process rather than substance. Her delegation was committed to ensuring that the special session and its preparation were open, inclusive and had a meaningful outcome and would work with Member States to ensure that the debate in 2015 was able to contribute to the work of that session.

5. **Mr. Davis** (Jamaica) said that his delegation was concerned that the draft resolution made no specific reference to drug users within the prison population being a high-risk group. According to the "World Drug Report 2014" by the United Nations Office on Drugs and Crime, both drug use and injecting drug use were highly prevalent among prison populations. Therefore, his delegation considered the list of high-risk groups included in paragraph 12 to include drug users in prisons.

6. **The Chair** suggested that, in accordance with General Assembly resolution 55/488, the Committee should take note of the note by the Secretary General transmitting the report of the Chair of the Commission on Narcotic Drugs on the outcome of the high-level review by the Commission on Narcotic Drugs at its fifty-seventh session of the implementation by Member States of the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem (A/69/87-E/2014/80).

7. *It was so decided.*

Agenda item 61: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*) (A/C.3/69/L.61)

Draft resolution A/C.3/69/L.61: Assistance to refugees, returnees and displaced persons in Africa

8. **The Chair** said that she had been advised that the draft resolution had no programme budget implications.

9. **Ms. Farnago** (Liberia) said that Australia, Belgium, Italy, Mexico, Netherlands, Poland and Turkey had joined the sponsors. The only difference between the text of the present draft resolution and that of the resolution which had been adopted by consensus in 2013 (A/RES/68/143) was the updated session number in paragraph 30.

10. **Mr. Khane** (Secretary of the Committee) said that Austria, Bulgaria, China, Colombia, Costa Rica, Croatia, Georgia, Japan, Lithuania, Luxembourg, Montenegro, New Zealand, Republic of Moldova, Romania, Serbia, Sweden and Ukraine had joined the sponsors.

Draft resolution A/C.3/69/L.61 was adopted.

11. **Mr. Biagini** (Italy), speaking on behalf of the European Union, said that the plight of refugees, returnees and displaced persons in Africa was of great concern to European Union member States, particularly as much of the global refugee population lived on the African continent. While the European Union supported the general thrust of the draft resolution, it would welcome a truly transparent and inclusive consultation process in 2014, which would allow Member States the opportunity to discuss some of the issues in more depth and thereby strengthen the resolution.

12. **Ms. Larsen** (Norway) said that Norway had sponsored the draft resolution on that issue in many previous years in recognition of the fact that Africa was the only continent with a convention on internally displaced persons and the generosity of the African countries that hosted refugees and internally displaced persons. The draft resolution was of great interest to the Norwegian Government, as it had provided a considerable amount of assistance to refugees and internally displaced persons in Africa. It therefore regretted that there had been no consultation or inter-governmental process to

discuss the most recent draft resolution. Significant developments had taken place since the adoption of the previous resolution, including the outbreak of new conflicts and an increase in the number of displaced persons, and further work was needed to find durable solutions and deal with protracted displacement. It was therefore inappropriate to simply use the same text as the previous year. For those reasons, Norway had not sponsored the draft resolution.

Agenda item 65: Rights of indigenous peoples (*continued*)

(a) Rights of indigenous peoples (*continued*) (A/C.3/69/L.27)

Draft resolution A/C.3/69/L.27: Rights of indigenous peoples

13. **The Chair** recalled that the text of the draft resolution had been orally revised at the Committee's 53rd meeting.

14. **Mr. Khane** (Secretary of the Committee) said that, with regard to the request in paragraph 5 of the text as orally revised, all issues related to the high-level event that would be held during the seventy-first session of the General Assembly were yet to be determined. Consequently, it was not possible to estimate the potential cost of the meetings and documentation. Once the details of the modalities, format and organization of the meeting had been determined, the Secretary-General would inform the committee of the costs that would be involved. Furthermore, the date of the meeting would have to be determined in consultation with the Department of General Assembly and Conference Management. Accordingly, adoption of the draft resolution would not have any programme budget implications.

15. **Ms. Sabja** (Plurinational State of Bolivia) said that in paragraph 8, the words "people's partnership" should be replaced by the words "Indigenous People's Partnership and". The change should have no programme budget implications.

16. **Mr. Khane** (Secretary of the Committee) said that Austria, Cyprus, Iceland, Italy, Montenegro and Ukraine had joined the sponsors.

17. **Mr. Dempsey** (Canada) said that his Government was committed to protecting and promoting the rights of indigenous peoples at home and abroad. The United Nations Declaration on the Rights of Indigenous

Peoples and the outcome document of the World Conference on Indigenous Peoples were non-legally binding documents that affected neither customary international law nor Canadian law. In his country, aboriginal peoples had to be consulted and, where appropriate, accommodated when any action that might adversely impact potential or established aboriginal or treaty rights was being considered. Canada interpreted the principles expressed in the declaration in a manner consistent with its Constitution.

18. *Draft resolution A/C.3/69/L.27, as orally revised, was adopted.*

19. **Ms. Kadra Ahmed Hassan** (Djibouti), speaking on behalf of the African Group, said that the African Group had joined the consensus because it believed that the resolution genuinely sought to promote and protect the rights of indigenous peoples. However, it was concerned by the reference to one specific regional conference, the Regional Conference on Population and Development in Latin America and the Caribbean. It also rejected the reference to the Montevideo Consensus on Population and Development adopted at that conference, as there had been no negotiations on the text at the global level. It therefore disassociated itself from the ninth preambular paragraph of the draft resolution.

20. **Ms. Selk** (France) said that her delegation could not accept the reference to “collective rights” in the fourth preambular paragraph because, under French constitutional law, rights applied equally and indiscriminately to all citizens and collective rights could not supersede individual rights. Nonetheless, that did not prevent the recognition of particular rights for indigenous populations defined on a territorial basis.

21. **Ms. Philips** (United Kingdom) said that her Government had long supported the economic, social and political development of indigenous peoples around the world. Given that human rights applied equally to all persons, certain groups in society should not benefit from rights that were not available to others. With the exception of the right to self-determination, her delegation therefore did not accept the concept of collective human rights in international law; allowing the rights of a group to supersede the rights of individuals risked leaving some unprotected. Her delegation appreciated the fact that the Governments of many States with indigenous populations had helped to protect indigenous peoples

and strengthen their political and economic position by granting them various collective rights; it therefore understood any internationally agreed reference to the rights of indigenous peoples to refer to those rights bestowed at the national level.

22. **Ms. AlMuzaini** (Kuwait), speaking on behalf of the members of the Cooperation Council for the Arab States of the Gulf, said that while those States had joined the consensus on the draft resolution and welcomed the organization of conferences at various levels, it was not appropriate to take note of outcome documents on which no consensus had been reached by the United Nations at the global level. For that reason, they did not accept the ninth preambular paragraph of the draft resolution.

23. **Ms. Abdullah** (Yemen) said that her country worked earnestly to ensure the human rights of all its citizens equally and without any discrimination. It did not accept the content of the ninth preambular paragraph referring to the outcome document of the Regional Conference on Population and Development in Latin America and the Caribbean, which was neither a United Nations document nor a consensus document approved by Member States.

24. **Ms. Smaila** (Nigeria) said that her country had joined consensus on the draft resolution. However, the outcome of regional conferences reflected in the seventh preambular paragraph did not represent universal agreement on the basis of which decisions and policies could be adopted at the level of the United Nations. Regional outcomes reflected the specific conditions of regions based on their individual experiences and, as such, should not be involved in the context of universally agreed principles and norms that gave rise to obligations to be observed by all Member States. Her delegation disassociated itself from any reference to regional documents in the draft resolution and would henceforth strongly call for such references to be deleted whenever regional outcomes were mentioned in future negotiations.

25. **Ms. Sabja** (Plurinational States of Bolivia) said that the wording of the ninth preambular paragraph of the draft resolution was the result of the agreement that had been reached following several rounds of negotiations on the text.

26. *The meeting was suspended at 11 a.m. and resumed at 11.30 a.m.*

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

(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action (*continued*) (A/C.3/69/L.59)

Draft resolution A/C.3/69/L.59: A global call for concrete action for the total 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

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

28. **Mr. Arancibia Fernández** (Plurinational State of Bolivia), speaking on behalf of the Group of 77 and China, read out oral amendments to the draft resolution. In the second preambular paragraph, “remains a solid basis and the only instructive outcome” should be added after “Durban Declaration and Programme of Action”. A new sixth preambular paragraph should be added and read: “Acknowledging the efforts and initiatives undertaken by States to prohibit racial discrimination and racial segregation and to engender the full enjoyment of economic, social and cultural rights as well as civil and political rights”. The final clause of the seventh preambular paragraph should read: “including their contemporary forms and manifestations, some of which manifest in violent forms”. The twelfth preambular paragraph should be deleted. A new thirteenth preambular paragraph should be added and read: “Recalling the suffering of the victims of racism, racial discrimination, xenophobia and related intolerance, and the need to honour their memory”. The fourteenth preambular paragraph should be replaced by: “Noting that 2016 will mark the 15th Anniversary of the adoption of the Durban Declaration and Programme of Action, and looking forward towards its commemoration”.

29. At the end of paragraph 2, “and States Parties to make the declaration under Article 14 of the Convention, as a matter of urgency” should be added. Paragraph 7 bis should be added and read: “Also welcomes the adoption of the Programme of Activities for the Implementation of the International Decade for People of African Descent, as contained in its resolution 69/16 of 18 November 2014”. Paragraphs 7, 8, 9, and 10 should be deleted. In paragraph 11, “sixty-

ninth” should be replaced by “seventieth”, and in paragraph 15, “Requests” should be replaced by “Reiterates its request to”.

30. Paragraph 18 should read: “Requests the Secretary-General to include in his report on the implementation of this resolution to the Assembly at its seventieth session, a section outlining progress on the implementation of operative paragraph 18 of its resolution 68/151, regarding the revitalization of the Trust Fund for the purpose of ensuring the successful implementation of the activities of the International Decade for People of African Descent and enhancing the effectiveness of the comprehensive follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action”.

31. Paragraph 25 should read: “Requests the President of the General Assembly and the President of the Human Rights Council to continue convening annual commemorative meetings of the Assembly and the Council during the commemoration of the International Day for the Elimination of Racial Discrimination, with the appropriate focus and themes, and to hold a debate on the state of racial discrimination worldwide, with the participation of the Secretary-General and the United Nations High Commissioner for Human Rights, and in this context, encourages the participation of eminent personalities active in the field of racial discrimination, Member States and civil society organizations in accordance with the rules of procedure of the General Assembly and the Human Rights Council respectively”.

32. *The meeting was suspended at 11.50 a.m. and resumed at 12.55 p.m.*

33. **Mr. Khane** (Secretary of the Committee) announced that the Russian Federation had become a sponsor of the draft resolution, as orally revised.

34. **The Chair** said that a recorded vote had been requested on the draft resolution.

Statements made in explanation of vote before the voting

35. **Mr. Israeli** (Israel) said that in the course of its 3,000-year history, his nation had known the evils of racism all too well. Israel had therefore always been an outspoken advocate in the fight against racism, racial

discrimination, xenophobia and related intolerance. Israel had joined other States at the World Conference against Racism held in Durban in 2001 with the expectation that cooperation could help combat racism. However, instead of fulfilling the promise of uniting the world in the struggle against racism, the conference had been hijacked by a small group of States for the purpose of defaming, demonizing and delegitimizing the State of Israel. The majority had stood by in silence while the conference became a vehicle for incitement, racism, anti-Semitism, intolerance and prejudice. In the face of unabashed hatred and hostility, Israel had been forced to withdraw from the Durban Conference and to refrain from participating in the 2009 Durban Review Conference and the 2011 high-level meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action.

36. Although the draft resolution contained a number of positive elements, its core remained the Durban Declaration and Programme of Action, which was tainted by politicization, while the amendments proposed by Israel had been rejected. In the 13 years since the Durban conference, Member States had not found the political will to rectify its inherent wrongs. For that reason, his delegation was calling for a vote on the draft resolution and would vote against it.

37. **Ms. Gatto** (Italy), speaking on behalf of the European Union, said that the European Union remained fully committed to the total elimination of racism, racial discrimination, xenophobia and related intolerance. No country or region was free from racism and it should be tackled in a balanced and comprehensive manner by taking effective measures at all levels, particularly through the ratification and full implementation of the International Convention on the Elimination of All Forms of Racial Discrimination. The European Union also remained firmly committed to the principal objectives that were set out at the 2001 Durban conference.

38. She said that the draft resolution remained too focused on processes, mechanisms, meetings, commemorations and reporting rather than on concrete action and core messages that could have united all Member States. The European Union had made proposals with a view to reaffirming the Convention on the Elimination of All Forms of Racial Discrimination as the basis for all efforts to prevent, combat and eradicate racism; to ensure the independence of the

Office of the United Nations High Commissioner for Human Rights and the Secretary-General and the institutional balance between the United Nations human rights mechanisms; to avoid the proliferation and duplication of the Durban follow-up mechanisms and processes by revitalizing the Independent Eminent Experts Group or mandating new meetings; and to correctly reflect the language of General Assembly resolution 69/16 on the International Decade for People of African Descent. It was regrettable that the proposals were neither taken into consideration nor reflected in the draft resolution. Victims of racism, racial discrimination, xenophobia and related intolerance deserved more than words, meetings and processes; they deserved action. The member States of the European Union were unable to support the draft resolution.

39. *A recorded vote was taken on draft resolution A/C.3/69/L.59, as orally revised.*

In favour:

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

Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe.

Against:

Australia, Canada, Czech Republic, France, Germany, Israel, Marshall Islands, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

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

40. *Draft resolution A/C.3/69/L.59, as orally revised, was adopted by 121 votes to 9, with 42 abstentions.*

41. **Ms. Loew** (Switzerland), speaking also on behalf of Iceland, Liechtenstein, New Zealand and Norway, regretted that most of the proposals submitted by the five delegations and others were not reflected in the final draft. The fight against racism remained the primary responsibility of the State and effective measures should be taken domestically as a matter of priority. The resolution should have been focused more on the Durban Declaration and Programme of Action and on concrete action at a national level. The text of the resolution also referred to follow-up at the international level, which did not necessarily contribute effectively to the fight against racism, racial discrimination, xenophobia and related intolerance. In addition, the text referred to an acknowledgement by the Human Rights Council of the existence of procedural and substantive gaps in the International Convention on the Elimination of All Forms of Racial Discrimination, but the Council had not reached an agreement on that issue. For those reasons, their delegations had been compelled to abstain from the vote.

42. **Ms. Razzouk** (United States of America) said that the International Convention on the Elimination of All Forms of Racial Discrimination was the most relevant international framework to address all forms

of racial discrimination. Gaps existed in the implementation of existing treaties, but that did not mean that there was a need for new treaties. Her delegation was deeply concerned about speech that advocated national, racial or religious hatred, particularly when it constituted incitement to violence, discrimination, or hostility. The best antidote to offensive speech was robust legal protection against discrimination and hate crimes, proactive governmental outreach to racial and religious communities and the vigorous protection of freedom of expression, both online and offline.

43. The resolution served as a vehicle to prolong the divisions caused by the Durban conference and its follow-up rather than to provide a comprehensive and inclusive way forward for the international community to combat the scourge of racism and racial discrimination. In addition, although her delegation welcomed a focus on issues related to people of African descent, the proposal to create several new human rights instruments and programmes would do little to advance the needs of those it attempted to serve.

44. The resolution would impose additional costs on the regular budget of the United Nations and in view of the significant constraints on that budget and the limited ability of Member States to provide increasing amounts of resources, the Third Committee needed to consider carefully the resource implications of such requests before making them. For those reasons, her delegation had voted against the adoption of the draft resolution.

45. **The Chair** proposed that the Committee should take note, in accordance with General Assembly decision 54/488, of the Progress report of the United Nations High Commissioner for Human Rights on the realignment of work and name of the Anti-Discrimination Unit (A/69/186) and the Report of the Secretary-General on the Global efforts for the total 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/69/354).

46. *It was so decided.*

Agenda item 118: Revitalization of the work of the General Assembly (A/C.3/69/L.68)

Draft proposal A/C.3/69/L.68

47. **The Chair** drew attention to the Committee's draft programme of work for the seventieth session of the General Assembly as contained in document [A/C.3/69/L.68](#).

48. **Mr. Khane** (Secretary of the Committee) said that, in view of the adoption of draft resolution [A/C.3/69/L.27](#) on the rights of indigenous peoples, sub-item 6(b) of the draft programme of work would be entitled "Follow-up to the outcome document of the high-level plenary meeting of the General Assembly, known as the World Conference on Indigenous Peoples".

49. **The Chair** said she took it that the Committee wished to adopt the draft programme of work for the seventieth session, as orally revised, and transmit it to the General Assembly for approval.

50. *It was so decided.*

Completion of the work of the Third Committee

51. The Chair declared that the Third Committee had completed its work for the main part of the sixty-ninth session of the General Assembly.

The meeting rose at 1.45 p.m.