



General Assembly

Seventy-fourth session

Official Records

Distr.: General
26 November 2019

Original: English

Third Committee

Summary record of the 37th meeting

Held at Headquarters, New York, on Tuesday, 29 October 2019, at 3 p.m.

Chair: Mr. Braun (Luxembourg)

Contents

Agenda item 68: Elimination of racism, racial discrimination, xenophobia and related intolerance

- (a) Elimination of racism, racial discrimination, xenophobia and related intolerance
- (b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Agenda item 69: Right of peoples to self-determination

This record is subject to correction.

Corrections should be sent as soon as possible, under the signature of a member of the delegation concerned, to the Chief of the Documents Management Section (dms@un.org), and incorporated in a copy of the record.

Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org/>).

19-18669 (E)



Please recycle



The meeting was called to order at 3 p.m.

Agenda item 68: Elimination of racism, racial discrimination, xenophobia and related intolerance (A/74/18)

- (a) Elimination of racism, racial discrimination, xenophobia and related intolerance (A/74/253)**
- (b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action (A/74/173, A/74/274, A/74/308, A/74/312 and A/74/321)**

Agenda item 69: Right of peoples to self-determination (A/74/244 and A/74/309)

1. **Mr. Mokhiber** (Director, New York Office of the Office of the United Nations High Commissioner for Human Rights), introducing the report of the Secretary-General on the implementation of the activities of the International Decade for People of African Descent (A/74/308), said that racism, racial discrimination and xenophobia remained structural and systemic barriers to sustainable development for groups facing discrimination. The focus of the report was on the rights of people of African descent in relation to specific Sustainable Development Goals through the applicable international legal framework and good practices. Special measures aimed at addressing inequality and ensuring the participation of people of African descent should feature in all relevant multi-stakeholder partnerships, technical cooperation and capacity-building initiatives.

2. Introducing the report of the Secretary-General on a global call for 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 (A/74/312), he said that the report contained a summary of thematic deliberations on racist hate speech, the twentieth anniversary of the Durban Declaration and Programme of Action, the Sustainable Development Goals and a multi-year public information programme. Member States were encouraged to undertake measures such as: enhancing the understanding of the root causes and drivers of hate speech through data and analysis; ensuring that victims' rights were upheld and their needs addressed; addressing hate speech narratives while promoting the values of non-discrimination, pluralism and freedom of opinion and expression; encouraging more research on the relationship between the misuse of the Internet and social media and the factors driving individuals towards violence; and building inclusive societies that promoted interculturality and respect for diversity.

3. Introducing the report of the Secretary-General on the right of peoples to self-determination (A/74/309), he said that the report provided a summary of developments, observations, recommendations and decisions made in relation to the right to self-determination within the framework of the activities of the main United Nations organs and its human rights mechanisms.

4. **Mr. Reid** (Chair of the Working Group of Experts on People of African Descent) said that 2019 had been marked by repeated calls for urgent and decisive measures to stem the tide of hate and discrimination, protect vulnerable populations and ensure racial equality. No country was free from racism. The March attacks on two mosques in Christchurch, New Zealand, and the August mass shootings in Texas and Ohio, in the United States of America, were reminders that racism, xenophobia and religious hatred were deadly and that rising ethno-nationalist populism, supremacist ideologies and the marginalization of minorities in political speech led to violence, exclusion and discrimination.

5. In its annual report to the Human Rights Council (A/HRC/42/59), the Working Group had indicated that mapping and analysis of disaggregated data were crucial to informing policy priorities and urged Member States to take steps to ensure that social media platforms and other data-driven enterprises did not reinforce or accredit data reflecting racially biased policy and practices.

6. Introducing the Working Group's thematic report to the General Assembly (A/74/274), he said that in section II of the report the Working Group had examined the historical context of racial stereotyping and States' obligation to address racial stereotyping from a human rights framework in order to eliminate the root causes of discrimination. Racial stereotyping was analysed from the perspective of perceptions and misrepresentations and the detrimental impact of racial stereotypes and stereotyping on human rights with regard to justice and the realization of economic, social and cultural rights. The report contained conclusions and recommendations for action by Member States based on its conclusions.

7. The Working Group continued to send communications regarding civil society allegations of human rights violations around the world and was preparing to field test a set of operational guidelines on the inclusion of people of African descent in the 2030 Agenda for Sustainable Development, aimed at ensuring that national programming processes addressed the human rights of all. The Working Group welcomed efforts to implement the activities of the International

Decade for People of African Descent, including the regional meeting for Africa on the International Decade, held in Dakar in October, and reiterated its call for Member States to operationalize the Permanent Forum on People of African Descent as an important consultation mechanism.

8. **Ms. Wacker** (Observer for the European Union) said that negative racial stereotypes and false characterizations must be dismantled in order to safeguard the human rights of victims of racism. As part of an internal reflection on the International Decade for People of African Descent, the European Commission had promoted a thematic discussion on the manifestations of cultural racism, racial intolerance and discrimination facing people of African descent and black people across the European Union and hampering the enjoyment of their rights and their political, social and economic participation in society. She requested further details on how the intersection of racial and gender discrimination affected women of African descent.

9. **Ms. Diedricks** (South Africa) said that her delegation noted with serious concern the serious threats to the principles of equality and non-discrimination and the ability to guarantee basic rights to people of African descent. As the midterm review of the International Decade for People of African Descent approached, those realities required urgent commitment and concrete action by the international community to ensure the equal enjoyment of basic and fundamental human rights. The perpetuation of and rise in negative racial stereotypes worldwide resulted in disproportionately worse outcomes for people of African descent, including incarceration. She enquired about the added value that reparations might have on effectively and substantively realizing the human rights and fundamental freedoms of people of African descent, including with regard to addressing negative racial stereotypes.

10. **Mr. Elizondo Belden** (Mexico) said that his Government recognized the contributions made by people and communities of African descent to Mexican society, identity and culture and to shaping the Mexican State. Efforts taken by the Government towards eliminating discrimination against the Afro-Mexican population included constitutional recognition so as to guarantee the full and equal enjoyment of their rights. Welcoming the recommendations contained in report (A/74/274), particularly the importance of taking strict measures against incitement to discrimination or violence against persons of African descent, his delegation renewed its commitment to continue to exchange information and best practices with the Working Group on policies and actions that would

strengthen the rights of persons of African descent in Mexico.

11. **Ms. Manuel** (Angola) said that her delegation welcomed the ongoing work of the Working Group, despite ongoing constraints affecting the human rights mechanisms of the United Nations. Data collection was fundamental to the creation of policies and actions aimed at fighting racism; the recent study on the negative effects of racial stereotypes showed how deeply ingrained they were. Racial discrimination, xenophobia and intolerance persisted in many societies, with the needs and rights of people of African descent disregarded. The effective global implementation of the Durban Declaration and Programme of Action was therefore vital.

12. She enquired how the United Nations Strategy and Plan of Action on Hate Speech and the mandate of the Human Rights Council Advisory Committee on the issue of racial equality could help to accelerate consideration of issues involving people of African descent worldwide and what areas should be prioritized by States with communities of people of African descent when planning measures to take over the next five years, to ensure that their obligations with regard to the International Decade were met.

13. **Mr. de Souza Monteiro** (Brazil) said that, in 2017, the General Assembly had recommended the establishment of a permanent forum and the drafting of a declaration on the promotion and full respect of the human rights of people of African descent. Such a declaration would be a key step towards implementing the commitments set out in the programme of activities for the implementation of the International Decade. In order to reduce disparities and the major challenges still faced by the large population of Brazilians of African descent, the Government had created a broad system of affirmative action to offer them more opportunities and had strengthened its legislation and policies to combat racism and racial discrimination. He asked what international measures States could consider in order to reduce the damaging effects of the stereotyping of people of African descent, in addition to the national measures recommended in the report.

14. **Mr. Reid** (Chair of the Working Group of Experts on People of African Descent) said that, moving ahead, and in the context of the three pillars of the International Decade, namely, justice, recognition and development, reparations needed to be viewed holistically, not just financially. The Working Group fully endorsed the Caribbean Community ten-point action plan for reparatory justice, a development framework that included technology transfer, public health issues and

psychological repair. For many people of African descent traumatized by the African slave trade, having access to cultural and historical archives would be of fundamental importance in terms of their future development.

15. In their approach to the midterm review of the International Decade, it was critical for States to reach consensus on operationalizing the Permanent Forum. Member States should also demonstrate their commitments to eliminating the pervading global scourge of racism and hatred by instituting national action plans against racism, as articulated in the Durban Declaration and Programme of Action. The adoption of the General History of Africa project of the United Nations Educational, Scientific and Cultural Organization within national education systems could also stem negative stereotypes and common misrepresentations of people of African descent, by fostering generalized awareness of their fundamental contributions to science, pharmacology, mathematics and other aspects of modern civilization. The elaboration of a declaration for the full respect of human rights of people of African descent was also essential, as it would articulate new fundamental rights for them that had not been enshrined in any existing human rights mechanisms, including their right to development.

16. One example of how intersectionality worked, from the Working Group's study on negative racial stereotypes, showed that discrimination against Muslim women on the basis of gender, religion and either race or ethnicity hindered their access to the labour market. The employment prospects of a young girl of African descent who did not benefit from the achievement of the Sustainable Development Goal on education would be similarly affected, as would her prospects with regard to the Goal on inequality, both within and between States. Discrimination was thus a systemic barrier that posed a fundamental threat in many States to the implementation of the 2030 Agenda.

17. The programme of activities for the implementation of the International Decade was also important for bringing recognition and justice to people of African descent, in line with the commitment to leaving no one behind and reaching those furthest behind, as they had been historically and structurally invisible for a long time and continued to face many serious injustices.

18. Lastly, Member States could not be fully committed to achieving the Sustainable Development Goals unless they collected disaggregated data, with regard not only to people of African descent, but also to other marginalized groups, as there was no other way to

identify those facing fundamental challenges in their societies.

19. **Ms. Achiume** (Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance), introducing her thematic report (A/74/321), said that it addressed the obligations of States in relation to reparations for slavery and colonialism. In that context, reparations included not only justice and accountability for historic individual and collective wrongs, but also the eradication or reform of legal, economic, social and political structures that continued to sustain racial discrimination and inequality. Numerous sources of international law and human rights principles had long held that breaches of legal obligations entailed a responsibility to provide full reparations, which States routinely did, in many forms, both to one another and to their own citizens. Nevertheless, through legal and political opposition, a pattern of racial discrimination had been established in the allocation of reparations related to the end of slavery, with former slave-holding families and their descendants having benefited the most, while descendants of those enslaved and traded as property remaining unheard and even vilified for seeking relief from racial injustice. Additional barriers included ignorance and lack of awareness among the public and national leaders owing to educational curriculums that erased the fundamental role of enslavement and colonial domination.

20. While numerous States and communities had mobilized the political will and creativity to ensure effective reparations, the firmest State resistance arose from those who benefited the most from the legacies of slavery and colonialism. International legal doctrine had a longer history of justifying and enabling colonial domination than of guaranteeing equal rights to all human beings. Member States must confront legal barriers to reparations and develop new legal doctrines that ensured justice and equality for all, irrespective of race. Slavery and colonialism had once been legal global projects, but had now been abolished; reparations for both those injustices required serious international consideration and the provision of resources to ensure success, in particular through a well-funded global platform for the sustained study of paths forward for international action.

21. Turning to her report submitted pursuant to General Assembly resolution 73/157 on combating the glorification of Nazism, neo-Nazism and related practices (A/74/253), she said that the first half of the report outlined efforts by several States in that area. The second half of the report addressed the widespread resurgence in antisemitism and the sharp rise in reports

of antisemitic violence, hate crimes, hate speech and other incidents of intolerance; and provided recommendations and an overview of guidance on best practices. Combating antisemitism, which posed serious risks not only to Jews but also to members of other minority communities, required urgent and effective action by States to combat hate, nurture tolerance, guarantee racial equality and ensure the effective protection of vulnerable groups.

22. **Ms. Ruymbeke** (Belgium) said that her delegation fully agreed that a survivor- and victim-centred approach to reparations was necessary. The visit of the Working Group to Belgium in February 2019 had provided the opportunity to highlight her Government's efforts to address racial discrimination, including against people of African descent. Formal apologies were an important element of truth, recovery and remedy. On 4 April 2019, the Prime Minister of Belgium had acknowledged the targeted segregation of persons of mixed descent during the Belgian colonial period and the related policy of forced abduction. On behalf of the Federal Government, he had apologized for their injustice and suffering and had expressed the wish that those apologies would strengthen the country's relentless fight against all forms of discrimination, racism and xenophobia. She asked whether the Special Rapporteur was considering any special initiatives to highlight the twentieth anniversary of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

23. **Mr. Elizondo Belden** (Mexico) said that the global proliferation of hate speech stigmatized and dehumanized groups and communities on the basis of race, ethnicity, language, religion, national origin or immigration status. His Government had therefore become party to two inter-American conventions aimed at fighting all forms of discrimination and intolerance, key legal instruments that formed part of its strategy to combat the rise in intolerance-fuelled violence, including hate crimes against lesbian, gay, bisexual, transgender and intersex persons. His delegation shared concerns about the alarming increase in antisemitism and echoed the need for States to develop standards that would prohibit organizations from inciting hatred and extremist ideologies, with full respect for freedom of opinion, expression, association and peaceful assembly. He requested further details on best practices with regard to collecting and handling statistical information to ensure reliable and disaggregated data and statistics on crimes motivated by racism and other forms of discrimination.

24. **Mr. Mack** (United States of America) said that his Government vigorously enforced laws prohibiting

discrimination on the basis of race, colour and national origin, including through litigation relating to public and private hiring and housing practices and through work by the United States Equal Employment Opportunity Commission to rectify unfair hiring practices and obtain financial compensation for disadvantaged workers. A comprehensive hate crimes website had also been launched to provide law enforcement and the public with valuable information and links to resources. The United States strongly condemned all forms of racism, intolerance and discrimination and remained dedicated to pursuing their elimination, while also underscoring the need to protect fundamental freedoms of expression, association and peaceful assembly.

25. **Ms. Diedricks** (South Africa) said that there remained an urgent need for States to address the historical injustices of the past and the contemporary manifestations of racism, racial discrimination, xenophobia and related intolerance, including through holistic reparations. The effects of slavery and colonialism remained evident, and could continue unless adequately and substantively addressed. Her delegation would appreciate further information on the recommendation to establish a well-funded global platform for international action to achieve reparations for slavery and colonialism.

26. **Ms. Wacker** (Observer for the European Union), echoing the call for action to eliminate structural forms of racism and racial discrimination, asked for positive examples and best practices of the use of education to eliminate persisting racially discriminatory legacies of slavery and colonialism and requested further information on how a global platform to achieve reparations might work.

27. **Ms. Mammadaliyeva** (Azerbaijan), speaking on behalf of the Movement of Non-Aligned Countries, said that the legacy of Nelson Mandela continued to inspire the struggle against colonialism, racial discrimination and apartheid, in particular in South Africa. The Movement reaffirmed its condemnation, as agreed during its eighteenth Summit Conference of Heads of State and Government, held in Baku, in October 2019, of all forms of racism, racial discrimination, xenophobia and related intolerance as grave violations of human rights and fundamental freedoms that impeded equal opportunity. The international community must continue to recognize that slavery and the slave trade were crimes against humanity, and that their legacies had manifested themselves in poverty, underdevelopment, marginalization, social exclusion and economic disparities for the developing world.

28. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran) said that reparations for enslavement and colonialism must include justice and accountability for historic wrongs, the eradication of persisting structures of racial inequality, subordination and discrimination and the reform of legal doctrines to guarantee justice and equality for all. African-American adults were 5.9 times more likely to be imprisoned than whites in the United States. Such racial disparities were a legacy of transatlantic slavery and colonialism whose impacts continued to haunt people of colour today. He enquired as to whether there had been any change recently, for better or worse, with regard to national-level political opposition to the subject of reparations and the suggestion that they required global intervention. He also wondered what the international community could do, beyond expressing political solidarity, to make reparations a legal obligation rather than a moral one.

29. **Ms. Mocanu** (Romania) said that, as part of efforts to combat practices, behaviours and attitudes contributing to racism in all its forms, the Government had adopted a consolidated legal framework, including special legislation targeting antisemitism adopted in 2018. An interministerial committee, established to adopt a national strategy to combat antisemitism, xenophobia, radicalization and hate speech, had met already in July 2019. That legal framework was complemented by projects aimed at more effectively preventing and combating all contemporary forms of racism, xenophobia, antisemitism, violent extremism and related intolerance. One such project included integrated training and education on discrimination, as well as outreach efforts in multiple languages, so as to provide better access to justice for ethnic Roma and members of other vulnerable groups. In preparation for hosting several European football championship matches in 2020 and as a response to increasing intolerant attitudes and behaviours, the Romanian Football Federation had become tougher on players demonstrating unacceptable conduct and had also pledged to invest in educating its fans.

30. **Mr. de Souza Monteiro** (Brazil) said that, as indicated in the report of the Special Rapporteur (A/74/321), most people forcibly taken from Africa during the transatlantic slave trade were destined for Brazil. After much struggle, slavery had ended, but the consequences remained. Practical measures by Brazil to fulfil its pledge to fight racial discrimination included the collection of data disaggregated by a wide range of socioeconomic indicators; the launch of a racism-free social assistance system and a training project on racial equality policies; and the elimination of bail and statutory limitations for racism-related crimes. He asked

for information on best practices seen in country visits for the full and effective implementation of the Durban Declaration and Programme of Action and the programme of activities for the implementation of the International Decade for People of African Descent.

31. **Ms. Achiume** (Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance) said that while the Durban Declaration and Programme of Action provided a powerful blueprint for a structural and historically informed approach to combating racism, racial discrimination, xenophobia and related intolerance, it was at risk of being marginalized or made irrelevant in certain parts of the United Nations. Her priority for the anniversary, and for the duration of her mandate, was to push against that tendency by engaging above the political level and focusing on substantive and normative achievements.

32. Although the collection of disaggregated data was essential, the methods used for their collection, storage and deployment could actually lead to further marginalization, in particular in the context of migration. Fortunately, there was now considerable expertise on best practices in that area, such as ensuring that the collection of data served the function of advancing equality and non-discrimination and did not result in stigmatization or targeting.

33. While her proposal for a global platform for coordination on reparations should not be understood to displace other initiatives, global action was a fundamental complement to national and regional actions. Because colonialism and slavery had been global projects, a global solution was necessary, for which global coordination was vital, not only to determine and consolidate knowledge on the concrete steps that should be taken, but also to identify what resources would be targeted at achieving those goals. The dedication of global resources to the development of an international criminal justice framework and tribunal had once been considered inconceivable, but global investments had led to just such mechanisms. Determining what exactly such a platform would look like with regard to reparations would require considerable consultation with many stakeholders, both within and outside the United Nations, but an ad hoc approach would be insufficient to undo what had essentially been a globally coordinated project. She looked forward to future engagement on the idea, including on a bilateral basis with interested States.

34. Regarding national shifts in addressing reparations, there were some contexts in which debate once considered inconceivable was now being held or

where its nature was shifting, thereby presenting an opportunity for fresh thinking and leadership. Nevertheless, many other contexts had seen a redoubling of national resistance to the idea. Regrettably, debate around reparations remained impoverished; there was a need for a broad conception of what actually qualified as reparations and a better understanding of the importance of education and other vital measures. A more substantive debate was therefore needed at the national level.

35. States' insistence on legal obligations and barriers to reparations was disingenuous, as the issue involved a broad range of moral and ethical obligations irrespective of legal frameworks. Nevertheless, barriers to existing international law were sometimes overstated and provided there was a commitment to overcoming them States could both make new international law and enforce existing legislation that addressed the issue of reparations. The United Nations system contained a wealth of material aimed at making the international system more structurally just. With regard to individual remedies, wherever racial discrimination was being discussed, the issue of reparations should also be a relevant background consideration.

36. Regarding the programme of activities for the implementation of the International Decade for People of African Descent, most countries were not doing nearly enough to raise awareness about the existence of the International Decade or to take advantage of the opportunity to ensure that the rights of people of African descent were protected. Best practices might exist, but there were very few examples, and they were being neglected in many of the relevant contexts.

37. **Mr. Amir** (Chair of the Committee on the Elimination of Racial Discrimination), introducing the annual report of the Committee ([A/74/18](#)), said that the establishment of the Committee for the Elimination of Racial Discrimination nearly 50 years earlier had paved the way for other United Nations committees to address human rights issues in a more general manner. Human rights essentially meant freedom of expression. Under article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, hatred was a crime against humanity. Racial discrimination fuelled numerous issues thought to have been eradicated after 1945, such as wars, ethnic tensions and other widespread crises. The situation of refugees and migrants was an increasingly fundamental issue that transcended borders and required urgent solutions, especially with regard to internally displaced persons who received little assistance aside from occasional support from non-governmental organizations (NGOs).

38. Measures had been taken to simplify future reporting by States to human rights treaty body committees, including shorter reports and questions targeted exclusively to the issue under examination. Such measures would save time and money and avoid long, drawn-out national investigations on human rights in general and, in the case of his Committee, racial discrimination in particular. NGO reports were also helpful in providing an outline of a given State's situation with respect to human rights in general, and racial discrimination in particular, which existed in every country, despite assertions to the contrary. The mission of his Committee was to work towards settling conflicts and building peace and security by using jurisprudence and legal procedures, not politics, to ease tension between States and strive for reconciliation, coexistence and, ultimately, peace, by proposing solutions to at least reduce problems, even if not entirely eliminate them.

39. A new measure had been instituted by the Committee to enable not only individuals but other countries to lodge complaints against a given State. A new ad hoc commission would be established with the aim of hearing all parties and achieving reconciliation in the name of peace and non-discrimination. Member States were invited to compare the current annual report with the previous year's report for a fuller understanding of their own key role in achieving global peace and security.

40. **Mr. Rybakov** (Belarus), speaking also on behalf of Angola, Antigua and Barbuda, Bangladesh, Bolivia (Plurinational State of), Burkina Faso, Burundi, Cambodia, Cameroon, the Central African Republic, Chad, China, Comoros, the Congo, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Gabon, Guinea, Guinea Bissau, Iraq, Iran (Islamic Republic of), the Lao People's Democratic Republic, Mauritania, Mozambique, Myanmar, Nepal, Nicaragua, the Niger, Nigeria, Oman, Pakistan, the State of Palestine, the Philippines, the Russian Federation, Serbia, Sierra Leone, the Solomon Islands, South Sudan, Sri Lanka, the Sudan, Suriname, the Syrian Arab Republic, Togo, Uganda, the United Arab Emirates, the United Republic of Tanzania, Venezuela (Bolivarian Republic of), Zambia and Zimbabwe, said that his delegation was firmly opposed to the politicization of human rights issues by certain countries, through naming and shaming and public pressure on other countries. The measures taken by China to combat terrorism and radicalization in Xinjiang, including the establishment of vocational education and training centres, were commendable, having led to the return of

safety and security, while safeguarding the fundamental human rights of people of all ethnic groups. China had demonstrated its commitment to openness and transparency by inviting diplomats, officials of international organizations and journalists to Xinjiang to witness the progress made with regard to human rights and the outcomes of counter-terrorism and deradicalization efforts, which were in complete contradiction to media reports. The relevant countries should refrain from employing unfounded charges against China on the basis of unconfirmed information. The Office of the United Nations High Commissioner for Human Rights, treaty bodies and relevant special procedures mandate holders should also conduct their work in an objective and impartial manner.

41. **Dame Karen Pierce** (United Kingdom), speaking also on behalf of Albania, Australia, Austria, Belgium, Canada, Denmark, Estonia, Finland, France, Germany, Iceland, Ireland, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, the Netherlands, New Zealand, Norway, Sweden and the United States of America, said that her delegation shared the concerns raised by the Committee on the Elimination of Racial Discrimination in its concluding observations on the combined fourteenth to seventeenth periodic reports of China (CERD/C/CHN/CO/14-17) regarding credible reports of human rights violations and abuses in the Xinjiang Uighur Autonomous Region. The Government of China should uphold its national and international obligations and commitments to respect human rights in Xinjiang and across China; urgently implement the Committee's eight recommendations related to Xinjiang; and allow the Office of the United Nations High Commissioner for Human Rights and United Nations special procedure mandate holders immediate, unfettered and meaningful access to Xinjiang. All countries should respect the principle of non-refoulement. She wondered what measures the Chinese Government should undertake to address concerns regarding restrictions on the rights to freedom of religion or belief and to freely participate in cultural life.

42. **Mr. Hong Jin Um** (Republic of Korea) said that the human rights treaty bodies were indispensable mechanisms for securing human rights, not only as watchdogs, but also as advisors helping State parties to improve treaty implementation. As improving treaty body efficiency was crucial to the full implementation of treaties, the ongoing efforts by the Committee on the Elimination of Racial Discrimination to strengthen its working methods were admirable. He requested information on cooperation between the Committee and the relevant special procedures of the Human Rights Council to ensure effective and harmonized functioning

of human rights mechanisms as a whole. In December 2018, the Committee had welcomed the legislative and administrative measures taken by the Republic of Korea towards implementing the International Convention on the Elimination of All Forms of Racial Discrimination. His Government remained committed to continuing its close cooperation with the United Nations human rights mechanisms.

43. **Ms. Craft** (United States of America) said that her delegation condemned the arbitrary detention by the Government of China of more than 1 million Uighur and other Muslims in internment camps in Xinjiang and would speak against violations of human rights and human dignity wherever they occurred. The Committee on the Elimination of Racial Discrimination played a crucial role in monitoring and promoting State party implementation of convention obligations. Firmly committed to promoting equality, the United States strongly condemned all forms of racial discrimination and was dedicated to pursuing its elimination while respecting freedoms of expression, association and peaceful assembly. Recognizing the threat posed by racial discrimination, her delegation supported collaboration among State parties, NGOs, civil society groups and individuals to counter racism and combat bias-motivated violence.

44. **Mr. Elizondo Belden** (Mexico) said that her delegation remained fully open to continuing to work with the Committee on the Elimination of Racial Discrimination, from which it had received recommendations in the context of its most recent combined periodic reports. He was curious as to how the early warning and urgent action procedure had been strengthened and what results had been achieved.

45. **Mr. Varli** (Turkey) said that the human rights situation in the Xinjiang Uighur Autonomous Region must be addressed through dialogue and bilateral engagement with China. Turkey had therefore shared its views on the matter with the Chinese authorities at all levels, conveying its expectation that the Uighur Turks would live in peace and prosperity, as equal citizens of China, and that respect for and protection of their fundamental human rights, religious freedoms and cultural identities would be guaranteed. The Chinese Government should organize a visit by the United Nations High Commissioner for Human Rights without delay and in a manner that would meet international expectations. Meanwhile, Turkey was continuing with its own preparations to send a delegation to the region. He enquired about the Chair's recommendations for addressing the issues raised by the Committee on the Elimination of Racial Discrimination in its concluding observations.

46. **Mr. Rugeles** (Colombia) said that her country was one of the most multi-ethnic and multicultural States in Latin America. That diversity was the basis for the development of public policy aimed at ensuring equal opportunity for all communities, the preservation of ancestral cultures and protection of the right to equality and non-discrimination. Affirmative actions were needed to protect social groups vulnerable to discrimination, with a view to safeguarding the full enjoyment of human rights and upholding the principle of equality. In that regard, the Durban Declaration and Programme of Action was an important sign of the commitment to raising awareness about combating racism, racial discrimination and xenophobia.

47. **Ms. Alfuhaid** (Kuwait), speaking also on behalf of Bahrain, Oman, Qatar and Saudi Arabia, said that her delegation affirmed its full commitment to the promotion and protection of human rights worldwide, in line with international laws and conventions. Discussion of human rights issues at the United Nations must be objective, constructive, transparent, non-selective and non-politicized; respect the sovereignty of States; and not interfere in their internal affairs. Member States and regional associations were urged to engage in an exchange of views, which always brought about positive results in promoting mutual understanding.

48. **Ms. Banaken Elel** (Cameroon) said that the excessive politicization of human rights and the artificially maintained divisions between States were unlikely to create the conditions for dialogue and cooperation needed to improve the human rights situation in any country. All delegations sincerely interested in improving human rights were encouraged to adopt a comprehensive approach, rather than counterproductive naming and shaming by States that had no legitimacy to do so. Cameroon was concerned about the grave impacts of extremism and terrorism on the human rights of all ethnic groups in the Xinjiang Uighur Autonomous Region in China. Her Government welcomed the work done by China in the field of human rights in the region, including its people-centred approach, and trusted that it would continue to improve the way the human rights situation on the ground was managed. Cameroon remained convinced that the Government of China would always act for the good of its people.

49. **Ms. Alnesf** (Qatar) said that the report of the Committee on the Elimination of Racial Discrimination (A/74/18) made reference to statements by her country regarding discriminatory actions taken by Saudi Arabia and the United Arab Emirates against Qataris and the attendant gross violations of the rights of citizens and expatriates. On the basis of the International Convention

on the Elimination of All Forms of Racial Discrimination, Qatar had appealed to the highest international judicial organ, the International Court of Justice, whose orders of 23 July 2018 and 14 June 2019 reflected the importance of complying with the provisions of the Convention with regard to the rights of both citizens and expatriates.

50. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran) said that his delegation echoed the conclusions of the Chair of the Committee on the Elimination of Racial Discrimination with regard to the continuation of racist hate speech, the resurgence of nationalist populism, the promotion of ideologies of racial superiority and the major and multifaceted difficulties that States parties faced in countering those phenomena. When political leaders attacked certain communities, populations were discriminated against because of their countries of origin, refugees and migrants were systematically targeted and young people became disenfranchised, the risks were felt by everyone. Those developments were not promising signs for more peaceful societies, but rather sounded the alarm for social conflict and insecurity. He hoped that the Committee would continue to make positive contributions to the global fight against racism, racial discrimination and xenophobia.

51. **Ms. Sieng** (Cambodia) said that the promotion and protection of human rights should be conducted in an impartial, objective, non-selective and non-politicized manner and should not be used as a tool or pretext to interfere in the internal affairs of other Members States. The situation in Xinjiang was under the jurisdiction of China, which must be respected. Interference would only create more confusion, confrontation and violence. Cambodia welcomed and supported efforts by China to combat terrorism and eradicate extremism in Xinjiang, in accordance with its laws. The measures taken by China to address the situation and promote economic development in Xinjiang were fundamental for the people of China and should be supported by the international community.

52. **Ms. Ndayishimiye** (Burundi) said the promotion and protection of human rights, which were universal, indivisible, interdependent and interrelated, must be achieved through international cooperative and constructive dialogue, strengthened capacities, technical assistance and the recognition of good practices. Her delegation welcomed the human rights-related achievements made by China, in particular through people-centred development. Terrorism in all its forms and manifestations was one of the greatest threats to international peace, security and human rights. Burundi therefore supported efforts by China to counter

terrorism and eliminate extremism in Xinjiang, in line with its own laws, as contributing to the international campaign against those phenomena. Her delegation also welcomed the adoption by China of an integrated approach to protecting human rights and combating violent crime and terrorism.

53. **Ms. Cue Delgado** (Cuba) said that her Government would continue to develop policies aimed at securing the effective exercise of human rights for all. It was unacceptable that the present discussion was being used to single out countries by manipulating human rights. Her delegation considered attacks on China to be regrettable and supported that country's efforts to counter terrorism and eradicate extremism in Xinjiang, in line with its own legislation. Work by the United Nations in defence of human rights must be carried out objectively, transparently and constructively and in a non-selective, non-confrontational and non-politicized manner.

54. **Mr. Dinh Nho Hung** (Viet Nam) said that his Government had implemented socioeconomic development policies and programmes, with special attention given to ensuring the right to education, access to information, capacity-building, job opportunities and infrastructure development for people from ethnic minorities, as well as the preservation of their culture and language. The Government was currently drafting a law on development assistance for ethnic minorities and sought examples of best practices in the development of national legal frameworks to protect the rights of ethnic minorities. By its very nature, interactive dialogue provided a platform for the constructive exchange of views and experiences. Nevertheless, his delegation was concerned with the continued negative practice of politicization and naming and shaming, which had a detrimental effect on dialogue and cooperation among Member States. It was necessary to uphold the principles of respect for the independence and sovereignty of States.

55. **Ms. Ali** (Syrian Arab Republic) said that her delegation was firmly opposed to the practice whereby certain countries politicized human rights issues in the work of the United Nations. The Syrian Arab Republic condemned terrorism and extremism in all their forms and manifestations, noted with concern the serious threats that they posed to the fundamental human rights of people of all ethnic groups in the Xinjiang Uighur Autonomous Region of China and supported that country's efforts to combat terrorism and eradicate extremism in the region, in accordance with its laws, stressing that no country should interfere in measures taken by other sovereign nations. China should continue

its efforts in that regard, both in Xinjiang and in other regions.

56. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that the issue of global human rights must be addressed through constructive, fair and objective dialogue, with respect for national sovereignty and territorial integrity, non-interference, impartiality, transparency and the specific political, historical, religious and cultural context of each country. The creation and adoption of country-specific human rights-related mechanisms and resolutions violated the essential principles of universality, non-selectivity and non-politicization and created a context of mistrust and confrontation that harmed national efforts to address the situation. His delegation opposed attempts by certain countries to intervene in the internal affairs of China for purely political reasons. Cooperation and dialogue were the best way to effectively promote and protect human rights. It was necessary to strengthen the progress achieved through the Human Rights Council and the universal periodic review.

57. **Mr. Chekeche** (Zimbabwe) said that the commitment shown by China to protect and promote the human rights of all of its people, including members of ethnic groups in the Xinjiang Uighur Autonomous Region, was appreciated. Member States were urged to engage in dialogue based on mutual respect, cooperation and partnership as a more constructive way to enhance the work of the United Nations human rights mechanisms in an objective, non-confrontational and non-politicized manner.

58. **Mr. Gonzato** (Observer for the European Union) said that the evolving implementation of the International Convention on the Elimination of All Forms of Racial Discrimination by the Committee on the Elimination of Racial Discrimination was reflected in its general recommendations, opinions on individual communications, decisions and concluding observations. The latter were of vital importance for all States parties, with regard to both progress and concerns. The European Union urged China to fully implement the Committee's recommendations, including in relation to its policy in the Xinjiang Uighur Autonomous Region. Stressing the importance of the role of the Convention in tackling all forms of racial discrimination, the European Union urged all States to ratify that instrument and to consider recognizing the competence of the Committee to receive and examine communications under its article 14. Although the world had come a long way since the Convention had entered into force in 1969, major challenges remained to fully eliminating racial discrimination. Reaffirming its strong commitment to fighting all forms of racism, racial

discrimination, xenophobia, intolerance, including racist hate speech and extremist or supremacist ideologies, the European Union and its member States welcomed the Committee's follow-up activities with relevant countries, while recognizing that each country had its own specific issues.

59. **Mr. Moldogaziev** (Kyrgyzstan) said that all countries must strictly observe the principles of non-interference in internal affairs and mutual respect for sovereignty and territorial integrity, among other norms of international law and international relations. Considering the situation in the Xinjiang Uighur Autonomous Region to be a purely internal affair, his delegation appreciated the efforts made by the Government of China to preserve the cultural diversity and religious freedom of all nationalities in Xinjiang and supported the measures taken to ensure security, stability and development.

60. **Mr. Esono Mbengono** (Equatorial Guinea) said that his country's rejection of all forms of racial discrimination was made very clear through its legislation. Equatorial Guinea opposed the politicization of human rights issues; sovereignty and non-interference in the internal affairs of countries must always be respected. On the issue of Xinjiang, his delegation expressed solidarity with the people of China and recognition of the work of its Government in addressing violent extremism, separatism and terrorism, which were never justified and could undermine decades of unprecedented progress during which time hundreds of millions of Chinese people had been lifted out of poverty. His delegation supported the model of inclusive, people-centred development focused on fundamental rights practiced by the Chinese Government and rejected attempts to shame a country acting responsibly and in solidarity with its people and the international community.

61. **Mr. Swai** (Myanmar) said that his country opposed the practice of politicizing human rights issues, including through naming and shaming. In pursuing the promotion and protection of human rights, the serious threat of terrorism and extremism facing many countries, including Myanmar and China, could not be ignored. Sharing concerns over the negative impacts of terrorism, separatism and religious extremism on the integrity and unity of China, his delegation commended the efforts of that country to combat terrorism and eradicate extremism in Xinjiang, in accordance with its laws. His Government would continue its own efforts in that regard and reiterated its opposition to any attempts to use human rights as an excuse to exert pressure on a country or interfere in its internal affairs.

62. **Mr. Mutua** (Kenya) said that universally recognized fundamental and inalienable human rights must be strengthened through adherence to the principle of objectivity while seeking their realization for all. His delegation recognized the primary responsibility of Member States in promoting and protecting human rights, through universally accepted mechanisms, in order to build collective and lasting peace and prosperity in the world, to which end Kenya promoted and protected individual rights. The universal periodic review remained the only such mechanism for addressing human rights situations in each Member State.

63. **Ms. Stepanyan** (Armenia) said that identity-based discrimination and racial and ethnic profiling, coupled with growing tendencies towards hate speech, continued to lead to human rights violations and abuses. Armenia would continue to advocate the protection of ethnic and religious groups from identity-based crimes and stood ready to promote the protection of universal human rights, human dignity and inclusive societies founded on respect for diversity. The fundamental values, standards and norms enshrined in international human rights instruments and treaties should be observed in an equal, non-discriminatory and unbiased manner when approaching human rights situations and responses to violations in various countries; politicization hindered constructive engagement and dialogue and promoted mistrust. The universal periodic review mechanism was an effective instrument for assessing positive developments and challenges pertaining to human rights situations in Member States and preventing violations.

64. **Mr. Hermida Castillo** (Nicaragua) said that work on human rights at the United Nations must be conducted in an objective, transparent, constructive, non-selective and non-confrontational manner. His delegation was firmly opposed to the practice by some powerful countries of politicizing human rights through finger-pointing and the exertion of public pressure on other sovereign States. It took note of the progress made by China in the promotion and protection of human rights through people-centred development, as well as efforts over the past three years that had led to the elimination of violent terrorist attacks in Xinjiang, which was an internal matter.

65. **Ms. Gebrekidan** (Eritrea) said that the mandate of the Chair of the Committee on the Elimination of Racial Discrimination had become especially critical, owing to the resurfacing of racism and xenophobia in many parts of the world, especially in the Western hemisphere. In the age of liberalization and mass media, social media was contributing to mass deception, hatred and xenophobic violent attacks. She asked what Member

States could do to regulate and combat the spread of violence and false messages without impeding on the right to free speech. Expressing opposition to the joint statement delivered by the United Kingdom and to addressing country-specific issues under thematic mandates or agenda items, including with regard to human rights, her delegation reiterated its strong opposition to the naming and shaming of countries, which was confrontational and counterproductive.

66. **Mr. Zhang Jun** (China) said that the United States, the United Kingdom and some other countries had made baseless accusations against his country, which constituted gross interference in its internal affairs and a deliberate provocation. The counter-terrorism and deradicalization measures taken in Xinjiang had been based in law and were consistent with the will of the people. Statements delivered by a few countries, however eloquent, could neither erase the historic achievements made in the field of human rights in Xinjiang nor shake his Government's resolve to uphold national security and stability. The unpopular statement made by the United States on Xinjiang stood facts on their heads to defame China by using the issue of human rights as an instrument of hegemonism and power politics. Such malicious attempts by the United States to undermine the stability of China and contain its development would never work. The United States and a few other countries should not confront the international community or go any further in the wrong direction. Some countries had the blood of ethnic minorities on their hands and had no right to level accusations at other Member States. No force could stop the Chinese people and the Chinese nation from forging ahead and enjoying a better future.

67. **Mr. Vorobiev** (Russian Federation) said that States should promote collaborative and constructive cooperation with the human rights treaty bodies, which must abide strictly by their relevant mandates, guided exclusively by the provisions of the relevant conventions. Regrettably, politicization had affected the work of the Committee on the Elimination of Racial Discrimination. It was unacceptable that, upon the insistence of some experts, the outcomes of the report on the Russian Federation reviewed in 2017 had included questions not discussed during the dialogue with the national delegation. A politically calibrated approach was also being taken to choosing which discriminatory situations required an immediate response. Instances of systematic discrimination against national or ethnic minorities in many European countries, no matter how serious or structural in nature, thus consistently failed to be acknowledged under the procedures mechanism.

68. **Mr. Khan** (Pakistan) said that his delegation was firmly opposed to any practice of politicizing human right issues, especially as a means to exert pressure on other countries, and aligned itself with the statement just made by China. His delegation welcomed the visit by the Organization of Islamic Cooperation to China and that country's efforts in providing protection and welfare to its citizens. China had experienced rapid development over the past 30 years, and its people-centred approach had effectively protected the interests and human rights of the Chinese people. The contributions made by China to international human rights were also appreciated, as was its adoption of an integrated approach to the protection of human rights, including in its fight against terrorism. Acknowledging the invitation of international visitors to vocational education and training centres in China, his delegation was confident that China would continue its progress in promoting the full enjoyment of human rights by its people.

69. **Mr. Taborat** (Indonesia) said that his country was rich in diversity and therefore well aware of the importance of a multi-stakeholder approach and education in maintaining and strengthening social cohesion. That goal could not be achieved, however, without understanding the national context shaping policy choices. While States were primarily responsible for formulating normative frameworks and policies, everyone had a responsibility to promote a culture of peace and tolerance, including by and ending racism, racial discrimination, xenophobia and related intolerance. It was important to respect Member States' approaches and choices, in particular when addressing challenges to their national security and integrity while ensuring the promotion and protection of human rights.

70. **Mr. Soumah** (Guinea) said that maintaining national peace and security was the primary responsibility of each sovereign State and should not be subject to interference, as long as the State concerned had the necessary means and abilities to do so. Under international law, and given the need to effectively combat terrorism, the issue of human rights in Xinjiang fell under the internal affairs of China, which it was fully capable of handling. In the light of that country's contributions to both counter-terrorism efforts and the promotion and protection of socioeconomic rights, Guinea fully supported the measures taken by China with regard to Xinjiang and urged the country to continue its cooperative efforts against terrorism and violent extremism. The Human Rights Council and the treaty bodies were also encouraged to respect the principles of objectivity and non-selectivity.

71. **Ms. Bellout** (Algeria) said that the Human Rights Council was the most appropriate forum for addressing the improvement of human rights, and the universal periodic review was the instrument for doing so. The Council should conduct its work in an objective, constructive and transparent manner and avoid confrontation, politicization and selectivity; examine the issue of human rights solely for the purpose of their protection and promotion; and denounce any violations thereof committed by anyone, wherever they occurred.

72. **Ms. Henok** (Ethiopia) said that it was important for human rights bodies to conduct their work in an objective, transparent and non-selective manner. Dialogue among members of all cultures, civilizations and religions was vital to promoting social and economic development, peace and security, human rights and the rule of law. The efforts undertaken by China to enhance the human rights situation and ensure a better life for its people were commendable, and its invitation of international visitors to the Xinjiang Uighur Autonomous Region showed its readiness for open and transparent engagement. Such steps in the right direction should continue.

73. **Mr. Kim Nam Hyok** (Democratic People's Republic of Korea) said that his delegation acknowledged the Chinese Government's achievements in the field of human rights, its contributions to the international human rights cause and its efforts to combat terrorism and extremism, in particular in Xinjiang. Some foreign forces had recently made attempts to destroy security and order in some regions of China by interfering in its internal affairs. The General Assembly and the Human Rights Council must abide by the principles of non-selectivity, non-politicization, objectivity and impartiality with regard to human rights issues, which must not be abused as instruments of interference. The Democratic People's Republic of Korea supported the Government of China for defending the sovereignty, security and territorial integrity of its country and safeguarding the prosperity and stability of Xinjiang.

74. **Mr. Ben Said** (Tunisia) said that the fundamental principles of human rights were based on respect for dignity, political coexistence and non-discrimination. Cooperation between States in that regard must be founded on respect for both human rights and the right of each State to development, at all levels, and be conducted through constructive and transparent dialogue, including in relation to the situation in China. His delegation reiterated its commitment to respect international commitments and combat racism, xenophobia and intolerance, and its openness to

cooperating with international institutions within that framework.

75. **Mr. Al-Mouallimi** (Saudi Arabia) said that terrorism had no particular colour, religion or ethnicity; it was a global scourge that must be fought. His delegation called for the respect of the rights of Muslims throughout the world and was dealing with that issue at the bilateral level with countries in which Muslims resided. Combating global terrorism must be done in compliance with human rights conventions and principles, including with regard to development, life and freedom from poverty and disease. His delegation commended China for having raised the well-being and living standards of its peoples.

76. **Mr. Khaopaseuth** (Lao People's Democratic Republic) said that country-specific resolutions and finger-pointing would not help address the human rights situation in that country. The universal periodic review of the Human Rights Council was the most appropriate venue for evaluating the human rights situation in all countries. Terrorism in all its forms and manifestations must be condemned, as they posed serious threats to international peace, security and development. His delegation commended China for its efforts to counter terrorism while promoting and protecting the fundamental human rights of people of all ethnic groups in China and thus contributing to international efforts in that regard.

77. **Mr. Mouanda** (Congo) said that terrorism and extremism in all their forms were among the gravest threats to international peace, security and human rights. The promotion and protection of human rights, however, must be conducted in an objective, transparent, constructive, non-confrontational and non-politicized manner. International visitors had been invited to Xinjiang, reflecting the Chinese Government's willingness to be transparent, while the necessary measures that it had taken had restored peace and security in the region. His delegation therefore commended China for its integrated approach to protecting human rights while combating terrorism and violent extremism.

78. **Mr. Amir** (Chair of the Committee on the Elimination of Racial Discrimination) said that, with nearly 50 years of experience, his Committee followed a doctrine, with impartiality the fundamental rule for each member, in line with the Addis Ababa guidelines on the independence and impartiality of members of the human rights treaty bodies. It was not a court but a law-based committee, made up of legal experts, and its final conclusions were not judgments or rulings, with victims and perpetrators on each side, but recommendations

made by the Rapporteur for a given country. The Chair did not judge but merely presided, never even taking the floor, but allowing the Rapporteur to follow the direction that he or she had chosen, after hearing from the delegates of the country in question. The Rapporteur's final conclusions and draft recommendations were then proposed to and discussed by the members of the Committee, and subsequently adopted by consensus. The work of the Committee was to find solutions on the basis of legal procedures, not political procedures, following reflection on the appropriate jurisprudence for each case.

79. It was true that communications, videos and the Internet played a significant role in producing hate and racism and in shaping how people thought. Was that because information was more freely available, or because freedom of expression allowed people to sow hatred anywhere and everywhere, often fuelled by false information about people unfamiliar to readers and listeners? Crises, tensions and wars continued, and study after study on racial discrimination showed that it was victims of racism who suffered the most, in particular women and children, migrants and refugees. The aim of the Committee on the Elimination of Racial Discrimination was to protect those victims, not by playing politics, but by serving as a tool for building peace and harmony between peoples and States.

The meeting rose at 6.05 p.m.