



# General Assembly

Seventy-fifth session

**97<sup>th</sup>** plenary meeting

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New York

Official Records

*President:* Mr. Bozkir ..... (Turkey)

*In the absence of the President, Mr. Konfourou (Mali), Vice-President, took the Chair.*

*The meeting was called to order at 10.10 a.m.*

## Agenda item 7 (continued)

### Organization of work, adoption of the agenda and allocation of items

**The Acting President:** Members will recall that at the 96th plenary meeting, on 29 July 2021, the representative of the United States made a proposal to consider draft resolution A/75/L.119, which has been revised as A/75/L.119/Rev.1, to reflect the changes contained in the letter dated 29 July 2021 from the President of the General Assembly, and the draft amendment thereto, under sub-item (a) of agenda item 70.

In that connection, I have been informed that the proposal has been withdrawn. The Assembly will therefore proceed to consider draft resolution A/75/L.119/Rev.1 and the draft amendment thereto, under sub-item (b) of agenda item 70, as announced in the *United Nations Journal*.

Members will recall that at its 2nd plenary meeting, on 18 September 2020, the General Assembly decided to allocate sub-item (b) of agenda item 70 to the Third Committee. To enable the Assembly to take action expeditiously on the draft resolution and the draft amendment, may I take it that the Assembly wishes to consider sub-item (b) of agenda item 70 directly

in plenary meeting and proceed immediately to its consideration?

I give the floor to the representative of Algeria, who wishes to speak on a point of order.

**Mr. Bessedik** (Algeria): I am just seeking clarification. We noticed in the *The Journal of the United Nations*, before the opening of the meeting, that with respect to that issue the title did not refer to the allocation of the item, as it should be, but to its reallocation. When we speak of reallocation, it means that the item is already under an item of the agenda of the General Assembly. For a new item, how can we speak of reallocation when we are dealing with an allocation? Could the Secretariat please clarify?

**The Acting President:** I now give the floor to the representative of the Secretariat to make the necessary clarifications.

**Ms. Ochalik** (Department for General Assembly and Conference Management): At the beginning of the session, the item was allocated to the Third Committee. Sub-item (b) of agenda item 70 was allocated to the Third Committee, and draft resolution A/75/L.119/Rev.1 has been issued under this sub-item. For the General Assembly to take action on the draft resolution and on any draft amendment that has been presented, the General Assembly will have to reallocate that item to the plenary. It is a procedural action that the General Assembly plenary usually takes if an item has been closed or if an item has been reallocated to a Main Committee. For the General Assembly plenary to consider that item, it has to reopen it, if the item was

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closed, or reallocate it. This action is usually taken up under agenda item 7, "Organization of work, adoption of the agenda and allocation of items". So action on reopening and/or reallocation is taken up under item 7 of the agenda of the General Assembly.

**The Acting President:** In that connection, may I take it that the Assembly wishes to consider sub-item (b) of agenda item 70 directly in plenary meeting and proceed immediately to its consideration?

*It was so decided.*

#### **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.119/Rev.1)**

##### **Draft amendment (A/75/L.121/Rev.1)**

**The Acting President:** I give the floor to the representative of Hungary to introduce draft amendment A/75/L.121/Rev.1.

**Mrs. Horváth (Hungary):** Hungary would like to thank the co-facilitators for their efforts in leading the consultation process on draft resolution A/75/L.119/Rev.1. We remain deeply committed to eliminating all forms of racism, racial discrimination, xenophobia and related intolerance, including against people of African descent, and to the successful implementation of the International Decade for People of African Descent.

We have the honour to introduce a revised draft amendment to operative paragraph 1(h) of the draft resolution, which was circulated in a letter addressed to all delegations on 29 July 2020 and is now issued as A/75/L.121/Rev.1, which seeks to establish consensus on the paragraph, in line with the previously agreed language.

As members will recall, Hungary submitted an amendment to the draft resolution last week, which was issued as document A/75/L.121. During the course of the week, we continued to actively engage with the membership on our proposal with a view to finding compromise language for operative paragraph 1(h) that would enjoy consensus and provide the maximum level of comfort for delegations.

As a result of the consultations, it is my honour to introduce the present revised draft amendment, which we understand can enjoy consensus among member States. The amendment relates to the criteria concerning data collection in operative paragraph 1(h). The original paragraph included a provision to collect data desegregated by both sex and gender, which was not agreed language, as those terms are equivalent in many national contexts, and therefore their separate interpretation is not possible in many national legislations, including in Hungary. Our draft amendment therefore seeks to modify the listing to include only the term "sex" and, at the same time, add a reference,

"to enable the systematic design and collection of and access to high-quality, reliable and timely desegregated data and gender statistics".

That addition is agreed language from paragraph 61(o) of the agreed conclusions of the sixty-fifth session of the Commission on the Status of Women and enjoys universal support from the membership.

The revised paragraph therefore reads as follows:

"To support the coordination of programmes aimed at the socioeconomic development of communities and people of African descent, and to examine the urgent global need to establish adequate channels to obtain data disaggregated by income, sex, age, race, ethnicity, migratory status, disability, geographical location and other characteristics relevant in national contexts, to enable the systematic design and collection of and access to high-quality, reliable and timely desegregated data and gender statistics conducive to the better execution of public policies in relation to people of African descent".

With this technical amendment, it is our understanding and sincere hope that the draft amendment can be adopted by consensus, which we believe will increase overall support for the paragraph and strengthen consensus on the draft resolution as a whole. In that spirit, we invite all delegations to join consensus on this draft amendment and support its adoption.

**The Acting President:** I now give the floor to the representative of the United States, who wishes to speak on a point of order.

**Ms. Nemroff (United States of America):** The United States delegation wishes to address the oral

amendment circulated last week on operative paragraph 9 (A/75/L.121). While the United States supports necessary funding to make the Permanent Forum successful, the last-minute amendment to operative paragraph 9 distorts the agreement that was reached by Member States through the customary and necessary deliberations process. Further, the draft amendment's open-ended approach to funding the Permanent Forum lacks the clarity and certainty in the funding amount that is needed to support it.

As such, the United States proposes that the language in operative paragraph 9 revert to the final draft language that was submitted for adoption. We move to strike the phrase

“to strengthen substantive support to the Forum and”

so that the first part of the sentence of the paragraph reads as follows:

“Requests the Secretary-General and the High Commissioner to provide the Permanent Forum, through the regular budget as well as voluntary contributions, with all necessary resources”.

**The Acting President:** We shall now proceed to consider draft resolution A/75/L.119/Rev.1, draft amendment A/75/L.121/Rev.1 and the oral amendment presented by the representative of the United States.

In that connection, I give the floor to the representative of the Secretariat.

**Ms. Ochalik** (Department for General Assembly and Conference Management): I will now read the oral statement with regard to draft resolution A/75/L.119/Rev.1.

The present statement is made in accordance with rule 153 of the rules of procedure of the General Assembly. The Secretariat would like to highlight operative paragraphs 1, 2, 3, 4, 5, 6, 9 and 10 of draft resolution A/75/L.119/Rev.1 with regard to activities that have programme budget implications. In that regard, operative paragraphs 2 and 9 have been revised as follows.

In operative paragraph 2, the phrase

“nominated by organizations of people of African descent to be selected and appointed in accordance with the rules of procedure of the Human Rights Council”

has been replaced with

“to be appointed by the President of the Human Rights Council following consultation with the Bureau and the regional groups through their coordinators on the basis of broad consultations with organizations of people of African descent”.

In operative paragraph 9, the phrase “to strengthen substantive support to the Forum and to provide the Forum” has been added, thereby replacing the phrase “to provide the Forum”.

The activities referred to in those operative paragraphs relate to programme 1, General Assembly and Economic and Social Council affairs and conference management; programme 20, Human rights; programme 25, Management and support services and to section 2, General Assembly and Economic and Social Council affairs and conference management, section 24, Human rights, and section 29E, Administration, Geneva, of the proposed programme budget for 2022 as presented in A/76/6, section 2, A/76/6, section 24, and A/76/6, section 29E.

With regard to operative paragraph 4, the annual report of the Permanent Forum to the Human Rights Council and the General Assembly, for translation in all six official languages, would be of 10,700 words, which is the standard word count limit for reports that do not originate in the Secretariat.

With regard to operative paragraphs 6 and 10, the annual meeting of the Permanent Forum, rotating between Geneva and New York, would comprise four working days with interpretation in the six official languages. The dates for the meetings should be determined in consultation with the Department for General Assembly and Conference Management.

Existing provisions in the amount of \$79,700 are included in the proposed programme budget for 2022 in relation to General Assembly resolution 73/262, under section 2, General Assembly and Economic and Social Council affairs and conference management, and section 29E, Administration, Geneva. These provide for the translation of an annual report of 8,500 words and conferencing services, including sound technician and recording services, for the annual meeting of the Permanent Forum for three working days. As such, additional resources in the amount of \$22,400 to \$32,800 would be required to implement the activities in 2022 and each year thereafter.

A range of additional resource requirements is provided, as it has not been determined at this time whether the Permanent Forum will meet in Geneva or New York in 2022.

Pursuant to the request contained in operative paragraphs 1 and 9, as revised, it is envisaged that additional resources would be required to provide additional staffing to strengthen substantive support to the Forum and its expanded role as an advisory body to the Human Rights Council as follows: one Coordinator of the Permanent Forum at the P-5 level; two Human Rights Officers at the P-3 level; and one Administrative Assistant at the General Service (OL) level.

With regard to paragraphs 2, as revised, 3, 5 and 6, it is envisioned that additional resources would be required to cover the travel of representatives for five additional Government-appointed high-level experts for four days of the Permanent Forum; one additional day of daily subsistence allowance (DSA) for the current representatives in the Forum; and one additional day of DSA for the participation of the 25 members of civil society.

Furthermore, additional resources would also be required to cover the travel of staff for three of the additional posts for four days of the Forum and three days for preparation.

Existing provisions in the amount of \$477,700 are included in the proposed programme budget for 2022 in relation to General Assembly resolution 73/262, under section 24, Human rights. These would provide for one post at the P-4 level and six months of general temporary assistance at the General Service (OL) level, as well as the requirements for the travel of representatives for the current membership of the Forum and 25 participants from civil society for three days. In addition, resources are provided for the travel of three eminent personalities for the annual Forum. As such, additional resources in the range of \$485,000 to \$495,000 would be required to implement the activities in 2022 — and \$805,000 to \$815,000 in each year thereafter — with additional resources in the amount of \$435,000 in 2022 — and \$755,000 in each year thereafter — attributable to operative paragraph 9, as revised.

Accordingly, the adoption of draft resolution A/75/L.119/Rev.1 would give rise to budgetary implications of between \$507,400 and \$527,800 under the proposed programme budget for 2022 — and \$827,400 and \$847,800 in each year thereafter — under

section 2, General Assembly and Economic and Social Council affairs and conference management; section 24, Human rights; and section 29E, Administration, Geneva.

Should the General Assembly adopt draft resolution A/75/L.119/Rev.1, the Secretariat would present a revised estimates report to the main part of the seventy-sixth session of the General Assembly detailing the additional requirements needed under the proposed programme budget for 2022.

The resource requirements related to requested activities that are envisaged to take place in 2023 and thereafter would be presented in the context of the proposed programme budget for the respective years.

The next oral statement is read out regarding draft resolution A/75/L.119/Rev.1, as proposed to be amended by the United States to revert to the original operative paragraph 9 language.

The present statement is made in accordance with rule 153 of the rules of procedure of the General Assembly. The Secretariat would like to highlight operative paragraphs 1, 2, 3, 4, 5, 6, 9 and 10 of draft resolution A/75/L.119/Rev.1 with regard to activities that have programme budget implications. Operative paragraph 9 has been orally amended.

The activities referred to in those operative paragraphs relate to programme 1, General Assembly and Economic and Social Council affairs and conference management, programme 20, Human rights, programme 25, Management and support services, and to section 2, General Assembly and Economic and Social Council affairs and conference management, section 24, Human rights, and section 29E, Administration, Geneva, of the proposed programme budget for 2022, as presented in sections 2, 24 and 29 E of document A/76/6.

With regard to operative paragraph 4, the annual report of the Permanent Forum to the Human Rights Council and the General Assembly, for translation in all six official languages, would be of 10,700 words, which is the standard word count limit for reports that do not originate in the Secretariat.

With regard to operative paragraphs 6 and 9, the annual meeting of the Permanent Forum, rotating between Geneva and New York, would comprise of four working days with interpretation in the six official languages. The dates for the meetings should



be determined in consultation with the Department for General Assembly and Conference Management.

Existing provisions in the amount of \$79,700 are included in the proposed programme budget for 2022 in relation to General Assembly resolution 73/262 under section 2, General Assembly and Economic and Social Council affairs and conference management, and section 29E, Administration, Geneva. These provide for the translation of an annual report of 8,500 words and conferencing services, including sound technician and recording services, for the annual meeting of the Permanent Forum for three working days. As such, additional resources in the range of \$22,400 to \$32,800 would be required to implement the activities in 2022 and each year thereafter.

A range of additional resource requirements is provided, as it has not been determined at this time whether the Permanent Forum would meet in Geneva or New York in 2022.

Pursuant to the request contained in operative paragraphs 2, 3, 5, 6 and 9, it is envisaged that additional resources would be required to cover the travel of representatives for five additional Government-appointed high-level experts for four days of the Permanent Forum, one additional day of DSA for the current representatives in the Forum and one additional day of DSA for participation of the 25 members of civil society.

Existing provisions in the amount of \$477,700 are included in the proposed programme budget for 2022 in relation to General Assembly resolution 73/262, under section 24, Human rights. These would provide for one post at the P-4 level and six months of general temporary assistance at the General Service (OL) level, as well as the requirements for the travel of representatives for the current membership of the forum and 25 participants from civil society for three days. In addition, resources are provided for the travel of three eminent personalities for the annual Forum. As such, additional resources in the range of \$50,000 to \$60,000 would be required to implement the activities in 2022 and each year thereafter.

Accordingly, the adoption of draft resolution A/75/L.119/Rev.1, as orally amended, would give rise to budgetary implications of between \$72,400 and \$92,800 under the proposed programme budget for 2022 and each year thereafter under section 2, General Assembly and Economic and Social Council affairs and

conference management; section 24, Human rights; and section 29 E, Administration, Geneva.

Should the General Assembly adopt draft resolution A/75/L.119/Rev.1, as orally amended, the Secretariat would present a revised estimates report to the main part of the seventy-sixth session of the General Assembly detailing the additional requirements needed under the proposed programme budget for 2022.

The resource requirements related to requested activities that are envisaged to take place in 2023 and thereafter would be presented in the context of the proposed programme budget for the respective years.

The statements I have just read were distributed through the plenary section on the e-DeleGATE portal and will be made available in the journal under the e-statements link for the meeting.

**The Acting President:** Before we proceed to take a decision on draft resolution A/75/L.119/Rev.1 and draft amendment A/75/L.121/Rev.1 and the proposed oral amendment, all delegations that wish to make a statement in explanation of vote before the voting on the draft resolution and/or the proposed amendment are invited to do so now in one intervention.

I give the floor to the representative of Tunisia on a point of order.

**Ms. Elmansouri (Tunisia):** I wish to refer to document A/75/252, entitled "Allocation of agenda items for the seventy-fifth session of the General Assembly". In this document, adopted by the General Assembly on 18 September 2020, agenda item 70 was allocated to both the Third Committee and to the plenary. I therefore wanted to take the floor to seek clarification from the Secretariat as to why a decision had to be made to reallocate to the Third Committee an agenda item that was already allocated to the General Assembly, and if that reallocation was, in fact, needed, why this question was not raised on Thursday (see A/75/PV.96), when we first started to consider this draft resolution under agenda item 70 in the General Assembly?

**The Acting President:** I now give the floor to the representative of the Secretariat.

**Ms. Ochalik (Department for General Assembly and Conference Management):** We do allocate items and sub-items, so even though agenda item 70 was split-allocated between the Third Committee and the plenary, in the plenary it was for the General Assembly to hold

an annual commemorative meeting on the International Day for the Elimination of Racial Discrimination. That is why it was allocated to the plenary — for the sole purpose of holding the plenary meeting.

In order for the General Assembly to take action on draft resolution A/75/L.119 last week (see A/75/PV.96), the General Assembly therefore had to reallocate sub-item (b) to the plenary. Normally, the reallocation or reopening or both are handled under item 7 — “Organization of work, adoption of the agenda and allocation of items: reports of the General Committee”

Last Thursday, all the discussion that took place was under item 7. The General Assembly had not really reached the stage of reopening or reallocating any items. We were still under item 7, dealing with the issue of the reallocation of sub-item (b) of agenda item 70 to the plenary.

**The Acting President:** I now give the floor to the representative of Algeria on a point of order.

**Mr. Bessedik** (Algeria): I request that the rule of procedure on which we base said reallocation or reopening of items and sub-items be read out.

**The Acting President:** I now give the floor to the representative of the Secretariat.

**Ms. Ochalik** (Department for General Assembly and Conference Management): The reallocation and reopening of items are a procedural matter. Therefore, they are part of the procedural issues that the General Assembly handles. The issue of agenda inclusion and allocation are handled by the appropriate rules of procedure of the General Assembly and then, once an item is closed, if the General Assembly is to consider that item — procedurally speaking — it has to reopen that item. This has been the practice of the General Assembly in order to reopen an item that has been closed or to reallocate an item if it was allocated to a main committee.

**The Acting President:** I give the floor to the representative of Algeria on a point of order.

**Mr. Bessedik** (Algeria): I am sorry to take the floor again, but I want to be very clear on this matter because it is very important to understand the legal framework of our work. Does the representative of the Secretariat mean to say that there is no rule governing this action and that it is, instead, merely a practice?

**The Acting President:** I give the floor to the representative of the Secretariat.

**Ms. Ochalik** (Department for General Assembly and Conference Management): The rule that pertains to the adoption of the agenda is rule 21, which talks about the adoption of the agenda of the General Assembly based on the report of the general committee. Then, once the agenda is adopted and allocated, we operate on that understanding that agenda items are allocated to different committees based on their expertise. Once that committee concludes its work, the items cannot be considered by that committee anymore, so if action is needed under that item, it needs to be referred back to the plenary. Hence, the item needs to be reallocated to the plenary.

I should like to announce that, since the submission of draft amendment A/75/L.121/Rev.1, and in addition to those delegations listed in the document, the following countries have also become sponsors of draft amendment A/75/L.121/Rev.1: Cameroon, Egypt, Eritrea, Guinea, Haiti, Mali, Nigeria and Senegal.

**The Acting President:** Before we proceed to take action on draft resolution A/75/L.119/Rev.1, in accordance with rule 90 of the rules of procedure, the General Assembly shall first take a decision on draft amendment A/75/L.121/Rev.1 and the oral amendment proposed by the representative of the United States, one by one.

We shall first turn to draft amendment A/75/L.121/Rev.1.

May I take it that the General Assembly wishes to adopt draft amendment A/75/L.121/Rev.1?

*Draft amendment A/75/L.121/Rev.1 was adopted.*

**The Acting President:** We now turn to the oral amendment.

May I take it that it is the wish of the General Assembly to adopt the oral amendment proposed by the representative of the United States?

*The oral amendment to draft resolution A/75/L.119/Rev.1 was adopted.*

**The Acting President:** Since draft amendment A/75/L.121/Rev.1 and the oral amendment proposed by the representative of the United States have been adopted, the Assembly will now take action on draft resolution A/75/L.119/Rev.1, entitled “Establishment of

the Permanent Forum of People of African Descent”, as amended.

I give the floor to the representative of Algeria on a point of order.

**Mr. Bessedik** (Algeria): Delegations were given the opportunity to co-sponsor the amendment to draft resolution A/75/L.119/Rev.1, but I see that the same was not done for the draft resolution as a whole. Algeria requested the floor because it wants to co-sponsor the draft resolution, as amended.

**The Acting President:** I have been reminded that draft resolution A/75/L.119/Rev.1, to which the representative of Algeria is referring, is being presented by the President of the General Assembly. As such, it needs no co-sponsors.

May I take it that the Assembly decides to adopt A/75/L.119/Rev.1, as amended?

*Draft resolution A/75/L.119/Rev.1 was adopted (resolution 75/314).*

**The Acting President:** Before giving the floor to speakers in explanation of vote before the voting, may I remind delegations that explanations are limited to 10 minutes and should be made by delegations from their seats.

**Ms. Jurečko** (Slovenia): I have the honour to speak on behalf of the European Union (EU) and its member States. We extend our sincere appreciation to the Permanent Representatives of Chad and Costa Rica and their teams for their leadership and commitment in this process. The EU remains fully committed to the total elimination of racism, racial discrimination, xenophobia and related intolerance, including their contemporary forms, as well as to the promotion and protection of human rights for all, without discrimination on any grounds.

We support all efforts to eradicate all forms of discrimination and we joined consensus on the resolution setting out the programme of activities for the implementation of the International Decade for People of African Descent, 2015-2024. The EU engaged constructively on the negotiations on the mandate and modalities for the new Permanent Forum of people of African descent with the aim of reaching a consensual outcome. Our proposals were aimed at formulating a clear mandate for the new Forum aimed at non-duplication and close links with existing

mechanisms as well as reasonable size and budgets. We regret the fact that many of our proposals were not included in the text. We notably regret that our language proposals on the need to address stereotypes, essentialism, stigmatization and assigned identities, all crucial concepts in the fight against racism, which had also received support in the room, were not taken on board.

It is also disappointing that our key concerns were not addressed despite our having been clear about them from the start. We regret the presentation of last-minute revisions by the co-facilitators, with significant organizational and budgetary implications without the possibility of Member States debating in a comprehensive and transparent way the consequences for the Office of the United Nations High Commissioner for Human Rights (OHCHR). We must therefore make the following observations.

Operative paragraph 1(c), on the mandate of the Permanent Forum, must be understood in line with operative paragraph 29(h) of resolution 69/16, which foresees that Member States should consider adopting measures to further promote and protect the human rights of people of African descent as enshrined in international human rights instruments. In no way should operative paragraph 1(c) as transferring the responsibilities of the General Assembly to the Permanent Forum.

Racism knows no boundaries. In that sense, our priority must remain the full and effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination. We do not believe that additional instruments are needed, be it an additional protocol to the Convention or a possible declaration on the rights of people of African descent.

We must also express our reservations as regards operative paragraph 1(h), on data collection, which is not in line with the 2030 Agenda for Sustainable Development and includes controversial elements. We also remain seriously concerned about the last-minute initiative as included in operative paragraph 9 and its impact on the broader United Nations human rights system. We regret that those countries that aim to overcrowd the system with new processes and structures are also those that systematically oppose the human rights budget in the relevant discussions of the Fifth Committee.

While we fully support OHCHR's mandates, we reiterate our position that the Forum should be covered through voluntary contributions so as not to overburden the current system. We will take this and the process for which the revision was proposed into account when the Fifth Committee reviews the budgetary implications and adopts the revised estimates this autumn.

Despite our reservations, the European Union member States joined the consensus on resolution 75/314 in order to acknowledge the urgent need to eliminate racism and discrimination in all its forms, including the challenges faced by people of African descent around the world, and allow the new Forum to have a constructive start.

**Mrs. Rodrigues-Birkett** (Guyana): I make this statement on behalf of the 14 States members of the Caribbean Community (CARICOM).

CARICOM would like to thank the co-facilitators from Costa Rica and Chad for having facilitated and presented draft resolution A/75/L.119/Rev.1, "Establishment of the Permanent Forum of People of African Descent", under agenda item 70(b).

I would be remiss if I did not note the significance of the adoption of resolution 75/314 on this day by consensus. Today is the very day on which most of the countries of the Caribbean Community are commemorating the abolishment of slavery, an event that took place in our region almost 200 years ago, in 1834. The importance of this day and the adoption of the resolution are momentous, and this day will go down in our history as a day of reflection and a day on which the United Nations took a significant step forward following its recognition of the contribution and sacrifice of the many millions of people of African descent who perished under the weight of the yoke of slavery and colonialism.

CARICOM is pleased and, indeed, grateful that through our collective efforts we were able to adopt this resolution by consensus on the day when in our region most of our countries are celebrating emancipation from slavery. We look forward to working with the global community in addressing appropriate recommendations from the Permanent Forum of People of African Descent that will contribute to the improvement of the lives of people of African descent and to their full political, economic and social inclusion as equal citizens, without discrimination of any kind and with equal enjoyment of all human rights.

**Mrs. Thomas-Greenfield** (United States of America): I thank Chad and Costa Rica for having facilitated today's resolution (resolution 75/314). The United States strongly supports the creation of the Permanent Forum for People of African Descent. We fully engaged in the modalities to shape its mandate. The Biden-Harris Administration has put dismantling systemic racism and achieving racial justice at the forefront of our agenda, because, ultimately, racism is a problem in every society, and that means that every society needs to grapple with it.

Recently members have seen us do this grappling across multilateral forums. At the forty-sixth regular session of the Human Rights Council, we led a joint statement on combating racism and racial discrimination signed by more than 155 countries. We welcomed cooperation with the investigative mechanisms established in Human Rights Council resolution 47/21. Secretary of State Blinken announced that we will facilitate visits to the United States by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

Today the United Nations has reached another important milestone on this collective journey: the establishment of a Permanent Forum for People of African Descent. The Forum represents the full acknowledgement that at long last we are compelled to give voice to the dynamic challenges and aspirations of people of African descent around the world. The Forum is universal in its purview, and it is forward-looking in its agenda. It creates a new and necessary space for all people of African descent to come together and build a better future.

There are a few details that I want to be clear about.

First, we want to emphasize that our strong support for the resolution does not change the United States position on the Durban Declaration and Programme of Action. The creation of this Forum is but one step among many that the United Nations system and Member States are taking to combat all forms of racism, racial discrimination, xenophobia and intolerance. So the Permanent Forum is far bigger than any one issue, programme or conference, and so it is inappropriate for the establishment of the Forum to be housed under an individual conference agenda item. So while this is being adopted under its current agenda item, our position on the Durban Declaration and Programme of Action remains the same.



Secondly, we want to stress that the mandate of the Forum does not include the elaboration of a United Nations declaration. The purview of developing United Nations declarations remains with Member States. The Forum's consideration of a United Nations declaration on people of African descent would be only a part of the broader consideration by Member States.

Finally, racism and intolerance, sadly, are universal. Our approach to eliminating them must be too. So, we will continue to defend all groups who face discrimination, including indigenous people; women and girls; lesbian, gay, bisexual, transgender, queer and intersex persons; people with disabilities and so many more. We will elevate their perspectives, their rights and their fights whenever and wherever we get a chance.

**Mrs. Furman** (Israel): I would first like to thank the Permanent Representatives of Chad and Costa Rica and their teams for coordinating and facilitating the negotiations on resolution 75/314, on the establishment of the Permanent Forum of People of African Descent. Given the importance that Israel attributes to the Permanent Forum, we have joined consensus on the resolution.

However, we would like to make it clear that we disassociate ourselves from any reference in the resolution to the Durban Declaration and Programme of Action, including in the second, third and ninth preambular paragraphs and operative paragraphs 1 and 6. The Durban Declaration and Programme of Action is a text that politicizes the fight against racism and should be treated as such.

**Mr. Elizondo Belden** (Mexico) (*spoke in Spanish*): Mexico would like to thank Costa Rica and Chad for their hard work in facilitating resolution 75/314, on the establishment of the Permanent Forum of People of African Descent, which will be a space to promote the rights and development of people of African descent and to make progress towards the elimination of racism, racial discrimination, xenophobia and related intolerance.

For over two months, the cofacilitators conducted an open, inclusive and transparent negotiation process, in which all elements of the draft were discussed. My delegation regrets that the ninety-sixth plenary meeting of the General Assembly ended before being able to take action on the draft resolution, as this organ had decided.

Mexico believes that full adherence to the rules of procedure of the General Assembly is fundamental to its working methods and appropriate operation. Although, we do not question the ability of delegations to submit draft amendments or oral revisions to amendments, Mexico regrets that one delegation proceeded to do so after the conclusion of the silence procedure initiated by the President of the General Assembly through the submission of A/75/L.121. That action undermines our current working methods and must not serve as a precedent. Like many other delegations, Mexico supported the language of draft resolution A/75/L.119, as agreed during the cofacilitation process and submitted by the President of the General Assembly.

Nevertheless, my delegation joined consensus and welcomes the establishment of the Permanent Forum of People of African descent.

**Mr. Roscoe** (United Kingdom): I join others in thanking the delegations of Chad and Costa Rica for their incredibly hard work in facilitating resolution 75/314. I am also very grateful for my colleague from Guyana for reminding us that today is the anniversary of the coming into force of the Slavery Abolition Act of 1833. It is an important moment, as it is every year, because it reminds us of an end to a dark common chapter, but it is also a reminder — as we look at this resolution and agenda item — that we have so much further to go.

As we said on Friday, the United Kingdom continues to condemn racism in all its forms and will always do so. We will work for the total elimination of racism, racial discrimination, xenophobia and related intolerance, as well as the promotion and protection of human rights for all, without discrimination on any grounds.

At home, we will work to create a fair society where all people, regardless of ethnic origin or background, are valued and can reach their full potential. Internationally, we will continue to be one of the strongest advocates for the United Nations mechanisms that help to combat racism. We strongly believe that one of the most effective ways to tackle disparities and advocate for respect among different racial groups is to encourage countries to uphold their human rights obligations.

We are also committed to the various existing mechanisms and their important instruments, such as the International Convention on the Elimination of All Forms of Racial Discrimination, which the United Nations has created to deal with this issue.

However, given the number of existing United Nations mechanisms to consider the issue raised by this draft resolution, as made clear through the negotiation process, we do not see the need to mandate the Forum to continue to elaborate a declaration on the promotion, protection and full respect of the human rights of people of African descent. The United Kingdom strongly believes that we should focus our efforts on implementing existing norms and treaties rather than creating new declarations.

Nonetheless, having expressed that concern, the United Kingdom is pleased to join consensus on this text, and we remain resolute in our commitment to the total elimination of racism, racial discrimination, xenophobia and related intolerance.

**Mr. Ojeda (Chile)** (*spoke in Spanish*): My delegation takes the floor to thank the cofacilitators—Ambassadors Ammo Aziza Baroud and Rodrigo Carazo—who, along with their teams, did a remarkable job in creating the Permanent Forum of People of African Descent. We highly value this new Forum, which my country hopes will become a venue for dialogue, cooperation and promotion of the rights of people of African descent.

On the twentieth anniversary of the adoption of the Durban Declaration and Program of Action, Chile reaffirms its commitment to combating racism, racial discrimination, xenophobia and all forms of intolerance—not only in Chile, but globally, wherever anyone faces discrimination, for whatever reason. This fight against discrimination is more relevant today, given the disconcerting increase in discrimination, hate speech, stigmatization and racism.

In conclusion, I reiterate the importance of continuing the fight against racism and discrimination and underscore Chile's support for the future work of the members of the Permanent Forum of People of African Descent, which will undoubtedly be a key mechanism in achieving the full political, economic and social inclusion of people of African descent in the societies in which they live as equal citizens without discrimination of any kind.

**Mr. Carazo (Costa Rica)** (*spoke in Spanish*): I would like to make a comprehensive statement to explain the content of the work and the proposals of resolution 75/314, which has just been adopted. My statement will be followed by that to be delivered by my dear friend and sister Ambassador Baroud of Chad,

with whom I have been working for many months in order to achieve what has been realized today.

First of all, as co-facilitator of the resolution, I offer our thanks and gratitude to all countries and groups of countries that actively participated in this process by proposing alternative ideas and considerations, which without a doubt ultimately improved the final product. We will have to continue fine-tuning it as we move towards the future. I would like to thank the staff in the Office of the President of the General Assembly, the Office of the United Nations High Commissioner for Human Rights and the Secretariat who supported the final stages of this process. I would also like to warmly thank my colleagues who have supported us today and in recent days as we moved to finalize work on this historic resolution.

In my national capacity, I would like to say that the General Assembly is taking a positive step forward in realizing a dream that will allow societies that received people who have for centuries contributed in one way or another through various forms of work, including in highly degrading slavery, to begin to listen, within the United Nations and all other forums, to the voices of the hundreds of millions of people of African descent as they share their desires, challenges and needs with the international community.

With the adoption of this resolution, we have facilitated the functioning of a permanent forum that, in a world that seeks to stamp out racism and racial discrimination, will welcome and support all objectives oriented towards justice and racial equity. Costa Rica fervently believes that the reservations and precautions expressed in this Hall after the voting will soon be allayed because our action today will ultimately ensure progress towards fulfilling the rights of people of African descent, who form a part of many of our societies.

The Permanent Forum of which we are dreaming and to which Costa Rica is committed must stand as a vibrant arena in which we listen to the voices of the millions of people of African descent who continue living and working within our societies.

That endeavour, we know, cannot be carried out with the limited budget of the United Nations alone; the support and commitment of all individuals and groups, including but not limited to civil society, will be needed. This is a vibrant, permanent and dynamic forum which, if it is to function properly, will have

budgetary implications. Those will be addressed in the near future on the basis of the proposals of the Fifth Committee and with the participation and commitment of all stakeholders.

Once again, I thank dear Ambassador Baroud for her support for our joint work and all of our colleagues for their support and consensus in adopting this resolution.

**Mr. Zareian** (Islamic Republic of Iran): We wish to express our appreciation to the Permanent Representatives of Chad and Costa Rica as the co-facilitators of resolution 75/314, adopted today.

While strongly believing in protecting the rights and promoting the status of people of African descent, the delegation of the Islamic Republic of Iran would like to register an explanation of position on resolution 75/314, adding that all related provisions, concepts and terminologies are understood and interpreted in accordance with the national laws and regulations of the Islamic Republic of Iran, in full respect for its religious, cultural and moral values and principles. In this regard, the delegation of the Islamic Republic of Iran disassociates itself from any reference made to the non-consensual phrases in the resolution.

**Mr. Sadnovic** (Indonesia): My delegation welcomes the consensus adoption of resolution 75/314, on the establishment of the Permanent Forum of People of African Descent. I would also like to express our appreciation to the co-facilitators. In this regard, allow me to underline the following.

Indonesia has consistently supported the establishment of the Permanent Forum. Our view is that the Forum is important as a consultative mechanism for promoting the rights, as well as improving the safety and quality of life and livelihood of people of African descent. As a vast archipelagic country comprising more than 17,000 islands, with more than 255 million people from over 1,300 ethnic groups, Indonesia's nation-building has been based on the spirit of unity and diversity.

In this regard, we would like to emphasize that in Indonesia's context, our Constitution grants protections to and responsibility towards the entire Indonesian nation without discrimination on the basis of race, ethnicity, religion, lineage or genealogy. Having said that, we are committed to supporting the Forum to ensure that it can carry out its mandate constructively,

guided by and in full respect for the purposes and principles of the Charter of the United Nations.

**Mrs. Baroud** (Chad) (*spoke in French*): Today we have reached the end of an extremely important process in the march of the history of the peoples that form humankind. We have today adopted by consensus the resolution entitled "Establishment of the Permanent Forum of People of African Descent" (resolution 75/314). It is a small step, but an important one.

I would first like to thank all the States, organizations and people who have assisted us and, throughout this long process, have provided us with their ideas and thoughts.

This resolution and the approaches contained therein constitute both a delicate balance resulting from reflections and discussions with Member States and, at a time when we are commemorating the seventh year of the resolution, its mid-term review and the twentieth anniversary of the Durban Declaration and Programme of Action, a unique opportunity to fulfil the decision set forth and adopted by consensus in resolution 69/16 of 18 November 2014, entitled "Programme of activities for the implementation of the International Decade for People of African Descent". The time is ripe for establishing this Permanent Forum.

In our capacity as facilitators, the Permanent Missions of Costa Rica and Chad have from the outset been committed to leading an open, inclusive and transparent process, and, aware as we are of the political sensitivities around the process, we are convinced that we can build on the constituent elements of the Forum and the consultations conducted between 2014 and 2019 with States, civil society and other stakeholders. All of this has been done with the aim of remaining as faithful as possible to the mandate granted by the General Assembly. Accordingly, for four months, our two countries have insisted on conducting an open and in-depth conversation, first, through dialogues with regional groups to set forth the objectives and take note of the priorities of the different groups and delegations; secondly, through open consultations conducted with the participation of Member States, civil society, and in particular organizations of people of African descent, which were invited to share their proposals and visions for the Forum at a still-initial stage of the process; and finally, through intergovernmental negotiations to which we attached particular importance so as to take into account all positions and balance the different

interests of Member States from an open, inclusive and transparent standpoint.

We have not refrained from drawing on the experience of the United Nations and its existing mechanisms to find inspiration for the creation of a new forum, whether it be the Permanent Forum on Indigenous Issues, the Durban follow-up mechanisms and other dynamic forums supported by Member States. With the resolution that was introduced and adopted today, we are on our way to establishing a forum that will constitute an important and innovative component of the United Nations architecture to fight racism, racial discrimination, xenophobia and all related forms of intolerance and discrimination.

Resolution 75/314 is nothing less than the fruit of many discussions initiated by States to calibrate their vision, which were sometimes divergent in terms of expectations for the Permanent Forum, and of the commitment of the facilitators to break down differences and lead the discussions to a point of convergence where all countries and groups of countries could come together in a spirit of consensus and good faith. Until the last moments of the negotiation, we were listening and willing to work with all delegations, addressing various concerns and being ready to make necessary changes, sometimes changes of extreme sensitivity, in order for delegations to reach consensus.

Now is the time to recognize and salute the role played by the United Nations, our Organization, as well as the Human Rights Council in Geneva, which have truly spared no efforts in terms of catalysing transformative change to advance the human rights of people of African descent. Our countries commend the leadership and commitment of the Secretary-General and the United Nations High Commissioner for Human Rights in the struggle for the well-being and sustainable and inclusive development of people of African descent and in the overall fight against racism. The Permanent Forum will certainly serve as a platform to generate new ideas on how to reverse the injustices experienced by people of African descent around the world and which have unfortunately remained in place for too long.

This is therefore an important moment in history that will move us forward towards respecting the rights of people of African descent — which are human rights. Finding solutions to their demands and challenges must therefore also be focused on the pursuit of human rights. The impact of coronavirus disease (COVID-19)

on racial and ethnic minorities, including people of African descent, and the global movement against racism have made this clear.

We must strengthen the human rights response in the fight against racism, racial discrimination, xenophobia and related intolerance. With this new forum, the international community will be able to reaffirm the essential role played by civil society and the communities concerned, in this case, people of African descent, in the analysis of the problems they face and in the responses that States put in place.

It is for this reason that Costa Rica and Chad are proud to have participated in this moment in the march of history. We are proud not only for our own participation, but also that of every delegation and State that took part in this interesting and truly exciting discussion. Moreover, we are able to say today that wisdom and consensus have prevailed. We take this opportunity to thank all those who have contributed to this extraordinary exercise in the march forward by humankind.

**Mr. Magosaki (Japan):** It is a bit difficult to speak after that overwhelming statement, but Japan is very pleased to join with previous speakers in welcoming the establishment of the Permanent Forum of People of African Descent and in paying tribute to the facilitators of resolution 75/314.

Also, following up on the statement of the United Kingdom, Japan also hopes that, as we implement resolution 75/314, synergies among other relevant mechanisms will be newly created and not duplicated.

**Mr. Nze (Nigeria):** I take the floor on behalf of the Group of African States.

At the outset, let me thank the Ambassadors of Chad and Costa Rica for their coordination and facilitation of the important negotiation that took place prior to the adoption of resolution 75/314 and for their hard work during the process. Let me also thank their colleagues and those colleagues' delegations for their commitment, support, flexibility and constructiveness during the four months of the negotiations process.

That we all joined consensus on resolution 75/314 today is an affirmation of our collective humanity and desire for justice, equity and freedom, as well as our belief that racial discrimination, injustice, racism and xenophobia must not only be addressed but eliminated.



While I must admit that most of our proposals and concerns were not addressed or taken on board, we nevertheless take solace in the fact that the resolution was at least adopted by consensus. We do hope that the resolution will point the way forward for the people of African descent to begin to enjoy unhindered access to justice, freedom and expression of their God-given potentials and values.

For the African Group, the adoption of resolution 75/314 is a milestone in our collective fight against racism, racial discrimination and all vestiges of slavery and the slave trade. It will lead to the desired inclusion of people of African descent — politically, economically and socially — that has been denied to them for so long.

Today, as we leave this hallowed Assembly Hall, and despite the challenges and shortcomings in the text of resolution 75/314, we cannot but be happy that we have at least given voice and effect to the aspirations of all peoples of African descent. The African Group welcomes the adoption by consensus of this very important resolution.

**Ms. Joyini** (South Africa): South Africa wishes to thank the Permanent Missions of Chad and Costa Rica for the hard work they have put in as they co-facilitated the resolution entitled “Establishment of the Permanent Forum of People of African Descent” (resolution 75/314).

South Africa aligns itself with the statement made by the representative of Nigeria on behalf of the Group of African States.

We welcome the resolution which we deem timely because years have passed since the international community agreed to implement the International Decade for People of African Descent (resolution 69/16). It is unfortunate that contemporary racially discriminatory effects of structures of inequality and subordination resulting from failures to redress racism, slavery, apartheid and colonialism continue to persist. We are aware of the racial prejudices and discrimination that people of African descent still face today. However, we do take note of the way the international community is addressing these acts, and we applaud progress made at the national, regional and international levels, in conformity with the obligations and commitments made in the Durban Declaration.

We are pleased with those Governments that have, since the landmark Durban Declaration and Programme of Action, adopted progressive legislative

and administrative measures to effectively combat racism, racial discrimination, xenophobia and related intolerance. More importantly, we thank all those who appreciate and respect the knowledge and contribution of people of African descent to their economies and the global community overall.

South Africa welcomes the establishment of the Permanent Forum of People of African Descent as a consultative mechanism for people of African descent and other relevant stakeholders, as a platform for improving the safety and quality of the lives and livelihoods of the people of African descent, and as an advisory body to the Human Rights Council. This mechanism will address the challenges presented by the scourges of racism, racial discrimination, xenophobia and related intolerance in all their contemporary forms or manifestations, which people of African descent confront, which impede the full and effective realization of their aspirations to overcome challenges in situations of racism and racial discrimination, and which promote the enjoyment of all of their human rights and fundamental freedoms.

South Africa reaffirms its commitment to the full and effective implementation of the Durban Declaration and Programme of Action and the International Decade for People of African Descent, in line with the Addis Ababa Action Agenda. We reiterate that a just, equitable, tolerant, open and socially inclusive world is achievable for all if the needs of those in vulnerable situations are met and, in the light of their vulnerabilities, if victims of human rights violations resulting from racism, racial discrimination, xenophobia and related intolerance are accorded access to justice, effective and appropriate protection remedies and adequate reparation and satisfaction for any damage resulting from such discrimination.

**Mr. Bessedik** (Algeria) (*spoke in French*): I would like to begin by thanking the missions of Costa Rica and Chad and by expressing our appreciation for their efforts aimed at reaching the resolution that we adopted by consensus today (resolution 75/314). That being said, on behalf of my delegation, I would like to express our pleasure at having adopted such a resolution, which we consider an achievement in carrying out and implementing the Durban Declaration and Programme of Action. Indeed, the forum is a new mechanism built upon the Working Group that existed before, and we hope that the work of this forum, in addition to other Human Rights Council mechanisms, will be able to carry

out and form the basis of continued implementation of the Durban Declaration and Programme of Action, specifically in terms of putting an end to the vestiges of racial discrimination, slavery, the slave trade and colonialism, which are indeed a plague in the history of humankind and which persist to this day.

We call on the international community to assume its responsibilities, because we must recognize that, until today, there has unfortunately still been resistance and opposition, even within the United Nations, and we deplore that state of affairs. We hope that the Forum will be a new starting point for putting an end to this deplorable situation.

Secondly, I would like to comment on some of the findings that we have noted during the negotiation process, especially during the last Thursday's meeting. My delegation would call on the Secretariat to comply with its mandate, especially when it acts in support of and to assist the General Assembly and its subsidiary bodies. In this regard, I would like to point out that the oral amendments, for example, were generally not made in accordance with the Assembly's rules of procedure. We emphasize that oral amendments are supposed to be the exception, and that is clear from the relevant rule, namely, that all amendments should be circulated with sufficient advance time and that oral amendments should be the exception (rule 78). We therefore call for this rule to be respected by everyone, without exception.

Furthermore, we express another strong concern when we ask that when a meeting is held to adopt a text as the final step to accomplish in the process, that meeting cannot logically be postponed. The rules of procedure must be respected. The letter from the Group of African States addressed to the President of the General Assembly is quite clear on that point, and we invite everyone to read it and express and show respect for the governing rules of our governing body and its subsidiary bodies, since what is at stake is the credibility of this deliberative organ and its subsidiary bodies. It is also a matter of the credibility of the United Nations, which we wish to protect from any misuse. We hope and we make an appeal and request that the rules of procedure that govern the General Assembly and its subsidiary bodies be duly respected. That is our appeal to the Assembly here in plenary.

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

will now hear statements following the adoption of the resolution.

I give the floor to the observer of the Holy See.

**Monsignor Hansen (Holy See):** The Holy See acknowledges the adoption of resolution 75/314, "Establishment of the Permanent Forum of People of African Descent", bringing to completion the process launched in resolution 69/16 of 18 November 2014. On this occasion, my delegation wishes to reiterate the Holy See's firm view that any theory or form whatsoever of racism and racial discrimination is morally unacceptable and must be tackled through local, national and international efforts, including through measures aimed at providing justice and support for victims of racism.

The establishment of the Permanent Forum of People of African Descent, a consultative mechanism for people of African descent and other relevant stakeholders, will hopefully contribute to the international community's work to consign the evil of racism and racial discrimination to the history books. In the light of the negotiations, the presentation of and the consultations on the amendments before, during and after the 96th plenary meeting of the General Assembly and the positions outlined by Member States at the said meeting (see A/75/PV.96), the Holy See would like to make three brief comments.

First, my delegation welcomes the decision of the General Assembly to return to agreed language in the list of characteristics related to collection, analysis and disaggregation of data in paragraph 1 (h).

Secondly, following the decision to make an addition to the end of paragraph 1 (h), our delegation is obliged to state that the term "gender" is understood by the Holy See as grounded in biological sexual identity, that is, the two sexes — male and female — and, as such, has the same meaning as the term "sex".

Thirdly, the discussions on this resolution, both during the informal consultations and at the 96th plenary meeting, are concerning to our delegation. They displayed substantial disagreements among States, related both to the formation of the Permanent Forum and on broader human rights issues, and the concern that the process has been impacted by distrust and a lack of good faith. The impact that racism has on our world calls the United Nations to greater efforts and unity.

The Holy See hopes that the Permanent Forum of People of African Descent will strive to advance common efforts to which States across the globe will lend their support.

**The Acting President:** We have heard the last speaker for this item.

I would like to express my sincere appreciation to Her Excellency Mrs. Ammo Aziza Baroud, Permanent Representative of Chad to the United

Nations, and His Excellency Mr. Rodrigo Carazo, Permanent Representative of Costa Rica to the United Nations, who ably and patiently conducted the discussions and negotiations on resolution 75/314 in informal consultations.

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

*The meeting rose at 11.45 a.m.*