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Third Committee**Summary record of the 44th meeting**

Held at Headquarters, New York, on Tuesday, 6 November 2018, at 3 p.m.

Chair: Mr. Saikal (Afghanistan)**Contents**Agenda item 72: Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*)

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The meeting was called to order at 3.05 p.m.

Agenda item 72: Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*)

(a) Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*) (A/C.3/73/L.53)

Draft resolution A/C.3/73/L.53: Combating glorification of Nazism, neo-Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance

1. **Mr. Lukiyantsev** (Russian Federation), introducing the draft resolution, said that over 70 years had passed since States had put their political and ideological differences aside to defeat Nazism in a victory of great significance both for international relations and international human rights law. Unfortunately, however, some States had not yet been able to stamp out the last vestiges of Nazi ideology.

2. The draft resolution addressed the common challenges faced by the international community in confronting the very dangerous manifestations of racism in the contemporary world. Although an increasing number of movements and political parties invoked freedom of expression as defence for disseminating racist and extremist idea, their protection ran counter to States' responsibilities under the main international human rights instruments, including the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination. The former, in particular, explicitly prohibited any advocacy of national, racial or religious hatred that constituted incitement to discrimination, hostility or violence. Extremist groups were often inspired by the very ideology and practices that the anti-Hitler coalition had fought against in the Second World War. Sponsors of the draft resolution firmly rejected attempts to whitewash the actions of former members of the Schutzstaffel (SS), particularly of the Waffen SS subdivisions, which had mercilessly exterminated peaceable civilians and had been ruled a criminal organization by the Nuremberg Tribunal.

3. In Europe, the indulgence shown towards criminal ideas about the glorification of Nazism had led to an entire generation growing up without awareness of the most devastating war in history. Only ignorance could explain the campaigns waged against memorials to those who had fought against Nazism and fascism or the inauguration of new memorials to former Nazis. It had

once been unimaginable that those who had fought on the side of fascism against the anti-Hitler coalition would be proclaimed heroes and put on an equal footing with national freedom fighters. The adoption by the European Parliament of a resolution on the rise of neo-fascist violence in Europe in October 2018 was, however, a sign that those who had refused to support the draft resolution presented by the Russian Federation at the General Assembly each year were gradually waking up to the dangers posed by the glorification of Nazis and their collaborators, the dissemination of neo-Nazi ideas and the growth in popularity of neo-Nazi and populist movements. He hoped that European Union member States would go one step further and vote for the draft resolution, which had even been referenced in the European Parliament resolution, thereby recognizing that such problems also existed outside Europe.

4. The Nuremberg Tribunal had unequivocally judged the crimes of those who had trampled on the rights and dignity of others and rejected the principle of equality of all people regardless of racial, ethnic, religious or linguistic affiliation. Attempts to recast the Tribunal's rulings and falsify history out of political convenience or mercantile considerations were blasphemous.

5. **Mr. Khane** (Secretary of the Committee) said that Angola, Benin, Burkina Faso, the Congo, Côte d'Ivoire, Cuba, Ethiopia, Guinea, Guyana, South Sudan and Togo had joined the sponsors.

Agenda item 109: Crime prevention and criminal justice (*continued*) (A/C.3/73/L.9/Rev.1)

Draft resolution A/C.3/73/L.9/Rev.1: Countering the use of information and communications technologies for criminal purposes

6. **Mr. Musikhin** (Russian Federation), introducing the draft resolution, said that the use of information and communication technologies for criminal purposes had long been a threat to developing and developed countries worldwide and yet the intergovernmental expert group meeting on cybercrime in Vienna was the only United Nations format for considering such issues. Although that body was effective in fulfilling its narrow mandate of researching cybercrime, it did not provide a platform for discussing the political and legal aspects of cybercrime or searching for ways to tackle and prevent it. The General Assembly would be the most appropriate forum for such discussions, with the participation of all Member States. The draft resolution was concise and was not designed to foreshadow the outcomes of

forthcoming debates, but rather to offer Member States the opportunity to advance discussions on the topic.

7. **Mr. Khane** (Secretary of the Committee) said that Angola, Armenia, Burundi, Egypt, Eritrea, Togo and Zimbabwe had joined the sponsors.

Agenda item 28: Social development

(continued) (A/C.3/73/L.13)

Draft resolution A/C.3/73/L.13: Volunteering for the 2030 Agenda for Sustainable Development

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

9. **Mr. Duque Estrada Meyer** (Brazil), introducing the draft resolution, said that volunteerism was an important component of any strategy envisioning poverty eradication, sustainable development, youth empowerment, social integration, humanitarian action and peacebuilding. The draft resolution prepared the ground for further processes in which Member States would, together with the United Nations Volunteers programme, review their practices in order to maximize the contribution of volunteerism for the 2030 Agenda on Sustainable Development. Its adoption would contribute to increased awareness of volunteerism and further enhance the potential of volunteer activity by encouraging more people to volunteer.

10. **Mr. Khane** (Secretary of the Committee) said that Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Belize, Bhutan, the Plurinational State of Bolivia, Bosnia and Herzegovina, Bulgaria, Cabo Verde, Cameroon, Canada, the Central African Republic, Chad, the Congo, Costa Rica, Croatia, Cyprus, Czechia, Denmark, the Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Finland, France, the Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, India, Iraq, Ireland, Israel, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Latvia, Lebanon, Liberia, Libya, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Mexico, Monaco, Mongolia, Montenegro, Morocco, Myanmar, Nepal, the Netherlands, Nicaragua, the Niger, Nigeria, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, the Philippines, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, South Sudan, Spain, Sri Lanka, Sweden, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Uganda,

Ukraine, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, Uruguay, Uzbekistan, Viet Nam and Zambia had joined the sponsors.

11. **Ms. Yoriko Suzuki** (Japan) said that the purpose of the resolution was to commend the efforts and contributions of volunteers and to renew the commitment to work closely with volunteers to achieve the Sustainable Development Goals.

12. *Draft resolution A/C.3/73/L.13 was adopted.*

13. **Ms. Simpson** (United States of America) said that her delegation wished to clarify that the 2030 Agenda was non-binding and did not create or affect rights or obligations under international law or any new financial commitments. Recognizing the 2030 Agenda as a global framework that could help countries work towards global peace and prosperity, the United States applauded its call for shared responsibility, including national responsibility, and wished to emphasize that all countries had a role to play in achieving that vision. Nevertheless, it was recognized in the 2030 Agenda that each country must work towards implementation in accordance with its own national policies and priorities, in a manner consistent with the rights and obligations of States under international law and without prejudice to the independent mandates of other processes and institutions. The 2030 Agenda also did not serve as precedent for decisions and actions under way in other forums and did not represent a commitment to provide new market access for goods or services or interpret or alter any World Trade Organization agreement or decision, including the Agreement on Trade-Related Aspects of Intellectual Property Rights.

(c) Literacy for life: shaping future agendas

(continued) (A/C.3/73/L.14)

Draft resolution A/C.3/73/L.14: Literacy for life: shaping future agendas

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

15. **Mr. Sukhee** (Mongolia), introducing the draft resolution, said that to create a more literate world, in addition to advocating literacy on a global level, it was important to develop the capacities of Member States in the areas of policies, programme delivery and literacy assessments, reinforce innovative models of literacy delivery and expand the knowledge base. The following paragraph should be added after the current fifth preambular paragraph: "Recognizing that literacy is crucial in a lifelong learning perspective as a continuum

of different proficiency levels that are developed throughout life and across different life context”.

16. **Mr. Khane** (Secretary of the Committee) said that Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, the Bahamas, Bangladesh, Belgium, Belize, Bhutan, the Plurinational State of Bolivia, Bosnia and Herzegovina, Bulgaria, Cabo Verde, Canada, Colombia, Croatia, Czechia, Denmark, Djibouti, the Dominican Republic, Egypt, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea, Guinea-Bissau, Iceland, India, Indonesia, Ireland, Israel, Italy, Jordan, Kazakhstan, Latvia, Lebanon, Lesotho, Lithuania, Luxembourg, Madagascar, Maldives, Malta, Mexico, Monaco, Montenegro, Morocco, the Netherlands, Nicaragua, Norway, Panama, Paraguay, Peru, the Philippines, Portugal, the Republic of Korea, the Republic of Moldova, Romania, San Marino, Sao Tome and Principe, Senegal, Serbia, Seychelles, Singapore, Slovakia, Slovenia, South Africa, South Sudan, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Turkey, Turkmenistan, Uganda, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Uruguay, the Bolivarian Republic of Venezuela, Zambia and Zimbabwe had joined the sponsors.

17. *Draft resolution A/C.3/73/L.14, as orally revised, was adopted.*

Agenda item 74: Promotion and protection of human rights (continued) (A/C.3/73/L.5/Rev.1)

Draft resolution A/C.3/73/L.5/Rev.1: World Braille Day

18. **Mr. Khane** (Secretary of the Committee), presenting a statement of programme budget implications in accordance with rule 153 of the rules of procedure of the General Assembly, said that, pursuant to paragraph 5 of the draft resolution, the cost of all activities arising from implementation of the draft resolution should be met from voluntary contributions and such activities would be carried out provided that voluntary contributions were made available. The adoption of the draft resolution would therefore not give rise to any budgetary implications under the programme budget for the biennium 2018–2019.

19. **Mr. Thomas** (Antigua and Barbuda) said that the support shown for the draft resolution was a positive sign that Member States were serious about not leaving anyone behind.

20. **Mr. Khane** (Secretary of the Committee) said that Angola, Argentina, Benin, Burundi, Canada, Chile, the

Comoros, the Congo, Costa Rica, Djibouti, the Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Finland, Georgia, Grenada, Guatemala, Guinea, Guinea-Bissau, Haiti, Hungary, Indonesia, the Islamic Republic of Iran, Israel, Italy, Jamaica, Japan, Libya, Malawi, Mali, Malta, Montenegro, Namibia, Nicaragua, the Niger, Nigeria, Pakistan, Panama, Peru, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Sao Tome and Principe, Senegal, Slovakia, Slovenia, South Africa, South Sudan, Spain, Sri Lanka, Suriname, Thailand, Togo, Turkey, Uganda, the United Arab Emirates, the United Republic of Tanzania, Uruguay, Viet Nam and Zambia had joined the sponsors.

21. *Draft resolution A/C.3/73/L.5/Rev.1 was adopted.*

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (continued) (A/C.3/73/L.28 and A/C.3/73/L.45)

Draft resolution A/C.3/73/L.28: Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief

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

23. **Ms. Abdelkawy** (Egypt), introducing the draft resolution on behalf of the Organization of Islamic Cooperation (OIC), said that, to maintain consensus and to ensure good faith, OIC had limited itself to making only one minor addition to the twenty-third preambular paragraph in order to include youth forums, strategic plans and public information and media campaigns, including online platforms, as important forums that could contribute in a meaningful way to promoting tolerance and the elimination of negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief. The new language would send a clear and positive message regarding the strong solidarity of the international community with regard to promoting tolerance and confronting violence and would also emphasize the need to address the spread of hate speech against persons on the basis of religion or belief through a variety of approaches.

24. **Mr. Khane** (Secretary of the Committee) said that Burundi, Canada, the Central African Republic, Eritrea, Japan, Sao Tome and Principe, South Sudan, Thailand and the Bolivarian Republic of Venezuela had joined the sponsors.

25. **Mr. Charwath** (Austria), speaking on behalf of the European Union and its member States, said that the European Union had been founded on values such as non-discrimination, tolerance and respect for human rights, including the right to freedom of expression and freedom of thought, conscience and religion or belief. It remained committed to an ongoing dialogue to overcome existing departures from and misinterpretations of those important values. The draft resolution was a call to States to respond to intolerance and discrimination with full respect for international human rights law.

26. The European Union strongly condemned intolerance, discrimination and violence on the basis of religion or belief and any advocacy of religious hatred that constituted incitement to discrimination, hostility or violence. It was equally attached to freedom of opinion and expression, since that was intrinsically linked to freedom of religion or belief and to other human rights and fundamental freedoms, all of which contributed to the building of diverse and democratic societies. Freedom of expression was a powerful and essential tool for combating religious discrimination, hatred and violence. Any restrictions on freedom of expression could undermine efforts to combat intolerance and should therefore be imposed with sensitivity, not as a pretext for the arbitrary limitations of fundamental rights. If required at all, restrictions must be legally prescribed and proportionate and cause a minimum degree of interference to achieve a legitimate aim, thereby meeting the requirements set out in article 19, paragraph 3, of the International Covenant on Civil and Political Rights.

27. The European Union had always acknowledged the value and crucial role of dialogue in countering religious hatred and its manifestations. It therefore welcomed the draft resolution's reference to "open public debate of ideas, as well as interreligious, interfaith and intercultural dialogue" as among the best protections against religious intolerance. The draft resolution stated that intolerance could generate "hatred and violence among individuals from and within different nations". Religious hatred was primarily a threat to the human rights and fundamental freedoms of individuals at the local and national level. It was the primary responsibility of States and local authorities to counter that intolerance, and attention must never be diverted away from the State's responsibility to protect and promote human rights.

28. Cultural diversity or religious traditions must not be invoked to justify the infringement of human rights guaranteed under international law or the limitation of their scope. Concrete activities to combat intolerance

were the core endeavours through which democracies had been built – and the European Union remain strongly committed to continue its efforts to combat all intolerance that infringed the human rights of others for as long as they were needed. It was in the light of that understanding that the European Union had joined the consensus on the draft resolution.

29. *Draft resolution A/C.3/73/L.28 was adopted.*

Draft resolution A/C.3/73/L.45: Freedom of religion or belief

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

31. **Mr. Charwath** (Austria), introducing the draft resolution on behalf of the European Union and its member States, said that promoting and protecting freedom of religion or belief as a universal human right and eliminating discrimination on the basis of religion or belief were key priorities of the human rights policy of the European Union. Freedom of religion or belief safeguarded respect for diversity and its free exercise directly contributed to democracy, development, the rule of law, peace and stability. The draft resolution was closely aligned with the long-standing commitment of the European Union to promote freedom of religion or belief as a right to be exercised by everyone, everywhere, based on the principles of equality, non-discrimination and universality.

32. The draft resolution was a follow-up to the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. The European Union urged all States to intensify their efforts to provide adequate constitutional and legal guarantees of freedom of thought, conscience, religion and belief, including by implementing universal periodic review recommendations relating to freedom of religion or belief.

33. With a view to encouraging States to focus on implementation of the draft resolution, minimal changes had been introduced into the text. At the regional level, the European Union had issued a detailed guidance note on the implementation of the European Union guidelines on the promotion and protection of freedom of religion or belief and continued to take steps to implement the draft resolution within the European Union, and to promote its implementation elsewhere. The adoption of the draft resolution by consensus would continue to send a strong message to the world on the importance of protecting those rights.

34. **Mr. Khane** (Secretary of the Committee) said that Andorra, Angola, Argentina, Bosnia and Herzegovina,

Brazil, Cabo Verde, Canada, Colombia, Costa Rica, Côte d'Ivoire, the Dominican Republic, El Salvador, Guatemala, Guinea, Guinea-Bissau, Haiti, Iceland, Lesotho, Liberia, Madagascar, Monaco, New Zealand, Nigeria, Palau, Panama, Papua New Guinea, Peru, the Philippines, the Republic of Korea, the Republic of Moldova, San Marino, Sao Tome and Principe, Serbia, South Sudan, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Uganda, Ukraine and Uruguay had joined the sponsors.

35. **Ms. Abdelkawy** (Egypt), speaking on behalf of OIC, said that its member States were pleased to join consensus on the draft resolution on account of their conviction that firm commitment was needed from the international community on the matter. The draft resolution had originally contained some new elements that had caused concern within OIC, but constructive negotiations had taken place and the matter had been resolved. Freedom of religion and belief entailed complete respect for other religions and beliefs without discrimination.

36. *Draft resolution A/C.3/73/L.45 was adopted.*

Agenda item 109: Crime prevention and criminal justice (continued) (A/C.3/73/L.2, A/C.3/73/L.3 and A/C.3/73/L.4)

37. **The Chair** invited the Committee to take action on draft resolutions A/C.3/73/L.2, A/C.3/73/L.3 and A/C.3/73/L.4, which had been recommended for adoption by the Economic and Social Council.

Draft resolution A/C.3/73/L.2: Enhancing the role of the Commission on Crime Prevention and Criminal Justice in contributing to the implementation of the 2030 Agenda for Sustainable Development

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

39. *Draft resolution A/C.3/73/L.2 was adopted.*

40. **Ms. Simpson** (United States of America) said that her delegation wished to clarify that the 2030 Agenda was non-binding and did not create or affect rights or obligations under international law or create any new financial commitments. Recognizing the 2030 Agenda as a global framework that could help countries work towards global peace and prosperity, the United States applauded its call for shared responsibility, including national responsibility, and wished to emphasize that all countries had a role to play in achieving its vision. Nevertheless, it was recognized in the 2030 Agenda that each country must work towards implementation in accordance with its own national policies and priorities,

in a manner consistent with the rights and obligations of States under international law and without prejudice to the independent mandates of other processes and institutions. The 2030 Agenda also did not serve as precedent for decisions and actions under way in other forums and did not represent a commitment to provide new market access for goods or services or interpret or alter any World Trade Organization agreement or decision, including the Agreement on Trade-Related Aspects of Intellectual Property Rights.

Draft resolution A/C.3/73/L.3: Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice

41. **Mr. Khane** (Secretary of the Committee), presenting a statement of programme budget implications in accordance with rule 153 of the rules of procedure of the General Assembly, said that resource requirements had been included in the programme budget for the biennium 2018–2019 to provide for the following: (a) assistance with the preparation and servicing of the preparatory meetings of the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice; (b) specialized expertise to prepare technical research papers on the substantive agenda items and workshop topics of the Fourteenth Congress; (c) participation of the least developed countries in the regional preparatory meetings for the Fourteenth Congress; and (d) the travel of staff to provide substantive servicing for the regional preparatory meetings. Resource requirements for the year 2020 would be considered in the context of established budgetary procedures. The adoption of the draft resolution A/C.3/73/L.3 would therefore not entail any additional appropriation under the programme budget for the biennium 2018–2019.

42. *Draft resolution A/C.3/73/L.3 was adopted.*

Draft resolution A/C.3/73/L.4: The rule of law, crime prevention and criminal justice in the context of the Sustainable Development Goals

43. **Mr. Khane** (Secretary of the Committee), presenting a statement of programme budget implications in accordance with rule 153 of the rules of procedure of the General Assembly, said that it was estimated that extrabudgetary resources in the amount of \$382,700 would be required by the United Nations Office on Drugs and Crime (UNODC) to implement the requests contained in paragraph 19 of the draft resolution. Those resource requirements would provide for mission travel of staff from Vienna and New York to

Africa, Asia and Latin America and the Caribbean to participate fully in the work of the Global Focal Point for police, justice and corrections. They would also cover the costs of one professional staff member at the P-5 level in New York for 12 working months to ensure the representation and participation of UNODC in United Nations rule of law assistance coordination mechanisms, including the Global Focal Point. The activities related to the request contained in paragraph 19 would be carried out provided that the extrabudgetary resources mentioned above were made available. The adoption of draft resolution [A/C.3/73/L.4](#) would therefore not entail any additional appropriation under the programme budget for the biennium 2018–2019.

44. *Draft resolution [A/C.3/73/L.4](#) was adopted.*

The meeting rose at 4.15 p.m.