



General Assembly

Seventy-fifth session

100th plenary meeting
Thursday, 2 September 2021, 10 a.m.
New York

Official Records

President: Mr. Bozkir (Turkey)

The meeting was called to order at 10.15 a.m.

the theme of “Reparations, racial justice and equality for people of African descent”.

Agenda item 70 (continued)

Elimination of racism, racial discrimination, xenophobia and related intolerance

(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Draft resolution (A/75/L.128)

The President: Today is a symbolic day for the General Assembly at its seventy-fifth session, as this is its 100th plenary meeting.

We shall now proceed to consider draft resolution A/75/L.128.

I give the floor to the representative of South Africa to introduce the draft resolution.

Ms. Joyini (South Africa): I am delivering this statement on behalf of myself and my co-facilitator, Ambassador Francisco Duarte Lopes, the Permanent Representative of Portugal.

At the outset, I want to thank you, Mr. President, for entrusting us with the responsibility of serving as co-facilitators and conducting intergovernmental consultations on the scope, modalities, format and organization of the high-level meeting of the General Assembly to commemorate the twentieth anniversary of the adoption of the Durban Declaration and Programme of Action, which will be held on 22 September under

The twentieth anniversary of the Durban Declaration and Programme of Action gives us an opportunity to place racial equality at the centre of our global and national agendas. The Declaration and Programme of Action represent a major milestone in articulating the harms done by racism and racial discrimination and are described by the United Nations as the international community’s blueprint for action to fight racism both historically and today, with an important emphasis on the structural forms of racism and racial discrimination that require urgent attention to this day.

Draft resolution A/75/L.128, presented for adoption today, is a procedural text outlining the scope, modalities and format of the high-level meeting. It provides a similar format to that of the 2011 high-level meeting — an opening plenary meeting followed by two consecutive round tables from 11 a.m. to 6 p.m., in an effort to enable a greater number of Member States to address the meeting. In recognizing the critical contribution of stakeholders across sectors in eliminating racism, racial discrimination, xenophobia and related intolerance, the draft resolution seeks to bring together Governments, academia, civil society, the private sector and other professional groups to align their agendas and actions towards achieving common goals. We would like to take this opportunity to thank Member States for their support, active participation and constructive engagement during the three constructive informal consultation meetings that we convened.

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Paragraph 10 of the draft resolution, which relates to civil-society organizations and non-governmental organizations, was discussed at length, and we acknowledge the sensitivities. We tried to find potentially consensual language for Member States' consideration, and subsequent bilateral discussions were also held. In view of that, we resorted to including language that has previously been adopted by consensus or has received significant support in recent modalities resolutions, while taking into account the importance of the role played by civil society in the specific context of the implementation of the Durban Declaration and Platform of Action. We are counting on Member States to support the draft text presented by the co-facilitators without amendments.

Once again, we thank all delegations for their active engagement throughout the process.

The President: The Assembly will now take a decision on draft resolution A/75/L.128, entitled "Scope, modalities, format and organization of the high-level meeting of the General Assembly to commemorate the twentieth anniversary of the adoption of the Durban Declaration and Programme of Action".

May I take it that the Assembly decides to adopt draft resolution A/75/L.128?

Draft resolution A/75/L.128 was adopted (resolution 75/320).

The President: Before giving the floor to speakers for explanations of position on the resolution just adopted, I would like to remind members that explanations are limited to 10 minutes and should be made by delegations from their seats.

Mr. Komara (Guinea): As the representative of the Republic of Guinea, Chair of the Group of 77 (G-77) and China for this year, I have the honour to speak on behalf of the G-77 in explanation of our position on the General Assembly's adoption of resolution 75/320, entitled "Scope, modalities, format and organization of the high-level meeting of the General Assembly to commemorate the twentieth anniversary of the adoption of the Durban Declaration and Programme of Action".

At the outset, I would like to express the Group's gratitude and appreciation to Ms. Mathu Joyini and Mr. Francisco Duarte Lopes, the Permanent Representatives of South Africa and Portugal, and their teams for their able conduct of the substantive

and productive negotiations throughout the process. As a result, we have adopted this modalities resolution, paving the way for the important commemoration of the twentieth anniversary of the Durban Declaration and its Programme of Action.

I would like to take this opportunity to highlight the Group's unwavering support for the Durban Declaration and Programme of Action as a milestone document in preventing, combating and eliminating all forms of racism, racial discrimination, xenophobia and related intolerance. Twenty years after its adoption, the Durban Declaration still provides a comprehensive and holistic road map for addressing and putting an end to racism and racial discrimination throughout the world. The members of the G-77 and China stand united behind the values, principles and actions outlined in the Declaration, and invite all delegations to consider its twentieth anniversary as an opportunity to rise in solidarity against racism and racial discrimination, whose consequences have been even more troubling in the aftermath of the coronavirus disease pandemic.

As a result of intense negotiations, consensus was reached on all but one paragraph of the resolution — paragraph 10 — on which the G-77 and China presented an alternative proposal. Paragraph 10 sets out the modalities on the participation of non-governmental organizations (NGOs) without consultative status in the Economic and Social Council, providing for Member States' consideration of their participation on a non-objection basis and for a final decision by the General Assembly.

While the Group of 77 and China believe that the modalities outlined in the resolution reflect a balanced and adequate approach to celebrating the twentieth anniversary of the Durban Declaration, and support the participation of every segment of civil society in that important event, we are compelled, however, to express our disappointment with the language in paragraph 10, which reflects neither the package deals previously suggested by the co-facilitators nor the initial amendment to the paragraph presented by the G-77 and China. In that regard, the Group would like to recall its position on paragraph 10. We suggested deleting the latter part of paragraph 10, that is, the phrase "final decision by the Assembly", and the footnote associated with that paragraph, so that the participation of NGOs without consultative status in the Economic and Social Council would be based on previously agreed consensus-based language. That alternative was aimed

on the one hand at ensuring the participation of such NGOs and on the other at striking a balance among the various views on the role of the General Assembly in the decision pertaining to their participation. We still believe that if approved by all Member States, it would have offered a consensus consideration of paragraph 10 and opened a new path for agreed language on the issue of the participation of NGOs without consultative status, which the Group fully supports.

We also want to point out that the co-facilitators had attempted to find alternative suggestions to paragraph 10 by suggesting further amendments to another paragraph in the resolution, paragraph 7, and proposing different language for paragraph 10, reflecting the agreed consensus-based language that was adopted in the previous modalities resolution, resolution 65/279, for the tenth anniversary of the Durban Declaration. Despite our own proposal and position on paragraphs 7 and 10, the G-77 and China have shown flexibility and were willing to support the two package deals suggested by the co-facilitators. We regret that despite our support for the various alternatives, paragraph 10 does not reflect or accommodate the concerns of the G-77 and China.

Finally, while joining the consensus on the adoption of this important resolution and looking forward to the celebration of the twentieth anniversary of the Durban Declaration and its Programme of Action, the Group of 77 and China would like to register their concerns and position as expressed in this statement on paragraph 10.

Mr. Kuzmin (Russian Federation) (*spoke in Russian*): The Russian Federation welcomes the adoption of resolution 75/320, on the scope, modalities, format and organization of the high-level meeting of the General Assembly to commemorate the twentieth anniversary of the adoption of the Durban Declaration and Programme of Action. We are grateful to the delegations of Portugal and South Africa for coordinating the negotiations.

However, we would like to clarify our position regarding one organizational aspect of the event. We believe that the wording of paragraph 10 of the resolution, establishing the parameters for the participation of non-governmental organizations, is not in line with the General Assembly's rules of procedure and working methods or its established practices for holding such events.

We welcome the contributions of civil society in combating racism. The efforts of non-governmental organizations, the private sector and academia are particularly important and urgently needed for the full implementation of the Durban Declaration and Programme of Action. At the same time, we believe that the participation of civil-society representatives should not run counter to the very legal nature of the United Nations and the organization of intergovernmental processes. This issue does not apply solely to this particular event. It is rather related to a fundamental issue, that of preserving the intergovernmental basis for cooperation and work within the United Nations. In view of this, the Russian Federation cannot support the wording of operational paragraph 10 of resolution 75/320 and wishes to distance itself from the consensus on it.

Mr. Pilipenko (Belarus) (*spoke in Russian*): Back in 2001, Belarus was one of the 170 countries participating in the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. At the event's solemn opening in Durban, the late Kofi Annan, the-then Secretary-General, said,

"We are here to learn, not to celebrate. We are here to share experiences, perspectives and assessments — of how far we have come, and how much further we must go if racism is to be defeated." (*A/CONF.189/12 (Part III), annex II*)

We believe those words are fully applicable to the high-level meeting on the twentieth anniversary of the Durban Declaration and Programme of Action, whose modalities we confirmed today. However, a number of contradictions emerged during the work on the resolution (resolution 75/320), and we have some comments on that.

First, certain countries — including some that previously boycotted the work of the Durban Conference and subsequent related events in various years — have already said publicly that they will not participate in the event in September. And yet a group of those countries have been working actively on the modalities, peremptorily and categorically imposing their opinion on the organization of an event in which they ostentatiously plan not to participate.

Secondly, some Member States continue to take steps that consistently undermine the sovereignty of independent States, on the pretext of broadening the representation of non-governmental organizations

within the United Nations system. Anyone who is against that approach is immediately branded a hater of non-governmental organizations and an opponent of the participation of civil society in the work of the United Nations. We completely disagree with such approaches and views. We believe that States in the international arena represent every one of their diverse societies' interests, while taking into account each country's own unique situation. The dialogue with civil society plays an important part in the formation of sovereign States' positions in the United Nations system and should be conducted at the national level.

We regret that some States are not prepared to hold constructive discussions on this issue and to seek compromise. In that regard, we feel obliged to dissociate ourselves from operative paragraph 10 of the modalities resolution.

Mrs. Xu Daizhu (China) (*spoke in Chinese*): The Durban Declaration and Programme of Action mark an important milestone in the international fight against racism. China has been dedicated since the very beginning to combating all forms of racism. We actively support and participate in all relevant international efforts to eliminate racism, racial discrimination, xenophobia and related intolerance.

China supports the initiative on holding a high-level General Assembly meeting on 22 September to commemorate the twentieth anniversary of the Durban Declaration and Programme of Action and adopt a political declaration. We hope that the international community will further consolidate the consensus on the issue with a view to eliminating racism in all its forms as soon as possible. In that connection, China joined the consensus on resolution 75/320. At the same time, China supports the statement made by the representative of Guinea on behalf of the Group of 77 and China in explanation of their position regarding operative paragraph 10 of resolution 75/320. We regret that the position of the Group of 77 and China was not taken into account in the text.

China greatly values the efforts and contributions of civil society, including non-governmental organizations (NGOs), in eliminating racism and racial discrimination. We are in favour of NGOs' regular and orderly participation in United Nations events and welcome their positive contributions to the work of the United Nations. Experience in recent years showed that Member States could have reached

a consensus on the question of a no-objection basis regarding the participation of NGOs in high-level meetings of the General Assembly, thereby ensuring their effective participation in United Nations activities while maintaining the Assembly's intergovernmental nature. However, since the beginning of the year, some countries have repeatedly ignored the existing rules and institutional arrangements regarding the participation of NGOs in General Assembly high-level meetings and have deliberately challenged the Assembly's practices regarding the no-objection basis, which took years to shape. That has seriously damaged consensus and unity among Member States.

China continues to have serious concerns regarding operative paragraph 10 and dissociates itself from it. We call on Member States to continue to hold broad and in-depth discussions, seeking maximum consensus and unity. At the same time, we are ready to continue holding open and constructive consultations with all parties to ensure that NGOs can participate actively in the work of the United Nations and play a part while maintaining General Assembly rules and practices.

The President: We have heard the last speaker in explanation of position after adoption.

I would like to express my appreciation to Ambassador Francisco Duarte Lopes, Permanent Representative of Portugal, and Ambassador Mathu Joyini, Permanent Representative of South Africa, who ably and patiently conducted the discussions and negotiations on resolution 75/320 in informal consultations.

The General Assembly has thus concluded this stage of its consideration of sub-item (b) of agenda item 70.

Agenda item 134

Sexual exploitation and abuse: implementing a zero-tolerance policy

Report of the Secretary-General (A/75/754)

Draft resolution (A/75/L.129)

The President: I now give the floor to the representative of Egypt to introduce draft resolution A/75/L.129.

Mr. Attelb (Egypt) (*spoke in Arabic*): On behalf of my delegation, I would like to introduce draft resolution A/75/L.129, entitled "United Nations action on sexual

exploitation and abuse”, submitted by Egypt under agenda item 134.

Egypt held a number of informal consultations on the draft resolution in the past month, during which we listened to Member States’ observations and opinions and received their suggestions, which have enriched the current text.

In that context, it is my pleasure to convey to the Assembly that in accordance with the silence procedure, we have reached consensus on the current text of the draft resolution. I would be remiss if I did not express my thanks and appreciation to all delegations of Member States for their active, positive and constructive participation during the consultations. As a result, we were able to agree by consensus on the draft resolution we are adopting today. I would also like to take this opportunity to thank all the delegations that sponsored the draft resolution, in a manifestation of our collective commitment to preventing sexual exploitation and abuse and addressing them whenever they occur.

Egypt submitted the draft resolution based on its commitment to supporting the efforts of the United Nations to implement its zero-tolerance policy on acts of sexual exploitation and abuse, in a continuation of the Egyptian initiative that has maintained this item on the Assembly’s agenda of the General Assembly through the submission of resolutions 71/278, 72/312 and 73/302, all on the theme of “United Nations action on sexual exploitation and abuse”. In that regard, I would like to present the most salient objectives and points of the draft resolution before us today.

First, draft resolution A/75/L.129 builds on the momentum of previous resolutions and aims to promote United Nations efforts to comprehensively prevent and address acts of sexual exploitation and abuse throughout the entire United Nations system, at Headquarters and in the field, including agencies, funds, programmes, peacekeeping missions, special political missions and non-United Nations troops mandated by the Security Council.

Secondly, the draft resolution takes a balanced approach that strongly condemns such heinous acts by individuals, whoever the perpetrators may be. It calls for urgent measures to address such acts and achieve justice. Neither does it neglect the important role of individuals within the United Nations, especially within peacekeeping troops, who make great sacrifices for global peace and stability.

Thirdly, the draft resolution places the victims of sexual exploitation and abuse at the heart of United Nations efforts and concerns in order to urgently and appropriately guarantee support and protection for the victims and to hold the perpetrators of such acts accountable. It also calls on the Secretary-General to develop the means to monitor and follow up efforts to support victims throughout the entire system.

Fourthly, the draft resolution establishes comprehensive accountability at all levels, including the leadership level, at Headquarters and in the field, as well as affirming the positive contribution of accountability in combating sexual exploitation and abuse.

Fifthly, the draft resolution refers to the ramifications of the coronavirus disease pandemic, which has increased the risks of sexual exploitation and abuse and affected the Organization’s ability to investigate allegations of sexual exploitation and abuse. It calls on the Secretary-General and Member States to prioritize preventive efforts, ensure harmony and consistency between policies and practices and include information on the pandemic’s impact related to the Organization’s efforts in this area in the Secretary-General’s next report.

Last but not least, the draft resolution prioritizes preventive efforts to eliminate sexual exploitation and abuse and advocates cooperation between Member States and the United Nations to that end, including through the exchange of experiences and best practices. Accordingly, the draft resolution emphasizes the importance of predeployment training on the tasks mandated to peacekeeping operations for greater awareness of this issue and for ensuring such training’s effectiveness.

My delegation welcomes the Secretary-General’s report (A/75/754) on special measures for protection from sexual exploitation and abuse, which includes important information on the Secretariat’s efforts to implement the zero-tolerance policy throughout the United Nations system. It also includes statistics on allegations of sexual exploitation and abuse in each of the peacekeeping missions, special political missions and United Nations agencies, funds and programmes, as well as among partners and non-United Nations international troops. Those indicators should be well understood so as to avoid a selective, unilateral perspective that focuses on limited categories and ignores others.

Based on its responsibility as one of the major troop- and police-contributing countries in United Nations peacekeeping operations, and given its commitment to the zero-tolerance policy on acts of sexual exploitation and abuse, Egypt has joined the Secretary-General's initiative for leaders and has voluntarily pledged to combat sexual exploitation and abuse. We have also taken a number of national protection measures designed to improve the selection and training of Egyptian troops participating in peacekeeping operations. And Egypt's role does not stop there. We also participate actively in capacity-building in Africa and the Arab region through the training courses organized by the Cairo International Center for Conflict Resolution, Peacekeeping and Peacebuilding and develop relevant training material that according to United Nations reports generally makes Egypt's efforts to prevent and address crimes of sexual exploitation and abuse some of the best among Member States.

We need both international and national efforts to eliminate the scourge of sexual exploitation and abuse. Egypt will therefore continue to work with Member States to that end. We are sure the Assembly would agree that it is important to implement the draft resolution we are about to adopt and to work together to renew our collective commitment to preventing and addressing sexual exploitation and abuse, as well as to continuing the dialogue to strengthen those efforts by providing every kind of support for the victims of such acts, including the legal, psychological and medical support that can address their psychological and social impact.

In conclusion, I would like to once again thank the General Assembly for convening this meeting and the Member States that supported the draft resolution through their active participation in the negotiation process. I also thank all the countries that have sponsored the draft resolution, and call on those that have not yet done so to join them in support of its important principles and values.

The President: The Assembly will now take a decision on draft resolution A/75/L.129, entitled "United Nations action on sexual exploitation and abuse".

I give the floor to the representative of the Secretariat.

Ms. Ochalik (Department for General Assembly and Conference Management): I should like to announce that since the submission of the draft resolution, and in addition to the delegations listed in the document, the

following countries have also become sponsors of draft resolution A/75/L.129: Angola, Bangladesh, Bhutan, Brazil, Burkina Faso, Chile, China, Costa Rica, Djibouti, Guatemala, India, Indonesia, Israel, Jordan, Lebanon, Malaysia, Morocco, Mozambique, Nepal, Nigeria, Panama, Peru, Philippines, Rwanda, Senegal, Thailand, Timor-Leste, Tunisia, Turkmenistan, the United Arab Emirates, Uruguay and the Bolivarian Republic of Venezuela.

The President: May I take it that the Assembly decides to adopt draft resolution A/75/L.129?

Draft resolution A/75/L.129 was adopted (resolution 75/321).

The President: Before giving the floor to speakers for explanations of position on the resolution just adopted, I would like to remind delegations that explanations are limited to 10 minutes and should be made by delegations from their seats.

Mrs. Vasquez Muñoz (Mexico) (*spoke in Spanish*): We thank Egypt for submitting this important resolution (resolution 75/321) on United Nations action on sexual exploitation and abuse. Given the priority that my country attaches to the issue, we joined the consensus on its adoption. We regret, however, that our main national priorities were not reflected in the final text, despite my delegation's efforts and constructive participation during the negotiation process. I would like to highlight the following four points.

First, in line with its feminist foreign policy, Mexico believes that we cannot achieve prosperous or just societies without gender equality. Equality presupposes a life free of violence and discrimination in all their forms, particularly for women and girls, in all their diversity, who have historically been the primary victims. It was therefore critical for Mexico that the text include a survivor-centred approach and acknowledge them as survivors of sexual exploitation and abuse, as their testimony and voices encourage other victims of such degrading acts to report them, thereby contributing to raising awareness of this form of violence and the attention it urgently requires.

Secondly, Mexico also regrets that the final text did not include a gender and human rights perspective, despite the fact that it is essential to include that perspective in order to emphasize the fact that women are the main victims of this type of violence and that the treatment of cases must therefore be differentiated

and based on the highest human rights standards. That is why my delegation proposed language during the negotiations to address the issue comprehensively and cover the right of survivors to reparations for the harm caused by such acts. Those reparations must always be effective, timely, accessible and respect the dignity of survivors, while preventing their re-victimization.

Thirdly, we do not agree that a text seeking to establish measures to eradicate sexual exploitation and abuse throughout the United Nations system, including agencies, funds and programmes and their implementing partners, should be limited to the scope of peacekeeping operations, given that the system extends far beyond them. Sexual abuse can occur anywhere. We must therefore work to ensure that all areas of United Nations operations are safe and free of violence.

Lastly, Mexico believes that until we include these elements, we cannot say that our culture is striving to completely eradicate sexual exploitation and abuse within the entire United Nations system. It is important not only to work to eradicate them but also to stress preventive approaches that can make a reality of the right to a life free of violence for all people, especially women and girls.

Mexico is firmly committed to advancing gender equality and ensuring the welfare of women in all their diversity. In future we look forward to more substantive and constructive discussions that can comprehensively address the challenges in this area.

Mr. Kennedy (United States of America): The United States reaffirms its commitment to effectively addressing sexual exploitation and abuse, including within the United Nations system. We strongly support the zero-tolerance policy of the United Nations and the Secretary-General's efforts to strengthen its implementation.

Sexual exploitation and abuse is a scourge. It inflicts devastating harm on individuals and communities, particularly the vulnerable communities that the United Nations is mandated to protect and support in their recovery from crisis or conflict. It also undermines the legitimacy of the United Nations itself, as well as the effectiveness of United Nations field operations, including peacekeeping missions, agencies, funds and programmes, especially when those responsible are not held accountable.

The United States supports the recognition in resolution 75/321 that protection from sexual exploitation and abuse requires a multifaceted approach that includes a survivor-centred response and prevention approaches that attack the root causes and contributing factors of sexual abuse and exploitation, meaningfully responding to incidents of sexual abuse and exploitation when they are reported and ensuring accountability, including for senior management officials.

We are disappointed that the resolution does not recognize the importance of addressing survivors of sexual abuse and exploitation. The terms "victim" and "survivor" each have their place and serve different purposes. While the term "victim" is a legal definition necessary and most frequently utilized within the justice system, "survivor" is used as a term of empowerment to convey an individual's resiliency and capacity to recover and thrive. Both are important and should have their place in the resolution. United Nations action must recognize the vital importance of a survivor-centred approach to sexual exploitation and abuse that treats survivors with dignity and respect, protects privacy and confidentiality, supports their needs and wishes and their capacity to make decisions about interventions, and places their safety, welfare and rights before other considerations. The United States also supports the authority of the Secretary-General to take the necessary measures to implement the zero-tolerance policy on sexual exploitation and abuse. We look forward to the Secretary-General's analysis of shortcomings and possible solutions aimed at improving the United Nations system's response, including through existing systems such as the gender-based violence response and prevention programmes, service mapping, information management and referral pathways.

Lastly, the United States would like to express its deep concern about the lack of progress on sexual exploitation and abuse in negotiations in the Fifth Committee in recent years. The Fifth Committee, not the plenary meetings of the General Assembly, is the designated body for discussing the Secretary-General's report on special measures for protection from sexual exploitation and abuse. It is a forum where all Member States have the benefit of support from the Secretariat and sufficient time for negotiations. All Member States must dedicate themselves to action in the Fifth Committee in the resumed session. We must all continue to do our utmost to eradicate this heinous

phenomenon wherever it may exist within the United Nations system.

The President: We have heard the last speaker in explanation of position after adoption.

May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 134?

It was so decided.

The meeting rose at 10.55 a.m.