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Chair: Mr. Braun (Luxembourg)

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The meeting was called to order at 3.10 p.m.

Agenda item 61: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*) ([A/74/12](#), [A/74/12/Add.1](#) and [A/74/322](#))

1. **Mr. Carazo** (Costa Rica) said that his country had experienced a significant increase in refugees and asylum seekers in recent years. In 2017, a total of 48,836 foreign nationals had benefited from the State's various social, educational, medical and health care programmes. A number of plans and policies were in place for the effective management of migration, as well as specific procedures to grant Costa Rican nationality to stateless persons.

2. However, the massive displacement of people in the region could only be effectively addressed through multilateral cooperation. In particular, Costa Rica continued to advocate dialogue and a commitment by all parties to resolve the crises in Venezuela and neighbouring Nicaragua. The latter social and political crisis had displaced thousands, leading to an increase in the number of requests for asylum in Costa Rica.

3. Climate change also had a serious impact on the management of migration flows. Recent studies predicted that a continued rise in sea levels would force 150 million people to seek refuge in other regions and countries by 2050. There could be no clearer call from science and nature of the need for collective and tangible action.

4. **Mr. Sahraoui** (Algeria) said that, while the number of people forced to flee their homes continued to increase dramatically around the world, Africa remained the continent that hosted the largest number of refugees, displaced persons and stateless persons. By the end of 2018, the number of people under the protection of the Office of the United Nations High Commissioner for Refugees (UNHCR) in Africa had reached 26.4 million. In that context, his delegation welcomed the decision by the African Union to designate 2019 the African Year of Refugees, Returnees and Internally Displaced Persons: Towards Durable Solutions to Forced Displacement in Africa.

5. In the light of the alarming statistics, his delegation wished to emphasize that the assistance and protection provided by UNHCR must be accompanied by mechanisms to find durable solutions to eliminate the root causes of forced displacement. Such mechanisms must be open to all those who needed them and avoid the selectiveness and double standards sometimes applied in dealing with situations of asylum and

displacement. The only effective means of ending forced displacement was the adoption of a strategy aimed at preventing crises from occurring and ensuring their prompt resolution in the event that they did occur. The objective was to achieve sustainable development capable of providing stability and prosperity so that people were not forced to leave their homes.

6. It was important to bear in mind that host countries bore the brunt of the responsibility when it came to meeting the needs of refugees, although the focus often seemed to be on donor countries. His delegation therefore shared the Secretary-General's view that there should be greater fairness in sharing the burden. The funding problems faced by UNHCR were inevitably reflected in the quality of its work on the ground and its ability to address refugees' concerns.

7. As Algeria reaffirmed its commitment to protecting the rights of the Sahrawi refugees pending the determination of the fate of the region, his delegation renewed its appeal to the international community, especially donor countries, to provide more relief to refugees who were totally dependent on international aid and called on UNHCR to redouble its efforts to fulfil its responsibilities towards refugees. During a visit to the Sahrawi refugee camps in 2017, UNHCR had estimated that they housed more than 173,600 people, but according to the World Food Programme there were even more Sahrawi refugees in need of assistance. His delegation therefore called on the High Commissioner to take that situation into account in his future activities and reports.

8. **Ms. Tesfamariam** (Eritrea) said that her country, which was fully committed to the values and principles of international refugee protection instruments, noted with concern the surge in forced displacement at a scale not witnessed in half a century. The massive displacement continued to cause humanitarian crises and had a destabilizing impact on regional security and socioeconomic development. The crisis would not be resolved without addressing the underlying causes that compelled people to flee their homes, such as conflicts, climate disasters, political and economic sabotage and military interventions. Unfortunately, the discourse on forced displacement often ignored or merely paid lip service to the underlying reasons.

9. Countries of origin, transit and destination needed to shoulder their responsibilities based on their international obligations and respective capacities. The humanitarian nature of refugee protection mechanisms and instruments should be safeguarded in order to avoid politicization. Moreover, given the limited resources available to address the growing and complex human

displacement, UNHCR should focus on its core mandate of providing protection and assistance to refugees instead of persons of concern or migrants, who came under the mandate of other United Nations bodies.

10. UNHCR was the only organization with an international mandate to protect and assist refugees. Therefore, it was deeply alarming to hear repeated reports of corruption inside the camps administered by UNHCR, directly or indirectly, including acts of financial bribery to grant refugee status or acquire preferential resettlement in selected European countries. UNHCR must conduct thorough investigations of such reports with the aim of dismantling what might be a deeply rooted network of corruption within the organization. UNHCR must also provide adequate protection services to any refugees who risked intimidation or retaliation when reporting such acts of corruption.

11. Eritrea would continue to make every effort to ensure the safety of all Eritreans who were stranded in conflict situations by working with host countries and international partners, including by facilitating their voluntary return home. Over the past year, many Eritreans stranded in Libya had expressed their desire to return to their home country but some members of UNHCR continued to dissuade Eritreans living in refugee camps in Libya from returning to their country under the false pretext that they could face prosecution. That claim had been repudiated by several European countries that had sent fact-finding missions to Eritrea. What those countries had learned had led to a review of their own policies. It was therefore perplexing that UNHCR continued to complain about limited resettlement options for those caught in crisis situations, while actively preventing them from taking the easiest option of returning home.

12. The UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, which designated Eritrean economic migrants as “bonafide refugees”, relied on secondary and biased sources. A flawed approach, erroneous data and consequent bleak depiction of the reality in the country had led to the blanket recommendations of automatic extension of refugee status to Eritrean economic migrants. That, in turn, had encouraged a disproportionate number of Eritreans to leave their homeland under the false expectation of easily acquiring refugee status in Europe that was associated, in their eyes, with attractive privileges in terms of free housing, education, employment and other social benefits. Such pull factors had serious ramifications for the people of the Horn of Africa region. UNHCR should engage with

the countries that it deemed to be of concern before the issuance of its eligibility guidelines.

13. **Ms. Manuel** (Angola) said that her delegation supported UNHCR and called on donors to address the organization’s financial deficit, particularly with regard to humanitarian operations affecting refugees in Africa. In recent years Angola had provided humanitarian and emergency assistance to a large influx of refugees arriving from the Democratic Republic of the Congo. As voluntary repatriation and reintegration remained the only long-term solution, however, her Government had concluded a tripartite agreement with UNHCR and the Democratic Republic of the Congo in August 2019 concerning the situation of 23,684 Congolese refugees originally from the province of Kasai. The agreement set out a plan of action to facilitate their voluntary return, to which 16,177 had agreed to date. Her Government would continue to work with UNHCR to share biometric data on the refugees in order to facilitate monitoring of the situation.

14. The ongoing commitment of Angola to UNHCR had been demonstrated most recently through its ratification of two major international treaties on stateless persons, its advocacy of the global compact on refugees, which provided an opportunity to translate the principle of shared responsibility into concrete action, and its support for the objectives of the Global Refugee Forum to be held in Geneva in December 2019.

15. **Mr. Moussa** (Egypt) said that his country’s chairmanship of the African Union had coincided with the declaration of 2019 as the African Year of Refugees, Returnees and Internally Displaced Persons. Consequently, Egypt had hosted a number of important regional events to promote that theme, including a preparatory workshop for the Aswan Forum on Forced Displacement in Africa, which had been held in August 2019 in partnership with UNHCR.

16. Low and middle-income countries continued to host 85 per cent of refugees globally. While extending its appreciation to the donor community, Egypt emphasized the need for more equitable burden- and responsibility-sharing, which represented the core principle of the global compact on refugees. Egypt was therefore a strong supporter of the Global Refugee Forum, which sought to translate the commitments made under the compact into concrete actions in that regard.

17. It was essential to step up the level of international solidarity in order to ease the growing impact of refugee influxes on host countries, provide more opportunities for the resettlement of refugees, resolve the root causes of refugee situations and create conditions for refugees

to return to their home countries. In that context, Egypt had exerted significant efforts to promote a comprehensive approach to resolving conflicts and achieving post-conflict reconstruction and development in Africa. For example, Egypt would be hosting the African Union Centre for Post-Conflict Reconstruction and Development and was fully committed to work in partnership with UNHCR and all concerned partners to seize the momentum created by the first Global Refugee Forum and work towards overcoming the persistent challenges faced.

18. Egypt had a long-standing tradition of admitting and hosting refugees from a wide range of countries. They entered Egypt without the need to register as refugees and received access to public services, including health care and education, on an equal footing with Egyptian citizens. Refugees benefited from the same subsidies on basic goods and services as Egyptian nationals. They were also guaranteed freedom of movement and were not confined to refugee camps, unlike the situation in many countries. They therefore had no need or incentive to register or apply for refugee status. As a result, only around 250,000 refugees and asylum seekers in Egypt were registered with UNHCR, despite the country hosting much larger numbers of people in refugee-like situations.

19. Egypt would present a number of pledges at the Global Refugee Forum in the areas of education, jobs and livelihoods, as well as health-care services, and looked forward to exploring potential partnerships in those areas in the lead-up to the Forum.

20. **Ms. Bogyay** (Hungary) said that her country was deeply concerned that the number of persons displaced worldwide was at a record high. While her Government was committed to international legal instruments in the area of refugee law, it also wished to stress that preventing the conflicts that triggered forced displacement should be the primary consideration of the international community. In addition to solving conflicts as soon as possible, the international community should work towards creating better living conditions for people in their homelands and in neighbouring countries and refugee camps, and also facilitating the safe, voluntary and dignified return of displaced persons to their homes.

21. Solidarity could take different forms, including the supply of humanitarian and development aid to countries affected by conflict and the provision of services and infrastructure to countries hosting refugees. Resettlement was not the only way to express solidarity to countries affected by conflict. Hungary delivered humanitarian and development aid on the spot through

international development instruments and the Hungary Helps programme. For example, Hungary provided sanitary equipment and health care in refugee camps and it contributed to reconstruction activities by rebuilding hospitals, schools, houses and churches in the Middle East. In 2019, the Ministry of Foreign Affairs and Trade of Hungary had launched a comprehensive €16 million development programme in Uganda with the aim of creating long-lasting peace and stability in the country, thereby also addressing the root causes of migration. The programme also provided assistance to refugees and asylum seekers present in Uganda. Furthermore, Hungary was financing a comprehensive €1.2 million water management project in the Rwamwanja refugee settlement in Uganda.

22. It was of the utmost importance to distinguish forced displacement from other forms of movements and to do so at an early stage to save people from perilous journeys, which exposed refugees to the risks of human trafficking.

23. **Ms. Mehdiyeva** (Azerbaijan) said that her country was concerned by the recent sharp increase in the number of refugees and internally displaced persons around the world, with an average of 37,000 new displacements every day. The primary obligation of States was to provide them with protection from the diverse circumstances that had compelled them to leave their homes. The international community had a shared responsibility to address the root causes of displacement by developing effective multilateral responses to ensure the safety and dignity of the millions of people affected by violent conflict, poverty, inequality, persecution, climate change and disasters.

24. At the same time, forcibly displaced persons fleeing armed conflict must be permitted to return to their homes, properties and possessions, particularly in those areas where hostilities had effectively ceased. A lack of agreement on political issues could not be used as a pretext for failing to address the problems caused by continued and deliberate disrespect for international law in situations of armed conflict and foreign occupation. Ensuring the right to return also constituted a categorical rejection of ethnic cleansing and sent an important message of justice to those displaced from their homes and land, thereby removing a source of possible future tension and conflict. Regrettably, as the number of refugees and internally displaced persons was growing, so was the intolerant discourse against them in many countries. Xenophobic and racist responses further marginalized those people and bred more violence among communities.

25. Azerbaijan had one of the highest levels of internal displacement in the world, which had resulted from external aggression and the subsequent military occupation of one fifth of its territories, the mass forcible eviction of all Azerbaijanis from their homes, as well as ethnic cleansing committed against them. According to the latest population census, there were currently 741,000 internally displaced persons in Azerbaijan, 30 per cent of whom were children. An entire generation of children and youth had grown up in tent camps and compact settlements knowing only a life of displacement.

26. The Government had made consistent efforts to ensure increased protection for internally displaced persons and their rights in the areas of housing, education, health care, employment, livelihood and social security. As a result of effective social measures, the poverty rate among those internally displaced had dropped from 75 per cent to 12 per cent in the past 15 years. More than 300,000 internally displaced persons had been provided with new houses in the newly established settlements. All internally displaced persons were entitled to a free education at any State school or university, and to free medical care.

27. In the past 20 years, over \$6 billion had been spent to solve the social problems of internally displaced persons. The primary responsibility that the Government had assumed for the protection and assistance to internally displaced persons had been greatly acknowledged, including by the Special Rapporteur on the human rights of internally displaced persons, whose mandate was strongly supported by Azerbaijan. However, only the return of the internally displaced persons in safety and dignity to their homes and properties could fully restore their violated human rights.

28. Azerbaijan was a party to the Convention relating to the Status of Refugees and the Protocol thereto, the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness. Her Government supported the global compact on refugees and looked forward to the first Global Refugee Forum to be held in December 2019.

29. Azerbaijan had joined the UNHCR campaign for the elimination of stateless and had introduced changes to its national legislation, including a simplified naturalization procedure for refugees, who could now apply for citizenship after five years of permanent residence in the country. Her delegation appreciated the support of UNHCR in helping to establish an effective asylum system in the country. Azerbaijan participated in the regional Quality Asylum Initiative for Eastern

Europe and South Caucasus and was committed to improving both its national legislation and relevant practices in line with international standards.

30. **Ms. Fofana** (Burkina Faso) said that her delegation remained concerned by the alarmingly high number of displaced persons around the world, more than 80 per cent of whom were to be found in developing countries. As her country continued to host migrants from a number of countries, the Government had put in place the appropriate legal and institutional framework to meet their pressing needs. The National Commission for Refugees, for example, was working towards that end in close coordination with all relevant ministerial departments and the United Nations system. From the start of the Malian crisis in 2012, Burkina Faso had hosted thousands of Malian refugees and many had returned home in accordance with the tripartite agreement concluded between the Governments of Burkina Faso and Mali with UNHCR.

31. Unfortunately, terrorist attacks in Burkina Faso since 2016 had brought about an unprecedented security and humanitarian crisis affecting almost 1.5 million people. According to United Nations statistics, in October 2019 Burkina Faso was hosting almost 12,000 migrants and asylum seekers from Mali, almost 6,000 migrants from Côte d'Ivoire, 25,000 Malian refugees and 486,320 internally displaced persons. To ensure an appropriate humanitarian response, the Government had adopted an emergency plan, but the necessary security conditions must first be in place for the plan to succeed. The international community must therefore take urgent action to improve the overall regional security situation, particularly the crisis in Libya.

32. The Government was working with national and international humanitarian partners, including the United Nations, to support refugees and internally displaced persons and was grateful to them all for the assistance provided to date. However, her delegation called for further efforts to cultivate such partnerships with States and humanitarian organizations. The candidacy of Burkina Faso to the Executive Committee of the Programme of UNHCR was part of its work to strengthen cooperation with the United Nations system.

33. Welcoming the daily work done by humanitarian personnel for the benefit of refugees and displaced persons, her delegation called for appropriate protection measures for such personnel and appealed to the international community to provide the financial resources required by UNHCR to fill its deficit. It also called for an end to hate speech against refugees and internally displaced persons.

34. **Ms. Henok** (Ethiopia) said that her Government was further strengthening the nexus between humanitarian assistance and development interventions and instituting comprehensive approaches to refugee responses. The Government had shown a strong commitment towards refugees by enacting a new refugee law, reorganizing the Agency for Refugee and Returnee Affairs and enacting a new civil society law to put in place the required legal and institutional infrastructure for an inclusive and comprehensive refugee response. The revised refugee law, which guaranteed a range of rights, including freedom of movement, registration of vital events and access to the labour market, had a critical role to play in creating an enabling environment to improve the lives of refugees and host communities in tandem.

35. Substantial progress continued to be made in ensuring access to education for refugees at all levels. With support from development partners and UNHCR, the gross enrolment of refugee children in the primary schools of Ethiopia had reached 74 per cent, secondary education enrolment stood at 12 per cent and 3,600 refugee students were attending different universities. The Ethiopian Jobs Compact, which aimed to provide 30,000 jobs to refugees, was also well under way through a multi-partner approach. However, given the sheer size of the refugee population, the need to scale up such ventures would require concerted action from development partners.

36. Ethiopia had continued to provide protection and assistance to refugees and asylum seekers using its limited available resources. While Ethiopia currently hosted close to 940,000 refugees, with 65,000 new arrivals in 2019, its refugee response plan unfortunately continued to suffer from serious underfunding as only 37 per cent of the \$346.5 million budget for 2019 had been funded thus far. That huge gap had forced the Government to prioritize life-saving assistance over long-term self-reliance schemes. The chronic underfunding was also seriously compromising the well-being of people of concern at several levels, particularly in terms of meeting their needs for safe and clean water, shelter and the provision of core relief items and food.

37. In the run-up to the Global Refugee Forum, it was important to do everything possible to ensure its success. Indeed, the Forum was a real test of the resolve to implement the global compact on refugees. As a co-convener of the Forum, Ethiopia called upon the international community to pledge contributions, share best practices and forge new partnerships in accordance with the principle of equitable and reasonable burden- and responsibility-sharing. Ethiopia would play an

active role in leading and coordinating the Global Refugee Forum at the highest level.

38. **Mr. Akhigbe** (Nigeria) said that he wished to express his delegation's appreciation to UNHCR for its continued support to the Government of Nigeria in the aftermath of the massive humanitarian crisis occasioned by the activities of the Boko Haram insurgency. His Government stood ready to work with all stakeholders to bring durable solutions to the issue of forced displacement and was committed to ending all forms of statelessness by 2024.

39. While the adoption of the Global Compact for Safe, Orderly and Regular Migration and the global compact on refugees was welcome, the international community must transform the instruments into actions that would have a positive impact on those forced to flee their homes. In that regard, it was important to note that the commitment to equitable burden- and responsibility-sharing anchored in the global compact on refugees would only be materialized through strengthened international cooperation and collaboration, and, most importantly, substantive solidarity with fellow humans in line with the principle of the 2030 Agenda for Sustainable Development to leave no one behind.

40. Nigeria continued to work closely with its neighbours and all stakeholders to ensure that the root causes of displacements were properly addressed. At the regional level, it had facilitated the establishment of robust regional mechanisms to tackle insecurity and provide protection to all displaced persons, including through the Multinational Joint Task Force and the road map for preventing gender-based violence in the Lake Chad Region, among other initiatives.

41. At the national level, the Government sought to holistically address the challenges facing refugees and internally displaced persons through strategic policies and home-grown initiatives. It had reorganized and developed a new humanitarian framework aimed at operationalizing the nexus between humanitarianism and development, guided by the core principles of reconstruction, rehabilitation, resettlement, reintegration and reconciliation. It had also created a new Ministry of Humanitarian Affairs, Disaster Management and Social Development to enhance the coordination of all humanitarian and social interventions in the country and strengthen the existing capacity of local stakeholders to provide suitable and holistic social protection from the onset of a humanitarian crisis. The support of UNHCR, its partners and other international organizations and stakeholders would help to further enhance local preparedness and response.

42. Nigeria was committed to ensuring that refugees voluntarily returned home in safety and dignity and continued to tailor its efforts towards creating a conducive environment in that regard. The States hosting refugees should always abstain from placing undue pressure on refugees that would amount to forceful eviction. His Government was grateful for the support provided by UNHCR since Nigeria had commenced the repatriation and resettlement programmes for its own displaced citizens.

43. His delegation welcomed the establishment of the High-Level Panel on Internal Displacement, which would draw global attention to the plight of internally displaced persons. The panel's expected recommendations on approaches and response to that issue would also further strengthen the implementation of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa. His delegation looked forward to the constitution of a panel that would reflect the commitments of the countries and regions hosting internally displaced persons. The forthcoming Global Refugee Forum would offer another opportunity for Member States to express their solidarity with refugee hosting States, which were mostly low- and medium-income countries.

44. **Mr. Rabi** (Morocco) said that the international community was unanimous in its agreement about the need to respect international norms, in particular international humanitarian law, which included the protection of refugees and persons living in camps. It was regrettable therefore that refugees continued to be denied international protection under international humanitarian law. The prerequisite that guaranteed such protection from UNHCR was refugee census and registration activities, which were one of its statutory obligations. No argument, still less a political one, could justify denying refugees the right of census and registration, the very purpose of which was to guarantee their fundamental human rights while also identifying and quantifying their needs. In this absence of registration, humanitarian aid would continue to be delivered solely on the basis of estimates whose imprecise nature allowed it to be deviated to unarmed groups, as was reportedly and unfortunately still the case.

45. His delegation noted with regret that no progress had been made for over 40 years with regard to the populations sequestered in the Polisario camps who, unfortunately, continued to pay the price for the political manipulation of their situation. To date, UNHCR continued to deal with an opposition that categorically refused to allow it to carry out a reliable census and registration of the population, despite the appeals for

that exercise to be conducted without restrictions, including from the Secretary-General. Under such circumstances, the registration of the populations living in the Polisario camps was more vital than ever in order for UNHCR to be able to implement its mandate and achieve a lasting solution, namely their return to Morocco.

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

(a) **Elimination of racism, racial discrimination, xenophobia and related intolerance** (continued)
(A/74/253)

(b) **Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action** (continued) (A/74/173, A/74/274, A/74/308, A/74/312 and A/74/321)

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

46. **Ms. Mehdivyeva** (Azerbaijan) said that her delegation had taken note of the report of the Secretary-General on the right of peoples to self-determination (A/74/309) and wished to make the following points.

47. First, the right of self-determination had been widely recognized as applying to the peoples of Non-Self-Governing Territories and to the peoples subjected to alien subjugation, domination and exploitation, including those under foreign military occupation. That had been reaffirmed in the relevant international instruments, the jurisprudence of the International Court of Justice and in numerous United Nations resolutions.

48. Second, self-determination had been recognized as applying to the peoples of independent States as a whole and provided for the right to choose their own form of government without external interference and for participation in the conduct of public affairs at appropriate levels.

49. Third, neither the provisions on self-determination in various international documents, nor State practice testified to the existence of the right to unilateral secession by national or ethnic minorities, including as a means of sanction or remedy. To hold otherwise would be tantamount to threatening the unity of all multinational societies and encouraging discrimination and intolerance on racial, ethnic and religious grounds.

50. Fourth, claims of self-determination were unsustainable when they were directed from outside,

coupled with external aid and accompanied by the violation of international law, including its peremptory norms, such as those prohibiting the threat or use of force against the sovereignty and territorial integrity of States.

51. However, in some instances, flagrant misinterpretation of the right to self-determination continued, especially when referring to that right to justify the unlawful use of force, military occupation and externally supported unilateral secession attempts. The characteristics pertaining to that criteria of illegality were evidenced in the continued aggression by Armenia against Azerbaijan. Notwithstanding the concept of self-determination adopted in international law, Armenia spared no efforts to impose the view that the principle could be applied in the form of unilateral secession for the Armenian ethnic minority living in the Nagorno-Karabakh region of Azerbaijan.

52. On the eve of the independence of Azerbaijan, the unlawfulness within the Soviet legal system of any attempts aimed at either the unification of the Nagorno-Karabakh region with Armenia or its secession from Azerbaijan was confirmed at the highest constitutional level. The definition of the territory of Azerbaijan as it proceeded to independence and in the light of the applicable law clearly included the Nagorno-Karabakh region.

53. The situation following the independence of Azerbaijan and the actions of Armenia were also clear. Any attempt by Armenia to encourage, procure or sustain the secession of Nagorno-Karabakh was simply unlawful in international law and amounted to a violation of the principle of respect for territorial integrity. In its resolutions [822 \(1993\)](#), [853 \(1993\)](#), [874 \(1993\)](#) and [884 \(1993\)](#), the Security Council condemned the use of force against Azerbaijan, the occupation of its territories, the attacks on its civilians and the bombardment of its inhabited areas, reaffirmed respect for the sovereignty and territorial integrity of Azerbaijan, the inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory.

54. In response to territorial claims and forcible actions, the Security Council reconfirmed in those resolutions that the Nagorno-Karabakh region was an integral part of Azerbaijan and demanded the immediate, complete and unconditional withdrawal of the occupying forces from all the occupied territories. On that basis, the illegality of the ethnically constructed subordinate regime established by Armenia in the occupied territories of Azerbaijan had been repeatedly

stated at the international level in the most unambiguous manner.

55. It followed from the above that the claims by Armenia to the “independent statehood” of Nagorno-Karabakh as a result of the alleged realization by its Armenian inhabitants of the right to self-determination were unsustainable in international law and thus null and void *ab initio*.

56. No right could be exercised by illegal means and at the expense of the violation of the rights of others. Human rights and fundamental freedoms were universal and embraced all of humanity. Respect for those rights must be accorded on an equal and non-discriminatory basis.

57. **Mr. Moussa** (Egypt) said that the Israeli Government persisted in its refusal to cooperate with the mandate of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, not granting him entry to visit the Territories or Israel, in violation of the country’s obligations under international law. Such conduct did not serve the interests of any party. After 50 years of Israeli occupation – the longest military occupation in modern history – the international community was no closer to upholding the inalienable right of the Palestinian people to self-determination, a right enshrined in the International Covenants on Human Rights. Meanwhile, the Palestinian people were systematically denied their rights and dignity by occupation forces on a daily basis, and instability prevailed in the West Bank and the Gaza Strip, a direct result of occupation policies.

58. There would be no path to regional peace and stability, absent a just, lasting solution to the question of Palestine that fulfilled the aspiration of the Palestinian people to establish an independent State within the 1967 borders, with East Jerusalem as its capital, in line with international law and United Nations resolutions.

59. The unprecedented global rise in xenophobia, Islamophobia, racism and racial discrimination could be traced to the emergence of extreme-right movements worldwide. Such movements sought to build their political platforms on incitement, hatred and the social exclusion of particular religious, ethnic, national or other groups, exploiting misconceptions and unjustified fears to achieve narrow political ends. Xenophobia, intolerance, racism and discrimination trampled basic human rights and human dignity, thereby posing a threat to international peace and security, development and social stability. They were also incompatible with democracy and the rule of law.

60. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that his country was fully committed to the promotion of an interconnected and culturally diverse world free from racial discrimination, xenophobia and any related form of intolerance. It was unacceptable, shameful and alarming that racist, xenophobic and discriminatory manifestations were increasing around the world. The exclusionary, racist and xenophobic discourse prevailing in some developed or even developing countries by political leaders or sectarian groups only exacerbated the suffering of vulnerable or minority groups and was a sad example for humanity. The rising use of new information and communications technology was also helping to spread messages of hate and intolerance, generating global tensions that undermined peace efforts.

61. Refugees and migrants fleeing armed conflicts or distressing situations were often victims of discrimination and mistreatment that violated their human rights and freedom, despite the important contribution they made to their host societies. That tragic situation must be denounced and corrected by States and societies as a whole.

62. Venezuela was a peaceful country that for many decades had welcomed hundreds of thousands of refugees from around the world fleeing war and seeking a better life, allowing them to rebuild their lives in a country free from discrimination. Currently millions of Colombians and thousands of Peruvian, Ecuadorian, Chilean, Argentine and other nationalities living in Venezuela continued to enrich its national life with their culture and presence. They had never been subjected to xenophobia, but rather had been protected by the State.

63. His Government condemned the use of the issue of human mobility for political purposes, as well as the encouragement of and indifference to abominable acts of xenophobia and intolerance against Venezuelan citizens in some countries of the region, which was a regrettable legacy rooted in the application of unilateral coercive measures. Such measures of political destabilization, which affected the population as a whole, fed into a narrative of the securitization of migration and xenophobia, to the detriment of the most vulnerable citizens of the region and the world. It was only through dialogue and cooperation that the sensitive issue of migration should be addressed.

64. His country had worked tirelessly to promote a culture of coexistence and tolerance in society and to denounce any manifestations of racial discrimination, xenophobia and intolerance of any kind, acting on the basis of the principles set out in the Durban Declaration and Programme of Action. Venezuela similarly

reiterated its commitment to and support for the other mechanisms in that area created within the United Nations system and other subregional bodies.

65. Venezuela was a multi-ethnic and multicultural country. One of the main human rights in its society was non-discrimination on the basis of birth, sex, race, religion, language, sexual orientation or any personal or social condition. It was a country where a multiplicity of cultures, beliefs, ethnic groups and nationalities coexisted without discrimination.

66. **Ms. Moutchou** (Morocco) said that combating racism in all its forms was a priority for the entire international community, given its negative cross-cutting impact on the full enjoyment of human rights. However, despite the adoption of the International Convention on the Elimination of All Forms of Racial Discrimination in 1965, the scourge of racism, racial discrimination, xenophobia and related intolerance remained widespread throughout the world and was assuming new forms that had not been foreseen in the Convention. In many regions of the world, there had been a worrying increase in racist violence related to the economic situation alongside a rise in racist and xenophobic political ideologies. Racist demonstrations were increasingly being witnessed at electoral and sporting events, while certain media and online activities were actively promoting racist propaganda.

67. Unfortunately, the current international framework to prevent such manifestations of racism remained weak. Given the complex and multidimensional nature of the scourge of racial discrimination, a comprehensive approach was needed that provided both preventive and corrective measures and included all key stakeholders. The 2030 Agenda offered valuable opportunities to end racism, racial discrimination, xenophobia and related intolerance. Large televised sporting events could also be used to promote messages of tolerance and acceptance.

68. Her Government had adopted a series of measures to combat the scourge of racism and to follow-up on the recommendations of the Durban Review Conference. Enshrined in the Constitution of Morocco was the vision of a diverse but unified society in which all persons fully enjoyed their human rights and all forms of discrimination were prohibited. Foreign nationals were also protected from discrimination under the Constitution. Moreover, a series of reforms had been undertaken to protect the rights of migrants in Morocco.

69. **Mr. Rabi** (Morocco) said that international law was constantly evolving and the same was true for the principle of self-determination. The concept was first enshrined in General Assembly resolution [1514 \(XV\)](#),

which had been adopted in a specific context marked by the global independence movements of the 1950s and 1960s. To avoid any expansive interpretation of the principle of self-determination, however, the resolution had been followed immediately by General Assembly resolution 1541 (XV), which had set out the conditions under which a non-self-governing territory could be said to have reached self-government, namely independence, free association with an independent State or integration with an independent State. That resolution was complemented later by General Assembly resolution 2625 (XXV), which had reaffirmed that self-determination could be implemented through the establishment of a sovereign and independent State, free association or integration with an independent State or the emergence into any other political status freely determined by a people. It had also stated that nothing in the resolution should be construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States.

70. Self-determination could not be exercised at the expense of territorial integrity. The sacrosanct principle of territorial integrity of States was enshrined in the first chapter of the Charter of the United Nations and in resolution 1514 (XV), which stated that any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country was incompatible with the purposes and principles of the Charter of the United Nations.

71. In practice, the implementation of self-determination had also seen major developments. The principle had primarily been used to achieve independence in the 1950s and 1960s by dismembering the former colonial empires, whereas it was currently being employed to give autonomy to and to democratize nation States in order to avoid their “Balkanization” and thereby guarantee regional and international peace and stability. The broad trend was thus in favour of autonomy, expressed through local democracy, economic participation and the preservation and promotion of tribal, linguistic and cultural identities. In several situations, that authentic, democratic and modern concept of self-determination had made it possible to move beyond the status quo and to foster peace, trust and reconciliation. Such new and forward-thinking concepts of self-determination could enable populations to fully enjoy their rights.

72. Lastly, Morocco called on the Government of Namibia to immediately and unconditionally guarantee the right of self-determination for the people of Caprivi in Namibia. Morocco stood ready to provide any necessary support to achieve that outcome, including

through the holding of a referendum, and urged the United Nations to address the matter in keeping with the promise of leaving no one behind in the 2030 Agenda.

73. **Ms. Aleisaei** (United Arab Emirates) said that her country was celebrating 2019 as the year of tolerance. In doing so, the United Arab Emirates aimed to deepen the values of cultural, religious and social tolerance, dialogue and acceptance of others. In that context, the United Arab Emirates had announced in September 2019 the construction of the Abrahamic Family House in the capital, Abu Dhabi, which would house a church, a mosque and a synagogue under the same roof. The project – the first of its kind – would promote dialogue and the exchange of ideas between religions.

74. With respect to combating contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the United Arab Emirates had adopted a legal framework in line with international standards, including Federal Act No. 2 of 2015 on combating discrimination and hatred, which criminalized acts related to religious defamation. The Act aimed to promote a culture of tolerance and the eradication of all forms of discrimination, whether racial, religious or cultural. The first Minister of State for Tolerance had been appointed in 2016. A national tolerance programme had also been adopted and provided for the establishment of a national centre for tolerance, which would conduct research, monitor all forms of hatred, extremism and intolerance and provide information on best practices in that area.

75. At the beginning of 2019, Pope Francis had made a historic visit to the country, the first ever papal visit to the Gulf region. During the visit, more than 135,000 Catholics had attended a special mass in Abu Dhabi. The Muslim Council of Elders had organized a global conference on human fraternity to coincide with the visit, during which Pope Francis and the Grand Imam of Al-Azhar had signed a document on human fraternity, aimed at fostering harmony between peoples.

76. The United Arab Emirates took a firm stand against all forms of extremism and terrorism, pursuing a policy of zero tolerance of those who spread hatred and violence or provided assistance to terrorist groups. Combating extremism and terrorism and their supporters was a national priority.

77. **Mr. de Souza Monteiro** (Brazil) said that his country was concerned by the resurgence of acts of violence, harassment and intimidation targeting individuals, communities and their property in different parts of the world. The international community had a duty to implement the wide array of United Nations findings, decisions and recommendations adopted to

combat racism, racial discrimination, xenophobia and related intolerance, in particular the detailed commitments for the full and effective implementation of the Durban Declaration and Programme of Action, the outcome document of the Durban Review Conference and the programme of activities of the International Decade for People of African Descent.

78. The International Decade for People of African Descent was a historic opportunity for the international community to promote change and take swift and decisive action. As no country was free from racism, all countries must recommit to achieving tangible results by the end of the decade. Brazil therefore regretted the fact that agreement had not yet been reached on the modalities of a permanent forum on people of African descent. Once in place, the forum would bridge an important institutional gap by providing a direct link to civil society. It was also important to launch the negotiations regarding a draft declaration on the promotion and full respect of human rights of people of African descent. Drafting such a declaration would be a testament to the relentless determination to fight all forms of racism and racial discrimination. It would also strengthen efforts to ensure the full realization of the economic, social, cultural, civil and political rights of people of the African diaspora and their full and equal participation in society.

79. Brazil was pursuing practical measures to fulfil its pledges to fight racial discrimination. One such measure was the launch of a unified social assistance system based on disaggregated data collected on people of African descent across a wide range of economic indicators. The data showed that women of African descent were the majority of the public assisted by social services, the most exposed to situations of vulnerability and the main victims of human rights violations. Brazil stood ready to share its experience of such national initiatives in order to contribute to all efforts to combat racial discrimination.

Statements made in exercise of the right of reply

80. **Ms. Stepanyan** (Armenia), responding to the statement made by the representative of Azerbaijan, said that unfortunately yet another disappointing attempt to misuse the platform of the United Nations had just been witnessed. The Azerbaijani delegation had a very peculiar and distorted understanding of multilateralism. In the statement delivered by the delegation of Armenia under the agenda item, it had highlighted the need to uphold all human rights. The people of Nagorno-Karabakh had exercised their right to self-determination in full conformity with the existing legal system of the time, as well as in full respect of all international laws.

The Nagorno-Karabakh conflict was a result of the outright denial of a universally recognized fundamental human right, a people's right to self-determination.

81. The people of Nagorno-Karabakh had chosen their destiny and had exercised their fundamental right to exercise their own choice of governance as well as social, cultural and economic development. The use of force against the people and their peaceful aspirations to exercise their right to self-determination only reinforced such aspirations and deprived the aggressor of any claim to exercise sovereignty over the people.

82. It was Azerbaijan that had responded with pogroms and massacres to the peaceful demonstrations and demands of the people of Nagorno Karabakh to exercise their right of self-determination more than 30 years ago. It was Azerbaijan that had later unleashed a wide-scale war against the Armenian population of Nagorno-Karabakh. It was Azerbaijan, in April 2016, that had started a large-scale military offensive against the people of Nagorno-Karabakh, accompanied with mass atrocities and atrocity crimes. She encouraged the Azerbaijani delegation to engage in genuine confidence-building and to stop "forum shopping".

83. **Ms. Shikongo** (Namibia), responding to the statement made by the representative of Morocco, said that her delegation was rather confused about the issue to which Morocco had been referring, given that the Namibian statement on the agenda item had been factual regarding the situation in Western Sahara. Her Government held a principled position on the right of self-determination for all 17 Non-Self-Governing Territories, including Western Sahara, the last African colony. That point of view was, moreover, shared by many Member States, not just Namibia.

84. It would serve the future development of the African continent for a just, mutually acceptable and lasting solution to be found to the question of Western Sahara. It had always been the hope of the Namibian Government that the parties would reach a mutually acceptable negotiated settlement that guaranteed the self-determination of the people of Western Sahara in keeping with the purposes and principles of the Charter of the United Nations. Her Government therefore urged Morocco to listen to the calls for a referendum in Western Sahara. It would respect whatever outcome might arise from the conduct of such a referendum.

85. **Ms. Mehdiyeva** (Azerbaijan), responding to the statement made by the representative of Armenia, said that there was no separate entity known as "the people of Nagorno-Karabakh". The population of the Nagorno-Karabakh region of Azerbaijan consisted of two equal communities, namely the Azerbaijani and Armenian

communities. Having implemented a scorched-earth policy, qualified as unacceptable and vigorously condemned by the Organization for Security and Cooperation in Europe, Armenia now refused to even accept the existence of the Azerbaijani community of the Nagorno-Karabakh region. It was apparent that the policies and practices of Armenia were based on exclusion and discrimination on ethnic grounds with a view to legitimizing the results of the unlawful use of force and ethnic cleansing. Armenia could not demand privileges, at the very core of which were gross and systematic violations of international law, including international humanitarian and human rights law. Armenia was also using discrimination to deny the fundamental rights and freedoms of others, in particular those of the significantly larger Azerbaijani population that had been expelled and prevented from returning to their homes and properties in both Armenia and in the occupied territories of Azerbaijan.

86. Armenia was distorting and misinterpreting the principle of a people's right of self-determination and, notwithstanding the principle of self-determination adopted in international law, was attempting to impose the view that the principle could be applied in the form of unilateral secession for the Armenian ethnic minority living in Azerbaijan. The danger associated with such a position was obvious: it was contrary to the true value of self-determination, threatened the unity of all multinational societies and, in essence, provided clear encouragement for the spread of discrimination and intolerance on racial, ethnic and religious grounds. The claims by Armenia for the secession of part of a neighbouring State were especially strange in the light of the fact that, unlike Azerbaijan and other States in the region, Armenia was a uniquely monoethnic country. It had achieved that situation by expelling all non-Armenians, including Azerbaijanis.

87. **Mr. Rabi** (Morocco) said that, like many countries, Morocco had adopted a principled position with regard to the question of self-determination for the people of Caprivi, which was the last colony in Africa. Morocco called on Namibia to find a solution for the people of Caprivi and to hold a referendum that enabled them to determine their own future. Naturally, Morocco would accept the results of such a referendum.

88. Regarding the issue of Moroccan Sahara, the population living there enjoyed their full rights and participated fully in political, economic and social life. If Namibia were truly concerned about the situation there, it should focus on the plight of those suffering under the yoke of the Polisario armed group. They were living in an open prison and subject to the worst violations of human rights on a daily basis and the

delegation of Namibia should familiarize itself with the relevant reports of the United Nations in that regard. The failure by Namibia to mention such acts of Polisario barbarity as torture, arbitrary and extrajudicial killings, kidnapping and enforced disappearance was quite simply an act of complicity. Other noteworthy acts committed included the imposition of a military and security blockade on the population and restrictions on the freedom of expression, association and even movement. In the terror camps, dissident movements were repressed and their leaders imprisoned, women were raped and children were taken from their families and recruited as child soldiers.

89. In conclusion, he wished to reiterate that Moroccan Sahara was and would always remain Moroccan. Morocco would not allow anyone to harm its territorial integrity or national unity.

90. **Ms. Stepanyan** (Armenia) said that, in response to the groundless accusations and distorted facts from the representative of Azerbaijan, she wished to point out that the Azerbaijani population had been living in Nagorno-Karabakh at the time when the referendum on independence had been held there. They had been given every opportunity to participate in the referendum.

91. Azerbaijan, Armenia and Nagorno-Karabakh had hosted hundreds of thousands of refugees in the 1990s and, as a proportion of its original population, Armenia had had more displaced persons than Azerbaijan. However, unlike Azerbaijan, Armenia had never politicized the plight of internally displaced persons and refugees. Instead, Armenia had deployed all its resources to fully help them to integrate. It was highly disappointing therefore that Azerbaijan was inflating and distorting the figures with the short-sighted objective of scoring political points. The human rights and dignity of displaced persons should prevail over political considerations.

92. Durable solutions, including the issue of voluntary return, were an integral part of the peaceful resolution of the Nagorno-Karabakh conflict, mediated by the Minsk Group. Azerbaijan had conveniently forgotten to mention its unwillingness to seek a compromise-based solution, its rejection of such principles of international law as the self-determination of nations and its continued policy of use or threat of use of force. Those factors constituted an existential threat to the security and lives of the people of Nagorno-Karabakh and posed a serious obstacle to the peaceful resolution of the conflict and to sustainable peace and development in the region. Armenia encouraged the delegation of Azerbaijan to engage in dialogue and confidence-building measures as the only path for peace – a path

that Azerbaijan had been so vigorously denying for more than 30 years.

93. **Ms. Shikongo** (Namibia) said that her delegation remained perplexed by the remarks made by the representative of Morocco and failed to see the issue to which he was referring. As far as her delegation was concerned, Namibia was merely asking for respect for United Nations resolutions on the situation in Western Sahara as it and others had done in previous years.

94. All delegations were welcome to visit the Zambezi region in Namibia, also known as the Caprivi region. The Zambezi region remained an integral part of her country in accordance with international law, which did not recognize the right of self-determination in the form of secession.

95. **Ms. Mehdiyeva** (Azerbaijan) said that she wished to summarize the fruitful discussion with the delegation of Armenia by stating the following. First, the Nagorno-Karabakh region had always been and would remain an integral part of Azerbaijan. Second, it was Armenia that had resorted to force, violence and terrorist activities in an attempt to realize its groundless and unlawful territorial claims. Third, it was Armenia that continued to occupy the Nagorno-Karabakh region of Azerbaijan and the surrounding seven districts, in gross violation of international law and the relevant Security Council resolutions.

96. Armenia and its affiliates in the occupied territories of Azerbaijan were responsible for international wrongful acts, several of which constituted serious breaches of obligations arising from peremptory norms of general international law. In contrast to the assertions made by Armenia, the primary objective of the ongoing peace process, the mandate of which was based on the relevant Security Council resolutions, was to ensure the immediate, complete and unconditional withdrawal of the occupying forces from the occupied territories of Azerbaijan, the restoration of the sovereignty and territorial integrity of Azerbaijan within its internationally recognized borders and the return of the forcibly displaced persons to their homes and properties. The achievement of those objectives was a pressing and inevitable need, not a compromise. The unlawful use of force and the resulting military occupation and ethnic cleansing of the territories of Azerbaijan did not present a solution and would never bring peace, reconciliation or stability.

97. Lastly, she wished to draw attention to the following figures. As a result of Armenian armed provocations in April 2016, six Azerbaijani civilians had been killed and 33 wounded, 577 buildings had been seriously damaged, including 532 houses, and 18

non-residential buildings had been seriously damaged, including five secondary schools, three kindergartens, two hospitals and one community centre.

98. **Mr. Rabi** (Morocco) said that if Namibia considered it appropriate to address the issue of Moroccan Sahara, then Morocco would also address the situation of the people of Caprivi. Instead of claiming to defend the right of self-determination of a population that already fully exercised its rights in Moroccan Sahara, Namibia should first concern itself with the legitimate and unmet demands of the almost 300,000 people of Caprivi. Namibia would be well advised to apply the right of self-determination to the people of Caprivi and allow them a referendum. Many remained victims of enforced disappearance and arbitrary detention, with their leaders tortured and forced into exile. He again called on the United Nations to address the situation of the people of Caprivi, in keeping with the principle of leaving no one behind.

99. Regarding the situation in Moroccan Sahara, he invited the representative of Namibia to read the relevant reports and resolutions of the Security Council, which would update her on recent developments. He also invited her to visit Moroccan Sahara, which had very beautiful beaches, nice people and well-developed international tourism.

The meeting rose at 5 p.m.