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Chair: Mr. Tommo Monthe (Cameroon)

Contents

Agenda item 66: Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*)

- (a) Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*)
- (b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action (*continued*)

Agenda item 67: Right of peoples to self-determination (*continued*)

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The meeting was called to order at 3.25 p.m.

Agenda item 66: Elimination of racism, racial discrimination, xenophobia and related intolerance
(*continued*)

- (a) **Elimination of racism, racial discrimination, xenophobia and related intolerance** (*continued*)
(A/64/18, [A/65/18], A/65/292, 312, and 323)
- (b) **Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action** (*continued*) (A/65/295 and 377)

Agenda item 67: Right of peoples to self-determination (*continued*) (A/65/286 and 325)

1. **Mr. Al-Shami** (Yemen), speaking on behalf of the Group of 77 and China, said that, over recent decades, the international community had made some progress in the fight against racism, racial discrimination, xenophobia and related intolerance, crowned by the 2001 Durban World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. Nevertheless, in many parts of the world victims continued to suffer from violence based on their ethnic origin or religious affiliation and civil liberties had been reduced since 11 September 2001. Derogatory stereotyping and stigmatization based on religion or belief continued to be of grave concern, while new technologies were being used to proliferate hate speech. Migrants were still easy targets of racism and xenophobia.

2. Appropriate measures should be taken to implement the Durban Declaration and Programme of Action, as well as the outcome document of the Durban Review Conference, which constituted the most comprehensive international framework for the fight against racism. Furthermore, the root causes should be addressed, and a broad range of preventive measures taken to eliminate acts of racial discrimination, xenophobia and related intolerance in all parts of the world, including those under foreign occupation. Intercultural dialogue, tolerance, education and respect for cultural, ethnic and religious diversity were also crucial.

3. The tenth anniversary of the World Conference would be commemorated during the sixty-sixth session of the General Assembly, providing an opportunity for Heads of State and Government to mobilize political will. It should culminate in the global resolve to place

victims at the centre of deliberations and to end racism. The ongoing work of the mechanisms charged with following up on the World Conference was of great importance and they should be provided with the necessary resources to fulfil their mandate.

4. The Group of 77 and China welcomed the recommendations regarding the tenth anniversary of the adoption of the Durban Declaration and Programme of Action. It called on delegations to participate in the forthcoming Ad Hoc Committee on Complementary Standards and encouraged the Secretary-General to fill the vacancy in the Group of Eminent Persons. Unfortunately, the meetings on that agenda item continued to be held in Geneva, which had a negative impact on the negotiations in New York and resulted in the late tabling of the racism resolutions. Also, the forthcoming session of the Ad Hoc Committee would be held at a time when the Third Committee was taking action on resolutions.

5. The decision to erect a permanent memorial to honour the victims of slavery and the transatlantic slave trade should be viewed as partial fulfilment of paragraph 101 of the Durban Declaration. The international community should ensure that such practices were never allowed to occur again.

6. The Group of 77 and China reiterated that a resolute and renewed political will, adequate funding and sustained international cooperation were indispensable to address all forms and manifestations of racism, racial discrimination, xenophobia and related intolerance and reaffirmed its commitment to the full and effective implementation of the Durban Declaration and Programme of Action.

7. **Mr. Burniat** (Belgium), speaking on behalf of the European Union; the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process countries Albania, Bosnia and Herzegovina, Montenegro and Serbia; and in addition Armenia, Georgia, the Republic of Moldova and Ukraine, said that despite the magnitude of discrimination in all its forms, it was possible to combat it through the promotion and protection of all human rights, particularly freedom of expression, by encouraging free debate and exchange of ideas, raising public awareness of human rights violations and promoting media independence. Respect for equality in diversity was a central premise of European integration.

8. The European Union had adopted many legislative and political measures to combat racism, requiring member States to introduce laws prohibiting racial discrimination in everyday life, including in employment, education, health care and housing. Serious forms of racism and xenophobia were combated by means of criminal laws, and racist motivations for other crimes could be taken into consideration by courts as aggravating circumstances. The Stockholm Programme for 2010-2014, adopted by the European Union in December 2009, called for member States to vigorously pursue measures to tackle discrimination, racism, anti-Semitism, xenophobia and homophobia, through existing instruments and legislation and the full integration of vulnerable groups, in particular the Roma community. The European Union Agency for Fundamental Rights supported, through data collection and analysis, the implementation of European legislation to combat racism and discrimination. The Council of Europe, the Organization for Security and Cooperation in Europe (OSCE) and many European non-governmental organizations were also engaged in monitoring, reporting, awareness-raising and research activities and provided support for legal reform throughout the region.

9. The European Union regretted that the International Convention on the Elimination of All Forms of Racial Discrimination, which had entered into force 45 years earlier, was not being fully implemented in practice, that some countries still refused to ratify it, formulating reservations that were contrary to its purpose, and that others were not fulfilling their obligation to submit reports to the Committee on the Elimination of Racial Discrimination or to implement the monitoring, early warning and urgent action procedures established by the Committee.

10. The European Union welcomed the fact that the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance had cooperated with the Special Rapporteur on freedom of religion or belief and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression to anchor their work in the appropriate international legal context.

11. The outcome document of the Durban Review Conference of 2009 was the basis for further work against racism, racial discrimination, xenophobia and

related intolerance for all United Nations mechanisms and agencies. The European Union considered that the follow-up mechanisms needed to be streamlined to make their work efficient and to attain the goals of the Durban Declaration and Programme of Action and looked forward to continuing the positive dialogue on their implementation.

12. **Mr. Bart** (Saint Kitts and Nevis), speaking on behalf of the Caribbean Community (CARICOM), said that although brotherhood, social solidarity and peace prevailed in the region, it had made great efforts to combat social and economic inequality, hatred, bigotry, racism and prejudice, which were the legacy of the transatlantic slave trade. For that reason, CARICOM was honoured to have spearheaded the decision to designate 25 March as the annual International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade and to be leading the process, with the African group, to erect a permanent memorial to the victims and survivors of slavery and the transatlantic slave trade to ensure that that crime against humanity would never be forgotten or repeated.

13. CARICOM expressed its concern at the existence of extremist political parties, movements and groups that promoted and disseminated ideas based on racial superiority or hatred and incited racial discrimination and xenophobia. It considered that cultural events, festivals, conferences, seminars and memorial days offered space for intercultural dialogue and interaction, and should be encouraged as important means of raising awareness and sensitizing the population. Traditional political parties should also be more vocal in political debates and campaigns to combat the negative influence of extremist parties.

14. CARICOM commended the work of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and, in particular, supported his recommendation that sport should be used as a tool to promote understanding and bring people from different origins together. It also agreed that the Internet should be used to educate and spread awareness of racism.

15. CARICOM commended the work of the Committee on the Elimination of Racial Discrimination and of the Office of the High Commissioner for Human Rights (OHCHR), which had assisted the coordination of the Intergovernmental Working Group on the effective implementation of the Durban Declaration

and Programme of Action. As an example of harmonization between United Nations mechanisms, the Intergovernmental Working Group had discussed structural discrimination at its eighth session, an issue that had been examined by the Working Group of experts on people of African descent at its ninth session.

16. As the member States of CARICOM predominantly comprised persons of African descent, they looked forward to participating in the programme of activities for 2011 to commemorate the International Year for People of African Descent.

17. **Mr. Chipaziwa** (Zimbabwe), speaking on behalf of the Southern African Development Community (SADC), said that its member States considered the recommendations made in the Secretary-General's report to be the basis for a collective and consensual global programme to combat racism, racial discrimination, xenophobia and related intolerance and called for the United Nations to lead by example and mainstream the elimination of racism in its operational activities and programmes.

18. SADC members had experienced the worst forms of institutionalized racism and racial discrimination. They remained committed to rooting out the vestiges of racism in the region, including its more subtle, modern forms, as they considered that racism and discrimination were contrary to the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights. Consequently they had adopted domestic laws to combat that scourge and promote equality and had signed or acceded to related international and regional instruments.

19. The Community was concerned that little progress had been made towards the full implementation of the Durban Declaration and the Programme of Action, as well as the International Convention on the Elimination of All Forms of Racial Discrimination, and urged the international community to intensify efforts to eradicate poverty and achieve the Millennium Development Goals, as racism could only be eliminated if economic, social and cultural resources were equitably distributed. Greater political will was needed to address the rise in racist and xenophobic incidents, to provide protection and remedies to victims and to punish perpetrators, including those who disseminated ideas based on racial superiority or hatred, as the Community believed that

prohibiting the dissemination of such ideas did not violate the right to freedom of opinion and expression.

20. The Community concurred with the Special Rapporteur that migration was one of the most challenging issues in the context of eliminating racism, racial discrimination, xenophobia and related intolerance and expressed its concern that migration tended to be characterized as a problem and threat to national identity and security, particularly within political forums. The Community called on Member States to implement and uphold the provisions of the Durban Declaration and Programme of Action, and on civil society and the private sector to participate in efforts to combat negative stereotypes, particularly of migrants and minorities, and to promote understanding and tolerance.

21. The Community noted the Special Rapporteur's recommendation on the collection of ethnically disaggregated data, but would appreciate further reflection on the issue as ethnicity could not be the only basis for collecting and disaggregating data on levels of racial equality. It considered that data should be disaggregated in line with the provisions of the Convention.

22. An update on efforts by OHCHR to mainstream the Durban Declaration and Programme of Action would be appreciated. The workshops to be held by OHCHR to strengthen Member States' capacity to implement their national action plans on eliminating racism, racial discrimination, xenophobia and related intolerance were also welcome. The Community would ensure that all subsequent General Assembly initiatives and resolutions were in line with the Durban Declaration.

23. **Ms. Gendi** (Egypt) said that while some States were confronting the alarming global rise in extremist right-wing movements, racism and xenophobia, others were failing to address the elements of political party platforms that incited such hatred. Freedom of expression entailed a number of responsibilities towards society, chief among which was the promotion of democratic dialogue, tolerance and understanding. Combating racism and xenophobia required a reinforcement of the principles of democracy and respect for human rights and fundamental freedoms, as well as a concerted international approach. Such cooperation must be based on a commitment to implement the Convention and the Durban Declaration

and Programme of Action. In addition, in the absence of domestic legal provisions to implement those instruments, incitement to racism and other forms of discrimination such as defamation of religions must be prohibited, and impunity must be prevented. Furthermore, the international community must support interreligious and intercultural dialogue on a basis of mutual understanding and respect, and efforts should be made to further develop the roles of education, non-governmental organizations (NGOs), the private sector and the communities themselves. In parallel, freedom of expression and opinion should be reinforced and the role of the media strengthened in support of efforts to eliminate racism and combat incitement to religious and racial hatred.

24. Turning to the issue of self-determination, she said that despite efforts to end decolonization and to implement the Declaration on the Granting of Independence to Colonial Countries and Peoples, there were still peoples living under colonial rule, hence the need for greater efforts from the international community. The existence of colonialism in any form, including economic exploitation, was incompatible with the Charter of the United Nations and international human-rights instruments. The international community must also provide economic assistance to non-self-governing territories, in addition to full compensation for the economic, social and cultural consequences of their occupation. Moreover, the United Nations must ensure that economic and other activities carried out by the administering Powers would not adversely affect the interests, cultural heritage, or identity of peoples living in such territories.

25. Her delegation expressed the hope that the Secretary-General would include in his forthcoming report on the right of peoples to self-determination specific recommendations that would enable the Human Rights Council to investigate and deal with Israel's human-rights violations in the occupied Palestinian territories, particularly in light of the findings contained in the Report of the Fact-Finding Mission on the Gaza Conflict and the report of the Special Rapporteur on the human rights situation in the occupied Palestinian territory. Those violations, committed by Israel in contravention of its obligations as an occupying Power under the Geneva Convention, severely undermined the ability of the Palestinian people to realize their aspiration to the establishment

of an independent State, with East Jerusalem as its capital.

26. For its part, Egypt aspired to a broader United Nations engagement in order to ensure respect of the human rights of the Palestinian people and of other Arab peoples suffering under occupation. The United Nations must also participate actively, through its role in the Quartet and confidence-building efforts, in the attainment of a just, comprehensive and lasting peace founded on the principle of "land for peace", the Arab Peace Initiative and the road map to Mideast peace.

27. **Ms. Liu Lingxiao** (China) said that China fully supported and appreciated the efforts mounted over many years by the United Nations to combat the scourge of racism. Noting in that context the Durban Declaration and Programme of Action, the principal instrument guiding the international community in its campaign against racism, she expressed regret that implementation of that instrument remained unsatisfactory and that manifestations of racism, racial discrimination, xenophobia and related intolerance persisted across the world. China was also deeply concerned about the emergence of new forms of racism, such as Islamophobia, neo-Nazism and skinhead groups, and opposed the use of freedom of speech as a pretext for incitements to ethnic and religious hatred. China believed that the key to effective implementation of the Durban Declaration lay in the rigorous application of a zero-tolerance approach to racism at the national and international level. Accordingly, it called on all countries to take rigorous measures to eliminate racism and not to allow their territories to become breeding grounds for any of its forms.

28. Affirming the right of all peoples to resist foreign aggression and encroachments on their independence and national dignity, she called on the international community, in accordance with the Charter of the United Nations and international law, to protect and promote the right to self-determination and to work for coordinated progress in the areas of peace, development and human rights. China supported the Palestinian people in its untiring struggle for self-determination and urged the international community to play a more active role in seeking a comprehensive and just settlement of the question of Palestine, so that lasting peace and stability could be achieved in the Middle East.

29. **Mr. Al Nsour** (Jordan) expressed his delegation's solidarity with the people of Turkey in the aftermath of the deadly attack on that country and reiterated Jordan's rejection of all forms of terrorism. As a Middle Eastern country, Jordanians were well aware of the importance of the right to self-determination and of ensuring the security of peoples living under foreign occupation. Nevertheless, the realization of that right remained a fantasy for the Palestinian people, which had been attempting in vain to establish a State on its own land for over 60 years. Great strides had been made in enshrining recognition of fundamental rights in international law, but that progress did not extend to the right to self-determination, a condition for the realization of all other rights.

30. In that connection, he noted the failure on the part of the international community to facilitate the realization of the Palestinian people's right to self-determination, despite its drive to promote human rights in general. Such neglect would lead to a flawed understanding of other rights by peoples in the region.

31. Jordan, which had signed a bilateral peace agreement with Israel, renewed its call on that country to resume negotiations and cease illegal unilateral measures such as settlement activity and forced expulsion of civilian populations, in addition to guaranteeing the right of return or compensation to millions of Palestinian refugees.

32. **Ms. Alsaleh** (Syrian Arab Republic) said that the widespread increase in racially motivated violence, incitement to hatred, and defamation of certain religions and cultures were cause for alarm, as such phenomena fomented feelings of superiority of one ethnic or religious group over another and pitted such groups against each other, threatening international peace and security. In that connection, it would be necessary to address the racist targeting of Arabs and Muslims under the pretext of the fight against terrorism.

33. The problem of racial discrimination did not plague the Syrian Arab Republic, which was composed of citizens and residents of different sectarian backgrounds, all of whom enjoyed fundamental rights in a just manner; there were therefore no instances of hate crimes as understood in some other societies. Nevertheless, those rights were enshrined in the Syrian constitution and domestic legislation. Furthermore, her

country had acceded to all United Nations instruments on combating racism and racial discrimination.

34. Racist resolutions passed by Israel had led to an increase in discriminatory practices and an overall deterioration of the situation in the region, the most recent being the declaration of allegiance to the Jewish State, a clear instance of Israeli fascism. Another instance of Israeli barbarism in dealings with non-Jews was the recent killing of two Palestinian children by the vehicle of the head of a Zionist settler association in the occupied Palestinian territory and the thoroughly documented sadistic treatment of a blindfolded and bound Palestinian woman prisoner by Israeli occupation forces. Such crimes demanded immediate action on the part of the international community, and they attested to the racist reality of Israel's colonialist settler apartheid system, which was founded on religious legends and superstition. Failure to act would result in increased human rights violations and the transformation of Israel into a racist entity by official constitutional decree.

35. Turning to the right to self-determination, she noted with dismay the arbitrary measures taken by Israel, the occupying Power, in violation of that right. It was indeed regrettable that the United Nations had been unable to use all means at its disposal to guarantee that sacred and inalienable right of peoples living under colonial rule, and that Israel continued — with the assistance of world Powers — to prevent millions of Palestinians from exercising that right. The international community had a moral and political obligation and, indeed, a debt to the Palestinian people in that regard, as their suffering dated as far back as the United Nations itself.

36. **Mr. Haroon** (Pakistan) recalled that the principles of equal rights and self-determination of peoples were contained in the first article of the Charter of the United Nations. Those principles had been reaffirmed in General Assembly resolutions and outcome documents from several world summits, and could not be ignored.

37. In the case of Kashmir, many voices of sanity had been raised within India itself concerning that country's plight. However, its forces were responsible for over 100 recent deaths in that country and it had imposed a curfew owing to the frequent strikes and agitation. That policy would only produce intractable conflict and violence, as all indications were that

dissent within Kashmiri civil society would not abate. Moreover, the resistance against occupation had entered a new and alarming phase, with another generation of youth assuming the mantle of struggle and women entering the fray by joining the protests and leading demonstrations against the police.

38. Newspaper articles in Kashmir had commented that the central and state Government had made themselves irrelevant in the Valley and demanded that India understand the wishes of Kashmiri youth and create the conditions for sustained dialogue.

39. While awaiting a much-needed United Nations action plan for Kashmir, the Kashmir Study Group had developed the Livingston Proposal in collaboration with the people of Kashmir and reflecting their wishes; also, for the first time in the history of the subcontinent, politicians from both sides of the line of control had participated. The plan should be considered within the scope of self-determination as it was the only step forward in the 60-year history of Kashmir and seemed to have developed principles that were acceptable on the ground.

40. A peaceful resolution of the Kashmir dispute in accordance with United Nations resolutions would create the atmosphere for durable peace and stability so needed in South Asia. The United Nations should seek self-determination for Kashmir at the earliest opportunity.

41. **Mr. de Séllos** (Brazil) said that more than half Brazil's population was of African descent; consequently, for the Government, combating racial discrimination was an imperative. In 2003, it had established a specific Ministry charged with promoting and implementing policies of racial equality.

42. Furthermore, the Statute of Racial Equality had been adopted recently to ensure equal opportunities for the Afro-Brazilian population. The Statute promoted individual, collective and ethnic rights and the struggle against discrimination and other forms of ethnic intolerance, while guaranteeing the right to full participation in the community, especially in the political, economic, educational and cultural spheres. It also encompassed a broad range of measures aimed at both the public and the private sectors in areas such as health, education, culture, decent work, housing, religion and access to land. In addition, the State had established the National System of Racial Equality Promotion with the adherence of the federated entities

as well as Racial Equality Ombudsman Offices to ensure effective implementation.

43. Affirmative action programmes and actions to increase the access of Afro-descendants to free public education had been established in order to reduce inequalities and combat ethnic discrimination in education and in health care. Furthermore, the freedom of conscience and belief enshrined in the Constitution with regard to religions and cults of African origin had been emphasized.

44. Brazil considered that collecting data disaggregated by race and ethnicity was essential for the implementation of effective public policies to eliminate racial discrimination and had therefore hosted a seminar on the issue in May 2010 in cooperation with OHCHR. Furthermore, the national census was under way and posed questions about race and colour to the whole population in order to gain a more precise picture of the situation of the country's Afro-descendant population.

45. Brazil supported the celebration of the International Year for People of African Descent in 2011. The activities to be implemented would provide a further opportunity to raise awareness of the persisting inequalities that Afro-descendants faced, while recognizing their essential contributions to the social, economic and cultural development of society.

46. **Mr. Sammis** (United States of America) said that the United States strongly supported the elimination of racial discrimination at home and abroad and recognized that the country's history reflected challenges, struggles and ongoing progress. In preparation for the universal periodic review, the national human rights situation had been examined; it was found that the country had advanced in addressing historic injustices and was committed to continuing on the path to a world free from injustice.

47. The President had recently signed a law against hate crimes to expand protection under the federal hate crimes statute and remove barriers to prosecution, recognizing that such crimes victimized not just individuals, but entire communities. The new legislation gave law enforcement mechanisms important tools and increased the capacity to deter and prosecute such acts of violence.

48. The United States had made a significant effort to provide outreach and training to improve the cultural

competency of law enforcement officers, including immigration officials. Increased knowledge of different customs, beliefs and practices would enable them to avoid unprofessional and unlawful conduct based on misunderstandings, and was a critical component for preventing and addressing the inappropriate use of race, ethnicity or religion by public officials.

49. The United States would continue to address the issue of race and racism and would work with all peoples and nations to building greater resolve to halt racism and racial discrimination wherever they occurred.

50. **Mr. Lukiyantsev** (Russian Federation) said that the work of inculcating tolerance for cultural and ethnic diversity fell primarily to States. In the Russian Federation, there was a multipronged strategy to eliminate intolerance. National law stipulated criminal responsibility for offences motivated by political, ideological, racial, national or religious hatred. Such incidents were painstakingly investigated by the law enforcement authorities. Measures were taken to prevent the dissemination of racist and xenophobic speech in the media and on the Internet.

51. The authorities also worked with NGOs to prevent extremist acts and hate crimes. Work with young people and in the schools to prevent intolerance and develop mutual respect was an area of particular focus. Textbooks underwent expert assessment, and the absence of negative use of racial, religious and ethnic topics was a factor in the selection of educational materials.

52. Preserving the memory of atrocities committed during the Second World War, including the Holocaust, was an important component of work in the Russian Federation to prevent intolerance. The sixty-fifth anniversary of the Allied victory and the Nuremberg Trials were marked in 2010. The defeat of the Nazis had given the peoples of the world faith in a new, more just order, and the Nuremberg Trials had shown that severe punishment for such crimes was called for.

53. The Russian Federation was therefore concerned at the increase in acts of racial discrimination and xenophobia, particularly in countries that had suffered directly at the hands of the Nazis. Followers of Nazi ideas were treated with acceptance and even support. Annual marches of SS legionnaires and reunions of Waffen SS veterans in a number of European countries

were greeted with muted reactions by European authorities.

54. A number of decisions by regional legal bodies placed in doubt key political and legal principles formed in the aftermath of the Second World War. Such verdicts in effect cancelled out the results of the Nuremberg Trials, which had served as the basis for much of subsequent international criminal law and had determined that the SS was a criminal organization.

55. It was disappointing that many Western democracies consistently abstained from voting on a draft resolution introduced by the Russian Federation on the unacceptability of certain practices which escalated contemporary forms of racism, racial discrimination, xenophobia and related intolerance. It was hoped that during the current session of the General Assembly, countries which had been a part of the anti-Hitler coalition would change their position and support the Russian initiative, out of respect for the victims of World War II.

56. Intolerance, which could lead to new threats, must be stopped. Unity of effort, tolerance, mutual respect, preservation of cultural diversity and open and constructive dialogue among civilizations were the main conditions required to defeat racism.

57. **Ms. Anbar** (Libyan Arab Jamahiriya) said that despite the adoption of the Durban Declaration and Programme of Action in 2001, contemporary forms of racism and discrimination persisted in all societies, whether developed or developing. While the forms of prejudice varied widely, the ugliest kind of discrimination was imposed on peoples living under foreign occupation, which involved exploitation of their resources, expulsion from their lands and imposition of illegitimate authority, in contravention of international law and international humanitarian law.

58. She reiterated her country's firm commitment to abide by international human rights instruments and to the principle of non-discrimination, which was enshrined in domestic legislation, including in the Great Green Charter of Human Rights of 1988.

59. Efforts to combat the scourge of racism, xenophobia and related forms of intolerance had fallen short of the desired objectives, and new forms of discrimination and violence had come into being. In that connection, her delegation expressed deep concern at the emergence of anti-Islam and anti-Muslim hate

groups in some Western countries; such groups propagated the idea of an Islamic threat and denigrated Islamic religious symbols under the pretext of freedom of expression, as evinced by the recent prohibition on the construction of minarets in Switzerland. Her delegation agreed with the Special Rapporteur on racism, xenophobia and related intolerance that the challenges faced had to do with the decline in political will, with the resulting failure to implement the Durban Programme of Action.

60. Throughout history, African peoples had been among those most beset by the phenomenon of racism, as victims of the trans-Atlantic slave trade, and of the exploitation wrought by European colonialism. Her delegation therefore called on others that had suffered under the yoke of colonialism to join it in demanding material reparations and an apology for the colonial period and its racist after-effects. The countries of the African continent continued to pay its price in the form of poverty, hunger, ignorance and disease. She called on the Governments of the former colonial Powers to bear their moral responsibility towards the peoples they subjected to their rule and compensate them. She urged all countries to act in the spirit of harmony that had characterized the Durban process since its launch, and to strengthen the existing follow-up mechanisms for effective implementation of all relevant regional and international commitments, in order to live together in a world free from sectarian, religious and racial conflict.

61. **Ms. Rasheed** (Observer for Palestine) said that the work of the United Nations in supporting liberation from colonial and foreign rule remained incomplete as long as the Palestinians' right to self-determination was violated by the Israeli occupation.

62. For more than 40 years there had been systematic human rights violations in the occupied Palestinian territory, including East Jerusalem. The Palestinians had been deprived of self-determination and sovereignty over their land and subjected to displacement, killing, injury and other affronts. The situation in the Gaza Strip was especially deplorable. For more than three years, Israel had collectively punished more than 1.5 million Palestinians in occupied Gaza. Furthermore, more than half of Palestinians existed as stateless refugees, deprived of their right to return for more than six decades.

63. As Israel's military occupation had become entrenched, its illegality and apartheid-like nature had deepened. That was evident in its expansion — especially in Occupied East Jerusalem — of more than 120 illegal settlements, its expansionist Wall and its hundreds of checkpoints. Israel had pursued those policies in contravention of international law, United Nations resolutions and the International Court of Justice (ICJ), at a time of tremendous efforts to foster genuine peace negotiations.

64. The Palestinians' human rights were still being violated by the nearly 500,000 illegal settlers, many of them armed and fanatical. Israel's constant failure to hold them accountable for their crimes had ultimately encouraged further attacks with complete impunity.

65. Israel also continued its illegal construction of the Wall with a view to advancing its land grab. Its route, 85 per cent on occupied Palestinian territory, set the stage for further annexation of territory containing most of the settlers and key aquifers. The International Court of Justice had concluded that the Wall and other previous measures severely impeded the Palestinians' right to self-determination.

66. Israel's illegal settlements and the Wall were unquestionably fragmenting Palestinian territory and making the two-State solution and the Palestinians' right to self-determination nearly impossible to achieve. She appealed for real international efforts to end those violations.

67. The Palestinians wanted a decent future free of occupation, violence and pain. They remained resolute in defending their rights: self-determination, an end to Israel's occupation and an independent Palestine with East Jerusalem as its capital.

68. **Mr. Zeidan** (Observer for Palestine) said that since 1948 the Palestinian people had suffered racism at the hands of Israel and their individual rights had been desecrated simply because they were not Jewish.

69. The longest-standing discrimination was against refugees, who had been denied their right to return to their homes since 1948. Since then, Palestinian refugees had been living in camps while Israel had brought Jews to the occupied Palestinian territory, including East Jerusalem.

70. Palestinian citizens of Israel — one fifth of the population — had been targeted by racist laws. Non-Jews seeking citizenship were obliged to swear a

fascist “loyalty oath” to the “democratic and Jewish character” of the State. He wondered how a State could identify itself as democratic when that law only applied to certain groups. For seven years, Palestinian citizens of Israel had also been banned from marrying non-citizens. The discriminatory laws included the “anti-Nakba bill”, presented by the party led by Israel’s Minister for Foreign Affairs, Avigdor Lieberman, who had frequently called for the expulsion of Palestinian citizens from Israel. A further racist law would allow a community to reject tenants for not fitting into its social fabric; that would create solely Jewish villages from which Arabs would be excluded, while Palestinians in Israel had been prevented from developing their own communities since 1948.

71. Israel had demolished the tents and huts of Bedouin Arabs in a village in the Negev and in East Jerusalem, in total disregard for their way of life. Israeli settlers received funding while Palestinians and Bedouins suffered from underfunding and lack of services.

72. For 43 years Israel had violated international law in the occupied Palestinian territory by attempting, among other things, to Judaize Jerusalem and its surroundings. Israelis had been transferred to settlements on confiscated Palestinian land; Palestinian homes had been demolished and hundreds of Palestinians deported to make way for the settlers.

73. The International Convention on the Elimination of All Forms of Racial Discrimination of 1966 and the International Convention on the Suppression and Punishment of the Crime of Apartheid of 1973 criminalized actions seeking the “domination by one racial group of persons over any other racial group of persons”. Israel’s violation of those conventions provided ample proof of its apartheid policies.

74. The past two years had seen an unprecedented rise in settler attacks on Palestinians and their property and crops. Most worrying were the increasingly cowardly hate crimes in which Israeli settlers — under the protection of occupying forces — burned Palestinian mosques, churches and schools, leaving behind racist slurs and slogans.

75. He called on the international community to redouble its efforts to combat racism in all its forms. The time had come to end all Israel’s crimes against the Palestinians and seek justice for them.

76. **Archbishop Chullikatt** (Observer for the Holy See) said that racism could not be combated by laws alone: rather, individuals had to change from within. Ethnic, racial and religious hatreds had always caused unrest in every corner of the globe; States must protect their own populations from human rights violations and, if they did not, it was the international community’s responsibility to do so.

77. Respect for religious freedom also remained elusive. It was central to all people’s full personal and spiritual development, but many were not free to pray in community, to express their faith or to act according to their religion; they were banned from searching for God or faced serious repercussions for doing so. The Special Rapporteur’s interim report had failed to mention Christians driven from their homes, tortured, imprisoned, murdered or forced to convert or deny their faith. The crisis was being ignored and required urgent attention by leaders. His delegation was saddened by the recent attack on a Syrian Catholic church in Baghdad. The hope for progress which lay at the core of the United Nations could not be realized until such abuses ended.

78. The concept of the defamation of religion sought to address incitement to religious violence, religious or ethnic profiling, negative stereotyping of religion and attacks on sacred books, religious sites and figures. However, as the Special Rapporteur had noted, it did not adequately address those abuses but instead gave rise to instances where States had used the concept as a justification for laws banning the freedom of religion and restricting the freedom of expression. He supported the call for States to move away from the concept of defamation and towards advocacy against racial or religious hatred, as well as to foster awareness of religious belief and mutual understanding.

79. Racism, religious intolerance and xenophobia continued to divide people around the world; he called instead for human rights to be respected and human dignity promoted.

80. **Mr. Yahiaoui** (Algeria) said that contemporary forms of racism and discrimination had recently sought political, moral and indeed legal recognition. Extremist and xenophobic parties and organizations fomented hatred against immigrants and their descendants. In the name of freedom of expression, media outlets blamed national problems on certain communities and religions and incited violence, without any opposition from the

public authorities. Islamophobia, the association of the Muslim religion with terrorism and racial profiling were among those new forms of racism.

81. The elimination of all forms of racism or racial discrimination was enshrined in Algeria's Constitution. Foreigners were granted equal treatment and the law guaranteed freedom of religion and belief and prohibited the broadcasting of racist messages.

82. The right of peoples to self-determination was a founding principle of the United Nations, which he urged to persevere in its decolonization efforts. Supporting self-determination by referendum was a key principle of Algeria's foreign policy. It was worrying that the right to self-determination remained inaccessible to the Palestinians and to the peoples of the 16 non-autonomous territories on the United Nations decolonization list, including the Saharawi people.

The meeting rose at 6.05 p.m.