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**Third Committee****Summary record of the 48th meeting**

Held at Headquarters, New York, on Thursday, 15 November 2018, at 10 a.m.

*Chair:* Mr. Saikal ..... (Afghanistan)**Contents**Agenda item 70: Promotion and protection of the rights of children (*continued*)(a) Promotion and protection of the rights of children (*continued*)Agenda item 72: Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*)(a) Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*)Agenda item 73: Right of peoples to self-determination (*continued*)Agenda item 74: Promotion and protection of human rights (*continued*)(c) Human rights situations and reports of special rapporteurs and representatives (*continued*)

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

**Agenda item 70: Promotion and protection of the rights of children** *(continued)*

**(a) Promotion and protection of the rights of children** *(continued)* (A/C.3/73/L.22/Rev.1)

*Draft resolution A/C.3/73/L.22/Rev.1: Child, early and forced marriage*

1. **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 the preparation of the comprehensive report to the General Assembly referred to in paragraph 27 of draft resolution [A/C.3/73/L.22/Rev.1](#) would require additional one-time resources in the amount of \$60,100 in 2020. Those funds would provide for general temporary assistance at the P-4 level for four months to complement the current capacity of the Office of the United Nations High Commissioner for Human Rights with special knowledge on the subject matter; improve the collection of data and information on progress towards ending child marriage worldwide; help to identify best practices for programmes aimed at ending child marriage and supporting already married girls and women; and facilitate consultations with all relevant stakeholders for the preparation of the report. The additional resource requirements would be included in the proposed programme budget for 2020 under section 24, Human rights, to support the submission of the report by the second part of the resumed seventy-fourth session of the General Assembly.

2. **Mr. Kapambwe** (Zambia), introducing the draft resolution, said that each year some 12 million girls under 18 years of age were subject to child, early or forced marriage. That harmful practice prevented them from reaching their full potential, jeopardized their health and education and limited their ability to contribute to their family, community and country. Child, early and forced marriage also constituted a human rights abuse and increased the risk of affected women and girls being subjected to discrimination and violence throughout their lives. The international community had identified the urgency of the matter by referring to child, early and forced marriage in target 5.3 of the 2030 Agenda for Sustainable Development. While some progress had been made in the past decade to reduce the proportion of girls married before the age of 18, the pace of change must be accelerated if the practice was to be eliminated by 2030. Ending child, early and forced marriage was not only critical to achieving

gender equality but was also necessary for the achievement of other Sustainable Development Goals.

3. The current draft resolution built on the achievements of previous resolutions, especially General Assembly resolution [71/175](#), by encouraging the international community to deliver on target 5.3 of the 2030 Agenda through a multisectoral approach. It emphasized measures that the international community should take to end child, early and forced marriage; the crucial role of education in preventing early marriage and supporting girls who were already married; and the specific needs of girls and young women who had already been subjected to such practices.

4. **Mr. Khane** (Secretary of the Committee) said that Albania, Andorra, Australia, Austria, Belgium, the Plurinational State of Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Chad, Chile, Colombia, the Comoros, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Egypt, El Salvador, Equatorial Guinea, Estonia, Finland, France, the Gambia, Germany, Greece, Guinea, Guinea-Bissau, Honduras, Hungary, Iceland, Ireland, Israel, Japan, Jordan, Kiribati, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Mexico, Montenegro, Morocco, Mozambique, Namibia, New Zealand, the Niger, Nigeria, Norway, Panama, Papua New Guinea, Peru, the Philippines, Portugal, the Republic of Korea, San Marino, Sao Tome and Principe, Senegal, Serbia, Seychelles, Slovakia, Slovenia, Solomon Islands, South Africa, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, the Bolivarian Republic of Venezuela and Viet Nam had joined the sponsors.

5. **Ms. Eckels-Currie** (United States of America) said that her delegation wished to put forward several amendments. Instead of calling a vote on each paragraph that contained references to controversial terms, her delegation would offer a compromise solution through amendments to four parts of the text. The amendments provided common sense solutions to problems faced by many delegations across different regional groups and clarified text through the insertion of agreed language. Approval of the amendments would not break consensus on the overall draft resolution and her delegation would not call a vote on the draft resolution regardless of whether the proposed amendments were accepted.

6. She proposed adding the words “in accordance with national laws” after “sexual and reproductive

health” in the twenty-third preambular paragraph and also after that phrase in paragraphs 14, 17 and 18. Those changes clarified the meaning of sexual and reproductive health and were consistent with the agreed language of objective 8.25 of the Programme of Action of the International Conference on Population and Development and long-standing United Nations policy in such contexts.

7. She also proposed replacing “in accordance with the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and the outcome documents of their review conferences” at the end of paragraph 18 with “in accordance with the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and the outcome documents as adopted by the General Assembly”. Since Member States could not be bound by regional review conferences in which they had not participated, the broadest possible language should prevail, namely that adopted by the General Assembly.

8. She called on all delegations to consider the amendments specifically on their merits: her delegation had not removed all references to sexual and reproductive health but sought to improve the text so that all sides could be satisfied. Since her delegation had been unable to submit the amendments before the deadline on the previous day and the facilitators had made additional revisions to the text that very morning, she requested a brief suspension of the meeting to allow delegations sufficient time to review all changes.

9. **Mr. Blanchard** (Canada), speaking also on behalf of Zambia, said that the draft resolution on child, early and forced marriage had been adopted by consensus in the Third Committee each year since it had first been submitted in 2013 thanks to Member States’ common understanding of the seriousness of the issue. The drafters of the current text had deliberately built on the text drafted at previous sessions of the General Assembly in order to reflect the shared priorities of all Member States. The amendments proposed by the United States called into question formulations that had been used at the United Nations for decades, most recently in the 2030 Agenda, and were therefore endangering the very integrity of the 2030 Agenda. The United States delegation was also breaking consensus, since the draft resolution had garnered the approval of all other Member States. Canada objected to the request to suspend the meeting: the final text of the draft resolution was based on previously agreed language and had been drafted over the course of nine meetings and some 30 hours of negotiations. Member States were

therefore probably ready to vote on the draft resolution immediately.

10. **Mr. Khane** (Secretary of the Committee) said that, if the United States delegation wished to insist on its request to suspend the meeting, it must call a recorded vote on the suspension of the meeting in accordance with rule 118 of the rules of procedure of the General Assembly.

11. **Ms. Eckels-Currie** (United States of America) said that her delegation insisted on its request for a 15-minute suspension, since several delegations had explicitly stated that they needed more time to review not only the proposed amendments but also the revisions of the draft resolution that had been submitted only hours earlier.

12. *At the request of the representative of the United States of America, a recorded vote was taken on the motion to suspend the meeting.*

*In favour:*

Algeria, Bahrain, Bangladesh, Bhutan, Burundi, Cameroon, Comoros, Djibouti, Egypt, Eritrea, Ethiopia, Guyana, India, Iraq, Kiribati, Malaysia, Maldives, Myanmar, Nauru, Nepal, Niger, Nigeria, Panama, Saint Vincent and the Grenadines, Sao Tome and Principe, Senegal, Somalia, Sudan, Togo, United Arab Emirates, United Republic of Tanzania, United States of America, Yemen.

*Against:*

Andorra, Argentina, Australia, Austria, Belgium, Belize, Bolivia (Plurinational State of), Botswana, Brazil, Bulgaria, Cabo Verde, Canada, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Democratic People’s Republic of Korea, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Guinea, Guinea-Bissau, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Mexico, Monaco, Mongolia, Montenegro, Netherlands, New Zealand, Norway, Oman, Pakistan, Paraguay, Peru, Poland, Portugal, Romania, San Marino, Serbia, Seychelles, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela (Bolivarian Republic of), Zambia.

*Abstaining:*

Afghanistan, Angola, Brunei Darussalam, China, Congo, Côte d’Ivoire, Equatorial Guinea, Fiji,

Guatemala, Honduras, Indonesia, Israel, Jamaica, Jordan, Kazakhstan, Lesotho, Mauritius, Mozambique, Namibia, Papua New Guinea, Philippines, Qatar, Republic of Korea, Rwanda, Samoa, Saudi Arabia, Sierra Leone, Singapore, Solomon Islands, Sri Lanka, Thailand, Vanuatu, Viet Nam.

13. *The motion was rejected by 73 votes to 33, with 33 abstentions.*

14. **Mr. Hawke** (New Zealand), speaking also on behalf of Argentina, Australia, Austria, Belgium, Colombia, Costa Rica, Denmark, Ecuador, Estonia, Finland, France, Germany, Iceland, Ireland, Italy, Japan, Lebanon, Latvia, Liechtenstein, Lithuania, Mexico, Montenegro, the Netherlands, Norway, the Philippines, Slovenia, Spain, Sweden, Switzerland, Turkey, the United Kingdom of Great Britain and Northern Ireland and Uruguay, said that their delegations regretted that consensus had been broken on such an important issue. Moreover, the fact that amendments had been submitted less than 24 hours before the draft resolution was due to be adopted implied a certain disregard for the Committee's procedures, particularly since there had been ample opportunity to propose amendments during many weeks of informal negotiations.

15. More important than procedural concerns, the amendments sought to modify agreed language that had a long history in documents agreed between Governments, including the Programme of Action of the International Conference on Population and Development in 1994 and the Beijing Platform for Action in 1995. Sexual and reproductive health should be understood as complete physical, mental and social well-being in all matters relating to the reproductive system, including through access to skilled birth attendance, emergency obstetric care, medicine and medical equipment. Although those were sensitive issues, the international community had agreed on the importance of sexual and reproductive health since the mid-1990s and Member States had committed to ensuring universal access to sexual and reproductive health-care services in the 2030 Agenda. It was therefore very unfortunate that one delegation was attempting to upset the consensus. The international community must not go back on the shared commitment that it had made in the 2030 Agenda to end all preventable maternal deaths or cede to attempts to undermine the normative framework that underpinned such efforts. He urged all Member States to support the rights of women and girls by voting against the amendments.

16. **Mr. Kuzmenkov** (Russian Federation) said that his delegation supported most of the amendments since they were in keeping with the Russian standpoint on the issue. Nevertheless, since they had been submitted so late, his delegation had no choice but to abstain from the voting for procedural reasons.

17. **Ms. Shikongo** (Namibia) said that by adopting the draft resolution, Member States would be supporting the call to end child, early and forced marriage and implement related global goals. It was unfortunate that amendments had been introduced at such a late stage, especially given that the entire draft resolution had been drafted in agreed language, in some cases using wording that had been approved by consensus as recently as March 2018 during the sixty-second session of the Commission on the Status of Women. Namibia would vote against the amendments not because of their substance, but because the wording of the draft resolution was sufficient to cover the individual concerns of all delegations and because delegations had not had sufficient time to consider them on their own merits.

18. **Ms. Eyheralde Geymonat** (Uruguay) said that her delegation was concerned by the late submission of amendments that had broken consensus on the draft resolution. The implied rejection of agreed language relating to sexual and reproductive health and the questioning of concepts that had been universally recognized by the international community in intergovernmental instruments was deeply troubling. Paragraph 7.2 of the Programme of Action of the International Conference on Population and Development had defined reproductive health as a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity, in all matters relating to the reproductive system and to its functions and processes. It had also defined reproductive health care as the constellation of methods, techniques and services that contributed to reproductive health and well-being by preventing and solving reproductive health problems. Targets 3.7 and 5.6 of the 2030 Agenda had further enshrined sexual and reproductive health as fundamental rights. Uruguay would vote against the proposed amendments because they sought to upset the delicate balance of national positions on sexual and reproductive health.

19. **Mr. Cepero Aguilar** (Cuba) said that the submission of amendments by the United States delegation so late in the process was contrary to the good will that should guide Third Committee negotiations. The text under consideration was a good balance of various positions on sexual and reproductive health and contained language that had been agreed by

consensus for many years. Although the paragraphs targeted by the amendments did not reflect the Cuban position on sexual and reproductive health, the international community had already agreed on them by consensus. By undermining such agreements, the United States was continuing its trend of opposing multilateralism. His delegation would vote against any such amendments by the United States.

20. **Ms. Bhengu** (South Africa) said that her country, as a member of the African Union and the Southern African Development Community, had taken practical steps to eliminate child, early and forced marriage and condemned all attempts to undermine global commitment to that end. The proposed amendments were part of a hostile attempt to undermine the Committee's work: if the United States delegation had truly sought consensus, it would have submitted the amendments early enough to allow proper consultation with capitals and among delegations. The wording of the draft resolution was similar to that agreed in the Third Committee two years earlier, whereas the amendments were inconsistent with the purposes of the draft resolution. South Africa called on all Member States to vote against the amendments.

21. **Ms. Brink** (Australia) said that the submission of amendments at such a late stage of negotiations was disappointing and set a bad precedent for the Committee's work. Experts and politicians in many countries had not had the luxury of reviewing them for more than a couple of hours, especially given the time difference between New York and many capitals. Women's rights deserved more respect. All delegations had national preferences, but any proposals to change a text should be made during the negotiation phase. Although it was regrettable that the only way to resolve many differences in the current draft resolution had been to revert to previously agreed language, that conformed with the pragmatic demands of multilateralism. Since the language of the current text had served the Committee well each year and allowed all countries to operate within their respective approaches, she urged delegations to vote against the amendments.

22. **Mr. Kickert** (Austria), speaking on behalf of the European Union and its member States; the candidate countries Albania, Montenegro, Serbia and the former Yugoslav Republic of Macedonia; the stabilization and association process country Bosnia and Herzegovina; and, in addition, Iceland and Norway, said that the decision to put forward amendments on such an important draft resolution was regrettable. Following lengthy efforts during negotiations to find alternative wording to the four paragraphs subject to amendment, there had been broad agreement to revert to previous

language. Despite their divergent views on the issue, all 28 European Union member States had been able to agree on that text. Undermining consensus on the text would have only negative consequences by harming the fundamental rights of women, girls and children. All States members of the European Union would vote against the amendments.

23. **Ms. Pierce** (United Kingdom) said that the many sponsors of the draft resolution understood that protecting women and girls from child, early and forced marriage, as well as guaranteeing related sexual and reproductive rights, were critical elements of economic development. Her Government's Department for International Development prioritized the promotion of sexual and reproductive rights in all its development partnerships as a crucial way of enhancing the health and well-being of women and girls and boosting progress towards sustainable development. Her delegation was disappointed that it must vote on such a text and supported the arguments made by the delegations of New Zealand and Uruguay. Agreed language should be considered the baseline of any draft resolution and not reopened for discussion for essentially political reasons.

24. **Mr. Tanner** (Finland), speaking also on behalf of Denmark, Iceland, Norway and Sweden, said that the draft resolution was a cross-regional initiative that exemplified multilateralism. Given that child, early and forced marriage had been recognized as a harmful practice in the 2030 Agenda, it was regrettable that essential parts of the text of the draft resolution were being challenged. When no agreement could be reached on amendments, the standard practice was to revert to previously agreed text. Breaking consensus, on the other hand, could have manifold negative consequences, especially on the enjoyment of human rights by women and girls. Their countries would not support the proposed amendments.

25. *At the request of the delegation of Canada, a recorded vote was taken on the oral amendments proposed by the delegation of the United States of America to draft resolution A/C.3/73/L.22/Rev.1.*

*In favour:*

Bahrain, Belarus, Brunei Darussalam, Burundi, Cambodia, Cameroon, China, Djibouti, Egypt, Eritrea, Ethiopia, Guatemala, Guyana, Iraq, Jamaica, Kuwait, Libya, Malaysia, Nauru, Nicaragua, Nigeria, Oman, Pakistan, Qatar, Saint Lucia, Saudi Arabia, Somalia, Sudan, Suriname, United Arab Emirates, United States of America, Yemen, Zimbabwe.

*Against:*

Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Belize, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cabo Verde, Canada, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czechia, Democratic People's Republic of Korea, Denmark, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Estonia, Fiji, Finland, France, Germany, Greece, Guinea, Guinea-Bissau, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Lao People's Democratic Republic, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Mexico, Monaco, Mongolia, Montenegro, Namibia, Netherlands, New Zealand, Niger, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Rwanda, San Marino, Sao Tome and Principe, Serbia, Seychelles, Slovakia, Slovenia, Solomon Islands, South Africa, South Sudan, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Zambia.

*Abstaining:*

Algeria, Angola, Bahamas, Bangladesh, Barbados, Bhutan, Central African Republic, Democratic Republic of the Congo, Gambia, Ghana, Haiti, Honduras, India, Indonesia, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Lesotho, Maldives, Mauritius, Mozambique, Myanmar, Nepal, Russian Federation, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Samoa, Senegal, Sierra Leone, Singapore, Tajikistan, Timor-Leste, Uganda, Uzbekistan.

26. *The oral amendments were rejected by 96 votes to 33, with 35 abstentions.*

27. **Ms. Turner** (Jamaica) said that her delegation had voted in favour of the amendments because they were in line with Jamaican national policy and took into account the interests of all Member States. It would, however, have appreciated more time to consider the issue.

28. **Mr. Ali** (Pakistan), **Ms. Abdelkawy** (Egypt) and **Mr. Ajayi** (Nigeria) said that they had voted in favour of the amendments on the basis of their substance and not on procedural grounds.

29. **Ms. Benategh** (Libya) said that her delegation had voted for the amendments because they reaffirmed the principle of State sovereignty.

30. **Mr. Habib** (Indonesia) said that her delegation had abstained because of procedural issues caused by the late submission, not on account of the substance of the amendments.

31. **Mr. Kuzmenkov** (Russian Federation) said that his delegation had been actively involved in the negotiations on the draft resolution and had offered constructive proposals. It was disappointing that its concerns about the meaning of early marriage had not been addressed, nor its proposal to include an additional paragraph to explain that term. The Russian Federation had been willing to build on the compromise wording proposed by one delegation – an approach that many delegations had supported. However, the sponsors had ultimately decided not to include that wording, citing disagreement between two States, even though discussion on the matter had been deferred to the last minute and had been superficial. Given that consensus could be achieved only through fair and mutually respectful dialogue, the actions of the sponsors had been unconstructive and inflexible. Despite its concerns, the Russian Federation would not break consensus on the draft resolution because it considered the elimination of child marriage to be an issue of paramount importance.

32. *Draft resolution [A/C.3/73/L.22/Rev.1](#) was adopted.*

33. **Ms. Giungi** (Observer for the Holy See) said that her delegation had been actively involved in the negotiations as it sought to promote the advancement of women and girls and respect for their inherent dignity. It acknowledged the critical role of women not only in society but also in the family as equal and free spouses. Consensus on the draft resolution had not been possible because of a persistent disregard for the red lines clearly articulated by delegations throughout the negotiation process. The success of the Third Committee was contingent on its return to the fundamental principle of consensus and respect for the positions of sovereign States, especially when dealing with sensitive and controversial issues. Consideration of the draft resolution had, however, been derailed by an inordinate focus on issues related to sexual and reproductive health and an unwillingness to strengthen the text by defining the concept of child, early and forced marriage. The final text should have included two additional principles enshrined in the Programme of Action of the International Conference on Population and Development: that measures related to abortion should be determined according to the national legislative process and that each country had the sovereign right to implement the recommendations contained in the Programme of Action in a manner consistent with its

national laws, will full respect for its religious, ethical and cultural values.

**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/Rev.1)

*Draft resolution A/C.3/73/L.53/Rev.1: Combating glorification of Nazism, Neo-Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance*

34. **The Chair** said that the draft resolution contained no programme budget implications.

35. **Mr. Aliautdinov** (Russian Federation), introducing the draft resolution, said that over 70 years had passed since the anti-Hitler coalition had defeated Nazism, which had led to the establishment of the United Nations, the emergence of the contemporary global system of international security and the creation of fundamental human rights instruments, such as the Universal Declaration of Human Rights, the International Covenants on Human Rights and the International Convention on the Elimination of All Forms of Racial Discrimination. Although the experiences of racial supremacy and the flouting of human dignity should be strong enough reasons for the international community not to justify the crimes committed by the Fascists and Nazis, attempts were increasingly being made to falsify and rewrite history in the interest of political correctness and geopolitical concerns. Some countries had elevated glorification of Nazism to a State policy: monuments to heroes who had fought against Fascism were under attack in the heart of Europe; marches were being held to commemorate Nazis and Nazi collaborators, while nationalists conducted torch processions reminiscent of gatherings in Hitler's Germany; memorials had been unveiled to people who had perpetrated war crimes or crimes against humanity in collaboration with Hitler's Germany; streets, squares, schools and other public structures had been renamed in honour of Nazi collaborators; and those who had fought against the anti-Hitler coalition or had collaborated with the Nazis were being extolled as national heroes or champions of national liberation. Such attitudes clearly violated Member States' obligations under the Charter of the United Nations.

36. The draft resolution was extremely relevant to modern-day issues. The global migration crisis, which

had primarily been triggered by thoughtless interference in the internal affairs of sovereign States, had resulted in the dissemination of racist and xenophobic speech and calls to expel immigrants, including in electoral campaigns and the policies of political parties. The invocation of freedom of speech to justify such rhetoric represented a cynical interpretation of the fundamental principles of international human rights law. The international community had a duty to preserve the memory of the victory over Nazism not only for the founders of the United Nations, but also for future generations.

37. **Mr. Khane** (Secretary of the Committee) said that Brazil, Cambodia, Equatorial Guinea, the Gambia, Ghana, India, Jordan, Kyrgyzstan, Morocco, Namibia, the Philippines, Serbia, Seychelles, Sierra Leone, Suriname and Turkmenistan had joined the sponsors.

38. **Ms. Moldoisaeva** (Kyrgyzstan), speaking on behalf of the Collective Security Treaty Organization, said that its member States fully supported the draft resolution, whose submission coincided with the seventy-third anniversary of the end of the Second World War. That victory had had considerable repercussions on the modern human rights system, while the decisions taken at the Nuremberg Tribunal had enshrined in law the triumph of the civilized world over National Socialism and over those who had collaborated with the Nazi regime.

39. The current escalation of tensions in some countries was all the more alarming because of the knowledge of the devastation caused by intolerance, discrimination, extremism, hatred and violence on ethnic, racial and religious grounds during the Second World War. The Organization's member States strongly condemned the destruction and desecration of monuments to those who had fought against Nazism, the holding of marches by members of the Waffen SS criminal organization and the recognition as national heroes of those who had collaborated with the Nazis against the anti-Hitler coalition. They intended to harness the potential of organizations like the United Nations to counter all such threats and to build a united security community based on democracy, the rule of law, economic prosperity, social justice and respect for human rights and fundamental freedoms. They also intended to take joint initiatives, rooted in international law, to prevent the possibility of straying towards neo-Nazism, extremism, xenophobia or hate crimes and to strengthen international and intercultural harmony.

40. It was no less crucial in the modern world than it had been during the Second World War to pool efforts and resources with the aim of countering threats to

security and stability and protecting the purposes and principles of the Charter of the United Nations. Preserving the memory of the victory over Nazism was a common duty to all future generations because peace would need to be defended as judiciously and doggedly in the twenty-first century as it had been in the twentieth century.

41. **Ms. Velichko** (Belarus) said that it was imperative to combat the glorification of Nazism, Neo-Nazism and the Nazi past. Such glorification provoked violence and inter-ethnic and interreligious hatred and could not be justified as a mere exercise of freedom of speech. Some countries had recently experienced a resurgence of extremist political parties, movements, ideologies and racist and xenophobic groups that were attempting to rewrite history. Such phenomena had a particularly pernicious hold on young people. Belarus firmly rejected movements and ideologies of that kind and condemned the glorification and propaganda of Nazism. The General Assembly must continue to focus on eliminating causes for the resurgence of such movements and ideologies, while warding off attempts to politicize the issue.

42. **Ms. Eckels-Currie** (United States of America) said that every year since the draft resolution under discussion had first been introduced in 2005, her delegation had expressed its concerns about the politicization of the topic and the implied restrictions of fundamental freedoms. At the seventy-second session of the General Assembly, the United States had proposed lengthy amendments to all parts of the text that it considered to be in violation of the freedom of expression, thought or association. At the current session, her delegation had adopted a different stance by offering constructive proposals during negotiations. While some had been accepted, the final text fell far short of what was necessary. Her delegation therefore wished to put forward two amendments that, although only marginally improving the text, would serve as a start point for addressing the cynical and politicized draft resolution.

43. She proposed deleting the fifteenth preambular paragraph in its entirety; and, in paragraph 5, deleting the words “in any form” and “as well as by declaring or attempting to declare such members and those who fought against the anti-Hitler coalition and collaborated with the Nazi movement participants in national liberation movements”.

44. The United States did not need to defend its position on Nazism; history provided sufficient proof of the commitment of the United States to fighting the Nazis. The draft resolution was born of political

controversies which had arisen decades after the defeat of the Nazis; it was cynical propaganda submitted annually by the Russian Federation in a bid to exert influence over its sovereign neighbours and criminalize free speech and expression, without any genuine effort to combat Nazism, discrimination or anti-Semitism. The United States was disgusted by anti-Semitism and the glorification and promotion of Nazi ideology: it had fought a war against it and would continue fighting it in the hearts and minds of those who hated.

45. The solution to hate was not found in censorship but in the free marketplace of ideas and expression, where the values of tolerance and justice triumphed over evil and hatred. The best antidote to offensive speech was free speech, not bans, censorship or criminal prosecution. The United States, which had established robust mechanisms to protect individual liberties and defend people against discrimination and violence, continued to remember and memorialize victims of the Holocaust and to support efforts by the United Nations to do the same. It was an active partner in countering Holocaust denial and would continue to lead efforts to bring the perpetrators of Nazi crimes and other atrocities to justice.

46. **Mr. Aliautdinov** (Russian Federation) said that his delegation fundamentally disagreed with the amendments proposed by the representative of the United States. The draft resolution was the fruit of intensive negotiations conducted during six informal sessions, as well as numerous bilateral meetings between relevant States. The negotiations had from the outset been open and transparent and the final text incorporated numerous proposals by a broad range of States, including the United States. The only amendments to have been rejected were those that eroded the essence and central tenets of the draft resolution: in a document on combating the glorification of Nazism, racism and racial discrimination, any suggestions that justified Nazis and Nazi collaborators or denied the danger of disseminating racist and xenophobic speech and ideology were inappropriate. The latest amendments attempted to justify Nazism and reinterpret the decisions of the Nuremberg Tribunal, which would inevitably give rise to xenophobia and fears of immigration and trigger the kind of aggressive nationalism that been seen recently in many parts of the world. The United Nations had been established in response to the countless offences committed by Nazis and Nazi collaborators who had exterminated innocent civilians and promoted racial superiority. Since it would be both immoral and sacrilegious to fail to attribute blame to the Nazis for the millions of deaths that they had caused, he called for a vote on the amendments.

47. **Ms. Diedricks** (South Africa), speaking in explanation of vote before the voting, said that her delegation had appreciated the numerous and transparent informal consultations on the draft resolution. As custodian and host of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, South Africa did not support any of the proposed amendments and was disappointed by their late submission. The proposed changes, particularly the deletion of the fifteenth preambular paragraph, contravened article 20 of the International Covenant on Civil and Political Rights and article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, relating to the prohibition of advocacy of national, racial or religious hatred that constituted incitement to discrimination, hostility or violence. Her delegation would vote against the amendments.

48. **Mr. Cepero Aguilar** (Cuba) said that the United States delegation had once again submitted amendments during the final discussions of a draft resolution rather than during negotiations. Such behaviour undermined the good will and transparency of negotiations at the United Nations and highlighted that delegation's disdain for multilateralism. Since Cuba fully shared the concern that national policies against hate speech could be used to promote Neo-Nazism, nationalism, violence, xenophobia and racism, Cuba would vote against the amendments.

49. *At the request of the delegation of the Russian Federation, a recorded vote was taken on the oral amendments proposed by the representative of the United States of America to draft resolution [A/C.3/73/L.53/Rev.1](#).*

*In favour:*

Ukraine, United States of America.

*Against:*

Algeria, Angola, Armenia, Azerbaijan, Bangladesh, Belarus, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burundi, Cambodia, Chile, China, Colombia, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Eswatini, Gambia, Ghana, Guinea, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Kazakhstan, Kyrgyzstan, Lao People's Democratic Republic, Mali, Mongolia, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Russian Federation, Sao Tome and Principe, Senegal,

Serbia, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, South Sudan, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Uganda, United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

*Abstaining:*

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Belize, Benin, Bhutan, Bosnia and Herzegovina, Bulgaria, Cameroon, Canada, Central African Republic, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Equatorial Guinea, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Jordan, Kenya, Kiribati, Kuwait, Latvia, Lebanon, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Mauritania, Mauritius, Mexico, Monaco, Montenegro, Morocco, Netherlands, New Zealand, Norway, Oman, Paraguay, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Samoa, San Marino, Saudi Arabia, Slovakia, Slovenia, Solomon Islands, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Tuvalu, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu.

50. *The oral amendments were rejected by 75 votes to 2, with 88 abstentions.*

51. **Ms. García Moyano** (Uruguay) said that her delegation had abstained from voting because it had not had sufficient time and information to assess the appropriateness of the proposals.

52. **Ms. Eckels-Currie** (United States of America) said that her delegation encouraged those Member States that had abstained from voting to work with the United States at the seventy-fourth session of the General Assembly to find ways to improve the draft resolution. Hatred, racism, tyranny, ideological extremism and totalitarian oppression would not be defeated by abstaining and declining to act, but by taking action, standing up for principles and choosing sides. Although Member States had not had enough time to consider her delegation's amendments, they were aware of the problems with the draft resolution and in some cases had vigorously expressed their concerns.

53. The draft resolution had not been designed to combat the global threat of modern Nazism, anti-Semitism and totalitarian ideology but focused, inappropriately, on criminalizing free speech and

expression. As in years past, one nation had chosen to hijack the draft resolution, narrow its scope and use it as a political weapon against its neighbours. The vague terminology employed to refer to “incitement” or “incitement to discrimination” was of particular concern, since it could be used by Governments to target political opponents and undermine the ability of civil society to bring human rights abuses to light. While her delegation shared the concerns expressed in the text about the rise in hate speech around the globe, the resulting recommendations to curb the freedom of expression and association and the right to peaceful assembly contravened the principles enshrined in the Universal Declaration of Human Rights. The United States also encouraged States to refrain from invoking article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination and article 20 of the International Covenant on Civil and Political Rights to limit freedom of expression or as an excuse for failing to take effective actions to combat intolerance.

54. She encouraged all Member States that shared the concerns, values and principles of the United States of America to vote against draft resolution [A/C.3/73/L.53/Rev.1](#).

55. **Mr. Yaremenko** (Ukraine), speaking in explanation of vote before the voting, said that his country had paid a very high price in its contribution to the victory over Nazism: over 8 million Ukrainians had lost their lives in the Second World War. Ukraine strongly condemned all forms of Nazism, neo-Nazism and other practices that fuelled contemporary forms of racism, racial discrimination, xenophobia and related intolerance. However, the draft resolution had nothing in common with that struggle but reflected a manipulation of history and of the essence of the Nuremberg Tribunal in pursuit of aggressive political interests. Ukraine had suggested a number of editorial changes to the draft resolution during the negotiation process, from a balanced and impartial perspective, with a view to honouring all victims of totalitarian regimes and of the genocide engineered by the Soviet totalitarian regime on the orders of Stalin, who was currently venerated in Russia. That approach had, however, been rejected by the Russian Federation.

56. His delegation condemned the cynical attempt of the Russian Federation to present itself as a champion of the struggle against Nazism and neo-Nazism, all the while committing those same crimes against entire nations. The unprecedented rise in radicalism, hatred, enmity, aggressive nationalism, neo-Nazism and xenophobia in the Russian Federation fuelled by State-owned media outlets was also a matter of deep concern.

Since the draft resolution was motivated by propaganda, his delegation would vote against it.

57. *At the request of the delegation of the United States of America, a recorded vote was taken on draft resolution [A/C.3/L.53/Rev.1](#).*

*In favour:*

Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Cuba, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Eswatini, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iraq, Israel, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:*

Ukraine, United States of America.

*Abstaining:*

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Kiribati, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland,

Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Turkey, United Kingdom of Great Britain and Northern Ireland.

58. *Draft resolution A/C.3/L.53/Rev.1 was adopted by 130 votes to 2, with 51 abstentions.*

59. **Mr. Kickert** (Austria), speaking on behalf of the European Union and its member States, said that the European Union remained fully committed to the global fight against racism, racial discrimination, xenophobia and related intolerance. The fight against contemporary forms of all extremist and totalitarian ideologies, including neo-Nazism, must be a priority for the entire international community, including through the full implementation of the International Convention on the Elimination of All Forms of Racial Discrimination. Given their responsibility to victims past and present, Member States should avoid initiatives that created additional divisions or diluted the significance of the fight against racism. The European Union continued to believe that all contemporary forms of racism and discrimination should be addressed in an impartial, balanced and comprehensive way in the draft resolution, with a clear focus on human rights.

60. The European Union welcomed the open and participatory informal consultations on the draft resolution, and the fact that some of its proposals to strengthen the human rights aspects of the text and address all forms of racism and discrimination in an objective way had been taken into consideration. Nevertheless, a number of concerns remained, and several European Union proposals that included compromise language had been dropped. Furthermore, the language of problematic paragraphs for the European Union had, in some instances, been strengthened. It was regrettable that the draft resolution continued to place emphasis on issues unrelated to combating racism and discrimination. By centring the fight against racism on the teaching of history, monuments, memorials or erroneous references to national liberation movements or other politically-motivated issues that fell outside the scope of the human rights agenda, the drafters appeared to be monopolizing the fight against Nazism through a one-sided view of history and were perhaps attempting to justify the Molotov-Ribbentrop Pact. The inclusion of divisive elements relating to revisionism and the falsification of history further politicized the draft resolution.

61. The European Union paid tribute to the historic role of the allied forces in the defeat of Nazism during

the Second World War, whose end had brought painful divisions in many European countries, occupation and more crimes against humanity rather than freedom. It was therefore regrettable that the proposal to include references in the draft resolution to all totalitarian regimes had not been taken on board. His delegation also reiterated its concern at the restrictiveness of some of the language referring to the right to freedom of expression, peaceful assembly and association, as enshrined in the International Covenant on Civil and Political Rights.

62. For all those reasons, the European Union had abstained from the vote. Its concerns about the version of the draft resolution submitted at the current session had also been aggravated by the introduction of various one-sided and restrictive references to the use of information and communications technology. To enhance efficiency and ensure comprehensive reporting on the issue, the European Union recommended that the draft resolution be submitted biennially in the future and on the basis of a single independent report by the relevant Special Rapporteur and the Human Rights Council.

63. **Ms. Brink** (Australia) said that her country was deeply troubled by contemporary forms of racism, racial discrimination, xenophobia and related intolerance and noted with particular concern that hate crimes were increasing in many countries around the world. At the same time, the Australian delegation had serious reservations about the aspects of the draft resolution related to freedom of expression and was also concerned about the issues raised by the European Union. Australia had abstained from the vote on procedural grounds, as the amendments had not been circulated in a timely and transparent manner.

64. **Mr. Arbeiter** (Canada) said that his country unequivocally condemned any form of racism, racial intolerance, xenophobia or related intolerance, including Nazism and neo-Nazism. Accordingly, Canada had ratified the relevant international conventions and was fully committed to their implementation. Racism devalued individuals and divided communities and bred fear and animosity. The draft resolution contained important elements contributing to the fight against intolerance.

65. While Canada appreciated the willingness of the facilitators to integrate suggestions from delegations, it regretted that they had not accepted proposed changes that would have broadened the scope of the resolution to reflect more contemporary forms of racism, racial discrimination, xenophobia and related intolerance. Those contemporary phenomena merited more

meaningful consideration by the Committee. Canada also had reservations regarding the text's mischaracterization of the obligations of Member States with respect to international human rights law and the Charter of the United Nations. For those reasons, Canada had abstained from the vote. In addition, although Canada shared the concerns of the United States regarding freedom of expression, it had also abstained from voting on that delegation's amendments, for procedural reasons. Canada supported the proposal of the European Union to biennialize the resolution.

66. **Mr. Ajayi** (Nigeria) said that his country, which had the largest concentration of black people in the world, believed it was a duty to stand in support of initiatives to condemn racial discrimination in all its forms. The Nigerian delegation had voted in favour of the draft resolution in line with its avowed support of that principle and in order to encourage greater commitment to global efforts to eliminate all forms of racism and intolerance, which had no place in the contemporary world. History had shown that it was important to speak out on that subject. Nigeria had been a traditional sponsor of the draft resolution and would continue to exercise leadership on the issues addressed in the text.

**Agenda item 73: Right of peoples to self-determination** (*continued*) (A/C.3/73/L.29)

*Draft resolution A/C.3/73/L.29: The right of the Palestinian people to self-determination*

67. **Ms. Abdelkawy** (Egypt), introducing the draft resolution on behalf of the sponsors, said that for more than half a century, the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem had suffered as a result of the Israeli occupation and the denial of their natural and inalienable rights, including the right to self-determination.

68. **Mr. Khane** (Secretary of the Committee) said that Andorra, Angola, Armenia, Austria, Belarus, Belgium, Belize, Bosnia and Herzegovina, Brazil, Bulgaria, Burundi, Chile, China, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Denmark, El Salvador, Estonia, Ethiopia, Finland, France, Germany, Ghana, Greece, Hungary, Iceland, India, Ireland, Italy, Kenya, the Lao People's Democratic Republic, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Monaco, Montenegro, Namibia, the Netherlands, New Zealand, Nicaragua, Norway, Peru, Poland, Portugal, Romania, the Russian Federation, Saint Vincent and the Grenadines, San Marino, Serbia, Seychelles, Slovakia, Slovenia, South Africa, Spain, Sri

Lanka, Sweden, Switzerland, the Syrian Arab Republic, the former Yugoslav Republic of Macedonia, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Zimbabwe had joined the sponsors of the draft resolution.

69. **Mr. Baror** (Israel), speaking in explanation of vote before the voting, said that the draft resolution did nothing to promote peace, but only supported the Palestinian illusion that ignoring Israel and appealing to the international community was an effective approach. If Member States valued peace, they should encourage the Palestinians to negotiate with Israel rather than boycott it. Since the draft resolution did not further that goal, his delegation would vote against it.

70. *At the request of the delegation of Israel, a recorded vote was taken on draft resolution A/C.3/73/L.29.*

*In favour:*

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia,

Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:*

Canada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, United States of America.

*Abstaining:*

Australia, Cameroon, Côte d'Ivoire, Democratic Republic of the Congo, Honduras, Kiribati, Palau, Rwanda, South Sudan, Togo, Tonga, Vanuatu.

71. *Draft resolution A/C.3/73/L.29 was adopted by 169 votes to 6, with 12 abstentions.*

72. **Mr. Verdier** (Argentina) said that his delegation recognized the inalienable right of the Palestinian people to self-determination and to establish an independent and viable State. It had therefore voted in favour of the draft resolution, which reflected its official recognition since 6 December 2010 of the State of Palestine as a free and independent State, within the 1967 borders, and in accordance with the parties' involvement in the negotiations process. That was in line with the desire of the Government of Argentina to favour negotiations towards the end of the conflict, and its deep belief about peaceful coexistence among all peoples. He confirmed the unwavering support from Argentina for the right of Israel to be recognized by all and to live in peace and security within its borders.

73. Exercise of the right to self-determination presupposed that there was an active subject in the form of a people subject to alien subjugation, domination and exploitation, as defined in General Assembly resolution 1514 (XV), paragraph 1. Without such a subject, there was no right to self-determination. Argentina welcomed the adoption of the draft resolution and hoped that it could contribute to the prompt realization of the right to self-determination of the Palestinian people, including their right to an independent Palestinian State.

74. **Ms. Rasheed** (Observer for the State of Palestine) said that the overwhelming support for the draft resolution was a clear affirmation of those States' continuing commitment to and support for the right of the Palestinian people to self-determination, a right that

had been violently withheld from them for more than half a century under Israeli occupation. The draft resolution's reaffirmation of that right in no way obstructed a just and peaceful solution. If anything, the adoption of the draft resolution by more than 169 Member States reflected the collective will to uphold international law and contribute to a just and lasting solution. The vote sent a message to Israel, the occupying Power, that its narrative of the situation and its violations of international law were unacceptable.

75. The vote cast by Israel against the draft resolution could only reinforce the idea among Palestinians that Israel rejected a real peace settlement and the two-State solution. In order for a just peace to be achieved, the basic right of self-determination must be recognized by both parties. The State of Palestine had recognized the right of Israel to exist, but Israel had yet to recognize a Palestinian State in any written or legal sense. Her delegation could not comprehend why the representatives of Israel ignored those facts. Moreover, the right to self-determination was the inalienable right of all peoples, and the Palestinians were no exception. That right was not subject to negotiation and it was not for Israel to grant. The desire to live freely rather than under the yoke of foreign occupation was a legitimate aspiration. The international community must act in accordance with relevant United Nations resolutions to resolve the Palestinian question, which included an end to the Israeli occupation and realization of the right of the Palestinian people to live in an independent State with East Jerusalem as its capital.

**Agenda item 74: Promotion and protection of human rights** (*continued*)

**(c) Human rights situations and reports of special rapporteurs and representatives**  
(*continued*) (A/C.3/73/L.40)

76. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela), speaking on behalf of the Movement of Non-Aligned Countries, said that at the eighteenth Mid-Term Ministerial Conference of the Non-Aligned Movement, ministers had stressed that the Human Rights Council was the United Nations organ responsible for the consideration of human rights situations in all countries, through the universal periodic review mechanism, on the basis of cooperation and constructive dialogue. The selective adoption of country-specific resolutions in the Third Committee and the Human Rights Council was a means of exploiting human rights for political purposes and, as such, breached the principles of universality, impartiality, objectivity and non-selectivity.

77. There was a need to promote coherence between the Committee and the Council with a view to avoiding duplication and overlap. The universal periodic review was the main intergovernmental mechanism for examining human rights issues at the national level in all countries without distinction and was conducted with the full involvement of the country concerned and with due consideration for its capacity-building needs. As a cooperative mechanism, based on objective and reliable information and interactive dialogue, the review must be conducted in an impartial, transparent, non-selective, constructive, non-confrontational and non-politicized manner. National reports should include details of any unilateral coercive measures applied against other States, together with an assessment of their human rights impact.

78. **Ms. Nemroff** (United States of America) said that her country remained a leader in the fight to end impunity. It supported justice and accountability for international crimes, including war crimes, crimes against humanity and genocide. The United States respected those countries that had ratified the Rome Statute of the International Criminal Court and hoped that its decision not to do so would be respected in turn. Several draft resolutions contained references to the Rome Statute that the United States could not support as they did not distinguish between parties and non-parties to the Statute or were otherwise contrary to the position of the President of the United States with respect to the Court, as announced on 10 September 2018. The United States reiterated its principled objection to any assertion of International Criminal Court jurisdiction over nationals of States that were not parties to the Rome Statute absent a Security Council referral or the consent of the State concerned. The United States also reiterated its concerns regarding the proposal by the International Criminal Court Prosecutor to investigate United States personnel in the context of the conflict in Afghanistan.

79. **Ms. Sandoval** (Nicaragua) said that her country remained deeply concerned by the selective adoption of country-specific resolutions in the Third Committee. All human rights, including the right to development, were universal, inalienable, indivisible, interdependent and interrelated. Human rights issues must be addressed in a global context, through a constructive, non-confrontational, non-politicized and non-selective approach; in a fair and equitable manner, with objectivity, respecting national sovereignty, territorial integrity and non-interference in the internal affairs of States; and guided by the principles of impartiality, non-selectivity and transparency. The political, historical, social, religious and cultural particularities of each country must always be taken into account.

*Draft resolution A/C.3/73/L.40: Situation of human rights in the Democratic People's Republic of Korea*

80. **The Chair** said that the draft resolution contained no programme budget implications.

81. **Mr. Kickert** (Austria), introducing the draft resolution on behalf of the European Union, said that the European Union had taken note of ongoing diplomatic efforts to promote peace and security on the Korean Peninsula and was encouraged by the pursuit of dialogue on several fronts. While that was an improvement over the previous year, a better future for the people of the Democratic People's Republic of Korea could only be secured if human rights violations were addressed. Although some progress had been reported with respect to the resumption of family reunifications, the human rights situation described in the 2014 report of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea remained unchanged. Torture in detention facilities, lack of freedom of movement and expression, severe hunger and malnutrition, violence and discrimination against women and widespread impunity were only some of the most concerning violations of international law by the State. The Democratic People's Republic of Korea must tackle those issues and demonstrate that progress in the area of human rights was possible.

82. The European Union pursued a policy of critical engagement with the Democratic People's Republic of Korea and hoped that it would invite the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea to visit the country. The European Union also hoped that the upcoming cycle of the universal periodic review would present an opportunity for the Government of that country to improve the situation.

83. **Mr. Khane** (Secretary of the Committee) said that Andorra, Argentina, Benin, Bosnia and Herzegovina, Georgia, Honduras, Maldives, Mexico, the Federated States of Micronesia, Monaco, New Zealand, Norway, San Marino, Serbia, Tuvalu and the United States of America had joined the sponsors of the draft resolution.

84. **Mr. Kim Song** (Democratic People's Republic of Korea) said that his delegation totally rejected the draft resolution, as it had nothing to do with human rights. Rather, it was the product of a political plot by hostile forces to tarnish the image of the Democratic People's Republic of Korea. The issues mentioned in the draft resolution did not exist. The delegation of the Democratic People's Republic of Korea was concerned and surprised by the introduction of a draft resolution that was full of political criticisms and fabrications at a time when an atmosphere of reconciliation and

cooperation prevailed on the Korean Peninsula and efforts were being made to establish a durable peace.

85. The European Union and Japan, the main sponsors of the draft resolution, were not qualified to talk about other States' human rights issues. The countries of the European Union committed grave crimes against humanity, such as Islamophobia, xenophobia, extreme racial discrimination and neo-Nazism. Japan was the criminal State that had militarily occupied Korea and had committed crimes against humanity such as the killing of 1 million people, the forced conscription of 8.4 million and the sexual slavery of 200,000 Korean women. Japan had not implemented the recommendations of the 1996 report of the Special Rapporteur on violence against women, its causes and consequences, namely that Japan should acknowledge its practice of sexual slavery, apologize to and compensate the victims and set up a special tribunal to punish the perpetrators. The United Nations should take issue with the human rights violations of Japan and the European Union.

86. Although the Democratic People's Republic of Korea maintained its principled position in support of dialogue with respect to human rights issues, it would respond strongly to confrontational and hostile forces aimed at defaming his country and overthrowing its system. The Democratic People's Republic of Korea did not see the need for a vote on the draft resolution which, even if adopted, could never be regarded as the product of consensus. The Democratic People's Republic of Korea urged delegations to disassociate themselves from the process of adopting the draft resolution.

87. **Mr. Aldahhak** (Syrian Arab Republic) said that his delegation restated its objection to the politicization of human rights issues and the use of mechanisms and mandates against specific countries in the service of the narrow and selfish political positions of powerful countries. It furthermore rejected the draft resolution under consideration and dissociated itself from any consensus that might be reached on it.

88. **Mr. Bessho** (Japan) said that the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea had reported to the Committee that there had been no substantial changes in the human rights situation in the country. The most recent report of the Secretary-General on the situation of human rights in the Democratic People's Republic of Korea had also highlighted a continuing pattern of serious human rights violations. Japan welcomed the ongoing diplomatic efforts to fulfil the commitments made at the historic summit between the United States of America and the Democratic People's

Republic of Korea in June 2018, as well as the three Inter-Korean summits in 2018, as progress towards the resolution of outstanding issues of concern.

89. The abduction of Japanese citizens by the Democratic People's Republic of Korea was a grave violation of human rights. Most abductees had not returned to their homes. The victims and their families were growing older and some had passed away without ever seeing their loved ones again. Japan called for the immediate return of all abductees. Its Government was ready to overcome mutual distrust between it and the Democratic People's Republic of Korea and engage directly in order to resolve the issue. The allegations of the Democratic People's Republic of Korea regarding past issues were groundless.

90. **Mr. Arbeiter** (Canada) said that his delegation thanked the European Union and Japan for their efforts to include new language on gender equality in the draft resolution, as it was important to protect the rights of women and girls in fragile conflict or post-conflict environments. Canada was concerned about reports of systematic human rights abuses in the Democratic People's Republic of Korea and called on the Government of that country to abide by international human rights standards. While Canada had taken note of the 2017 visit of the Special Rapporteur on the rights of persons with disabilities to the Democratic People's Republic of Korea, it regretted that the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea had not received an invitation to visit the country.

91. **Ms. Ndayishimiye** (Burundi) said that her delegation reiterated its principled position against country-specific resolutions. Dialogue and cooperation, without engaging in politicization or selectivity, were the best ways to promote human rights worldwide.

92. **Ms. Velichko** (Belarus) said that her country had always opposed the consideration of country-specific topics at the United Nations, believing that it undermined the principle of objectivity and exacerbated confrontation. Practice had shown that country-specific resolutions only created artificial barriers to constructive dialogue. The United Nations had an effective mechanism for monitoring human rights situations in all countries without exceptions, the universal periodic review of the Human Rights Council, which allowed for a balanced analysis of each country's human rights situation. It was the most effective tool for encouraging Governments to address human rights challenges. Hence, Belarus did not support the draft resolution and dissociated itself from any consensus.

93. **Ms. Ali** (Singapore) said that, as a matter of principle, Singapore did not agree with country-specific resolutions as they were selective in nature, driven by political considerations, divisive and counterproductive. The content of country-specific resolutions should be addressed by the universal periodic review. Although Singapore would for that reason abstain on all country-specific draft resolutions that would be adopted by vote in the Committee, that could not be construed as taking a position on the substance of the human rights issues raised in any of the draft resolutions.

94. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran), speaking in explanation of vote before the voting, said that the counterproductive and confrontational practice of adopting country-specific resolutions and the exploitation of the Committee as a platform for political ends contravened the principles of universality, non-selectivity and objectivity in addressing human rights issues. Furthermore, such an approach undermined cooperation and dialogue. The universal periodic review of the Human Rights Council provided the proper mechanism for addressing human rights situations on an equal basis, without recrimination. For those reasons, his delegation dissociated itself from the draft resolution.

95. **Mr. Kuzmin** (Russian Federation) said that his country did not support the practice of considering selective, one-sided draft resolutions on human rights situations in specific countries. It believed them to be ineffective and capable only of exacerbating confrontation between Member States. The United Nations already possessed a proven platform for the consideration of human rights situations in all countries, namely the universal periodic review, which provided opportunities for constructive, mutually-respectful dialogue. Accordingly, his delegation dissociated itself from any potential consensus on the draft resolution.

*The meeting rose at 1 p.m.*