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## Third Committee

### Summary record of the 30th meeting

Held at Headquarters, New York, on Tuesday, 6 November 2012, at 10 a.m.

*Chair:* Mr. Mac-Donald. . . . . (Suriname)

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*The meeting was called to order at 10.05 a.m.*

**Agenda item 67: Elimination of racism, racial discrimination, xenophobia and related intolerance**  
(*continued*)

- (a) **Elimination of racism, racial discrimination, xenophobia and related intolerance** (*continued*)  
(A./66/18, A/67/18, A/67/321-322 and A/67/328)
- (b) **Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action** (*continued*) (A/67/325-326)

1. **Mr. Kasymov** (Kyrgyzstan) said that Kyrgyzstan totally rejected of all forms of racism, racial discrimination, xenophobia and associated intolerance. Despite the international community's efforts over many years, those phenomena still posed serious problems. The recent film "Innocence of Muslims" was a case in point; in that regard, Kyrgyzstan believed that the fundamental principle of freedom of speech should not overstep the bounds of the balance between rights and responsibilities and should not be used to insult the religious feelings of any given community. At the same time, the use of violence against diplomats was absolutely unacceptable.

2. Kyrgyzstan's location at a crossroads of civilizations, together with the events of the twentieth century, had given it a unique ethnic and cultural composition; its population comprised representatives of more than 100 ethnic groups, and more than a third of the population were members of ethnic minorities.

3. Kyrgyzstan's devotion to the principles of equality, non-discrimination and cultural diversity was confirmed by its accession to the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination. Its constitution guaranteed equal rights and equal opportunities for all, and incorporated a provision on the special measures recommended by the Durban Declaration. It pursued a policy of multi-cultural education, protection of the rights of minorities and transparent, inclusive government. A public discussion was currently taking place on its second report on its implementation of the International Convention.

4. More than 10 years had passed since the adoption of the Durban Declaration. During that period, contradictions and conflicts in some countries and

regions had become more acute and manifestations of racism, racial discrimination, xenophobia and associated intolerance persisted throughout the world. Due attention needed to be paid to the role of education in developing tolerance, mutual understanding and peaceful coexistence. Emphasis must be placed on the role of non-governmental organizations, the private sector and communities in promoting dialogue and respect for freedom of speech and expression. Political platforms based on racism and xenophobia must be condemned as incompatible with the principles of democracy.

5. **Mr. Rahman** (Islamic Republic of Iran) said that the Palestinian people had an inalienable right to self-determination, yet their exercise of that right continued to be denied by the occupying Power, including through abuse, restrictions and the killing of civilians. Flagrant international human rights violations by the occupying Power continued unabated in Palestinian occupied territories. Palestinians deserved liberation and self-determination, and the measures taken by the international community had been inadequate to date. The international community would not remain indifferent to that travesty of justice and humanity and must act collectively to support the Palestinian people and to save the credibility of the United Nations. As long as that issue remained unresolved, peace could not prevail in the region. The question of Palestine was at the core of the Middle East conflict. The root cause of the problem should be addressed through a democratic process for the future of the Palestinian people. To that end, all original inhabitants of Palestine, including Muslims, Christians, Jews, as well as the Palestinian refugees who lived in the diaspora in refugee camps under precarious conditions should be able to enjoy their inherent rights to self-determination and participate in a democratic process for determining the destiny of their ancestral homeland. The final outcome of that process should be an independent, democratic Palestine with Al-Quds Al-Sharif as its capital.

6. **Mr. Ansari Dogaheh** (Islamic Republic of Iran) said that dialogue among civilizations and cultures, education and respect for cultural diversity were crucial to combating the persistent scourge of racism, racial discrimination, xenophobia and all other forms of discrimination in the world. Racism was among the root causes of internal and international conflicts, and threatened ethnic and religious minorities as well as the daily life of ethnic and religious minorities in modern

societies. In some countries and parts of the world, racial and xenophobic actions had increasingly targeted minorities, especially Muslim communities, indigenous peoples, immigrants, persons of African or Asian origin and Roma.

7. Also alarming was the growing tendency of politicians to stigmatize people on the basis of religion, race, colour, descent and national or ethnic origin. Regarding the human rights situation for Muslim minorities in some Western countries, as a result of official policies and practices, counter-terrorism strategies, media stereotypes and the stigmatization of Muslims and activities by right-wing political movements and parties, there had been an upsurge of Islamophobia in certain parts of the world, as seen through attacks on Muslim places of worship. The recent instances of desecration of Muslim sanctities, especially the recent sacrilegious and anti-Islamic film and burning of the Koran in certain parts of the world, were of grave concern. Such Islamophobic acts cultivated animosity among different peoples and nations and should be prevented and unanimously condemned. Western States must take effective measures to eliminate all forms of discrimination against Muslims. States were also called upon to implement their commitments under the Durban Declaration and Programme of Action, and the outcome document of the Durban Review Conference.

8. **Mr. Nina** (Albania) said that his delegation strongly condemned all forms of racism, racial discrimination, xenophobia and similar types of intolerance, and believed firmly in dialogue to bridge differences, especially in relation to the human rights agenda. Dialogue among different cultures and civilizations should be seen as an ongoing process that required dedication, goodwill and care.

9. His country's legal framework prohibited discrimination on any grounds. Relevant legislation was strictly enforced and its implementation monitored by civil society as well as by its Commissioner for protection from discrimination, who could also make recommendations for legislative reform. Combating racism, racial discrimination, xenophobia and related intolerance required concerted efforts at the international level, but started at the community level. No society could make progress and achieve prosperity for all unless every aspect of discrimination was fought vigorously and continuously.

10. **Mr. Haniff** (Malaysia) said that the Palestinian struggle for self-determination from the illegal occupation by Israel was ongoing, and the expansion of Israeli settlements reflected the encouragement of settler violence against Palestinian people and property. Israeli policies and practices of displacement and dispossession only worsened the disempowerment of the Palestinian people. He urged the international community and the Middle East Quartet to take firmer action to stop the illegal Israeli settlements, confiscation of Palestinian land and resources and demolition of Palestinian homes, property and infrastructure. A stronger international response to the practices of administrative detention and extrajudicial execution was also required.

11. In addition, the Palestinian right to self-determination had been denied through the continued illegal blockade of the Gaza Strip, where for more than five years, 1.6 million people had been living in insecurity. In the context of the United Nations Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, he had personally witnessed the sufferings under the military occupation and blockade, which destroyed the economy and minimized employment opportunities in the occupied Palestinian territories. Under restrictive and oppressive conditions, Israel's control over the entry and exit of all people, goods and services in and out of Gaza slowed the Palestinian path towards achieving self-determination. He appealed for a solution as soon as possible: the only option was the two-State solution based on 1967 borders with East Jerusalem as the capital of Palestine.

12. **Ms. Sabja** (Plurinational State of Bolivia) said that the elimination of racism and discrimination was one of the pillars of Bolivia's domestic policy. Her Government prohibited all forms discrimination based on any factor which undermined the enjoyment of equal conditions for all its people, including age, colour, origin, culture or religious belief. Its Constitution protected and promoted human rights by rejecting all forms of racism. Yet, various forms of racism that had arisen recently, incited by anti-Government groups which were unable to accept economic, political and social changes, had led to violence against rural indigenous peoples and intercultural communities.

13. The Government had undertaken a range of measures to tackle racial discrimination, which affected the poorest in society, including a law and mechanisms to prevent racism and all forms of discrimination, an action plan on human rights for 2009-2013, and the establishment of a general directorate to combat racism. Government and civil society had also entered into a good-faith agreement to combat racism, discrimination and xenophobia, which included a mechanism for ongoing dialogue and cooperation and a broad agenda, addressing inter alia, the commitments in the Durban Declaration and Programme of Action and outcome document. The agenda incorporated affirmative action involving indigenous and aboriginal farming peoples, intercultural communities and Afro-Bolivian persons, migrants, women, young people, children and persons living with HIV/AIDS, as well as measures to counter slavery and the trafficking in persons. Her Government followed an alternative philosophy to the paradigms of capitalism and globalization, which had led to underdevelopment and poverty.

14. Lastly, she urged the United Nations to support the Palestinian people and help it to realize its right to self-determination, and called for removal of obstacles to Palestine's full membership in the United Nations.

15. **Mr. Sareer** (Maldives) said that the right to self-determination was among the most inherent of rights, and the realization of that right was the only way that the global community could begin to address such other fundamental rights as dignity, justice, progress and equity. Whether that right was taken away by military intervention, aggression, occupation, or exploitation, the world could not condone its deprivation from any peoples in any region. The primary focus of all States facing issues of self-determination must be to create and engage in consultative mechanisms encouraging the exchange of information and ultimately, the incorporation of ethnic and linguistic groups into the decision-making process. There was a communal responsibility to ensure that the governing process was inclusive and adhered to the most basic obligations.

16. Shortcomings in the consultative process had left many peoples exploited in the name of development, and natural resources had been used without regard for cultural integrity or preservation. His Government deplored excessive exploitation of natural resources and the adverse effects that could cause, and also

deplored the abuse of peoples without regard to human dignity and national commitments to international law. Taking note of the report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, his Government firmly supported a two-State solution with Israel and Palestine living side by side in peace as the only way forward, and called on the United Nations to seek the right of self-determination for the Palestinian people.

17. **Ms. Morch Smith** (Norway) said that her country was becoming increasingly culturally diverse, which posed challenges but also enriched society and created opportunities. Her Government had made integration and tolerance key priorities. It was more important than ever to confront extremist ideologies and stereotypes of cultural and religious intolerance in the public debate and to raise counter-arguments. Ongoing efforts must be made to fight misperceptions and stigma attached to ethnic, religious, sexual or other minorities, and to ensure that the promotion of cultural diversity and multiculturalism was associated with mutual respect, tolerance and freedom to make one's own choices.

18. As there were differing interpretations of what was discriminatory, recommendations from international human rights mechanisms played a crucial role in helping to uphold the universality of human rights norms. Her delegation strongly supported the Durban Declaration and Programme of Action.

19. The main battle against racism must be fought at the national level, through focused, long-term efforts by national authorities, and must include the adoption and implementation of administrative and legislative measures, including to establish independent national institutions specialized in combating discrimination and promoting equality. In that context, Norway had a national plan of action to promote equality and prevent ethnic discrimination for 2009-2012 and a new action plan for the prevention of radicalization and violent extremism, presented in 2010.

20. Coordinated international efforts to combat such abuse were also vital. Common approaches must be found to address discrimination based on religion or belief, including anti-Semitism and Islamophobia. The only effective way forward was to insist steadfastly on and require unconditional respect for the human dignity and human rights of all.

21. **Ms. Rasheed** (Observer for Palestine) said that Israel had violated, trampled on and violently withheld

the inherent right to self-determination of the Palestinian people, which it held captive in the Occupied Palestinian Territory, including East Jerusalem. The occupying Power's continuation of its illegal policies, including the building of settlements and of its expansionist Wall, was a clear attempt to strengthen its subjugation and strangulation of the Palestinian people and to entrench its illegal occupation. That had resulted in the displacement of thousands of civilians and arbitrary and discriminatory restrictions on the freedom of movement of Palestinian civilians through checkpoints and roadblocks, where civilians were subject to humiliation, harassment and abuse. Moreover, settler violence had recently intensified, with complete impunity and the protection of Israeli occupying forces.

22. There was no justification for the deliberate planning and expansion of settlements, or the Wall. It was clear from its actions that the Israeli Government was interested neither in the two-State solution, nor in peace and security. Continued illegal settlement had led to a point where many now openly questioned the attainability of the two-State solution. Nevertheless, the Palestinian people remained committed to peace and had not forsaken their legitimate national aspirations, including the realization of the inalienable right to self-determination in their own independent and sovereign State of Palestine, with East Jerusalem as its capital. Israel, as the occupying Power, should not be allowed to continue obstructing and dictating the terms of the exercise of that right to self-determination. The Security Council's duties, the responsibilities of Member States, and the obligations of the High Contracting Parties to the Fourth Geneva Convention were clear: Serious, practical measures must be undertaken to ensure that Israel halted its illegal settlement activities and put an end to its illegitimate and belligerent 45-year occupation.

23. **Ms. Alsaleh** (Syrian Arab Republic) said that racism and self-proclaimed superiority on the part of some ethnic or religious groups only led to feelings of hatred and resentment, undermining the positive results of centuries of dialogue and cooperation between peoples. Racism in the Middle East had increased, thanks to racist practices carried out under the apartheid system of Israel, a State immune to any international accountability that had not acceded to the International Convention on the Suppression and Punishment of the Crime of Apartheid.

24. Israel's terrorism and aggressiveness against the Arabs had included the building of an apartheid wall in the occupied territory, the establishment of an entity which, under the racist notion of Judaization of the "State of Israel", barred the original people of the territory, the Palestinians, from citizenship, and daily racist practices against Palestinians. The Israeli occupying authority was also currently building a racist separation wall east of the village of Majdal Shams in the occupied Syrian Golan in a vain attempt to isolate it from the Syrian motherland, Judaize and alter the demography of the Golan, build more settlements there and create a new de facto situation on the ground, in addition to stealing water, land and property, in violation of the Geneva Conventions. The right of the Syrian people to recover their occupied territory must not be ignored, nor must their suffering in the occupied Syrian Golan be overlooked.

25. The requirement for non-Jews to pledge allegiance to the Jewish State and the linking of the concept of peace to that of a "Jewish State of Israel" were clear expressions of racism, as were the violations committed by the Israeli occupying forces against Syrian nationals in the occupied Golan in the areas of health, culture and language or the treatment of Palestinian prisoners and prisoners from the occupied Syrian Golan. Indeed, in clear violation of the Geneva Conventions and international humanitarian law and with the knowledge of the International Committee of the Red Cross, the occupation authorities had been holding nine prisoners from the occupied Syrian Golan, including journalists, students and farmers, for 27 years under inhumane conditions that had resulted in serious illness and death. The sole charge against them was rejecting the occupation, burning Israeli identity cards and clinging to Syrian nationality.

26. The fact that Israel's defenders within the United Nations ignored such crimes encouraged further Israeli violations of human rights. Her delegation once again called on the United Nations to take immediate action to fulfil its undertakings to deal with such grave acts of racism more resolutely and without selectivity for the sake of international peace and security and respect for human rights in the occupied territories.

27. Her delegation had examined the report of the Secretary-General on the universal realization of the right of peoples to self-determination. It condemned the high-handed measures taken by Israel, the occupying Power, which were confirmed in the report.

It was sad that the United Nations had not yet managed to use its power to guarantee the inalienable right of self-determination of peoples labouring under the yoke of occupation and had in fact turned a blind eye to the issue, and that Israel, the occupying Power, still prided itself in the use of devious methods and the help of certain influential States within the United Nations to deprive millions of Palestinians of the enjoyment of their right of self-determination.

28. The Israeli occupying authority must respect the right of self-determination and withdraw from the occupied Arab territories in accordance with the Madrid terms of reference, the principle of land for peace and the relevant Security Council resolutions.

29. **Mr. Anyar Madut** (South Sudan) said that the international community could learn much from the struggle of his people against racism and their eventual freedom to determine their own political future in line with the United Nations Charter. He reviewed the history of the first civil war, which had stemmed from the exclusion of South Sudanese parties in the 1953 consultations on independence. After the abrogation of the first brokered peace agreement and imposition of Sharia law, the second war had erupted as the South Sudanese rebelled to establish a secular new Sudan, free from all forms of discrimination.

30. Subsequent to the signing of the Comprehensive Peace Agreement in 2005, which had initially aimed to forge the unity of the Sudan and was anchored in the principle of self-determination enshrined in the 2002 Machakos Protocol, the people of South Sudan had exercised their right to self-determination in 2011. They had stood firm in the face of six decades of racial and religious discrimination inflicted by Khartoum that should never have happened under the watchful eye of the United Nations. Despite their past hardship, his people would like to continue to seek a peaceful, mutually beneficial relationship with the Sudan, strengthening the bond that existed between the common men and women of the two Sudans through the credible and effective implementation of the nine recently signed cooperation agreements.

31. **Ms. Tandon** (India) said that, given India's colonial past, it was familiar with the destructive impact of racism. The constitutional provisions of equality and non-discrimination were thus anchored in the comprehensive legal framework and safeguarded by the Government, judiciary, civil society and the

media. Concerned that despite international efforts to eliminate it, racial discrimination persisted and was even increasing, India reiterated its firm commitment to the Durban Declaration and Programme of Action. National action was needed to promulgate and enforce appropriate laws; changing attitudes through education would provide the surest guarantee against prejudice, discrimination and xenophobia.

32. India had contributed significantly to efforts to secure the right of peoples to self-determination and to the decolonization effort. Its unwavering support for the Palestinian cause had been a cornerstone of foreign policy and it supported Palestine's aspirations for enhanced status at the United Nations. It was imperative to establish a sovereign, independent, viable and united State of Palestine with East Jerusalem as its capital, living within secure and recognized borders, side by side and at peace with Israel, as endorsed in relevant peace initiatives and United Nations resolutions.

33. It must be emphasized, however, that the right to self-determination could not be used for subversive political agendas to undermine the sovereignty and territorial integrity of pluralistic and democratic States, nor could ethnic or religious segregation be legitimized on the grounds that homogeneity was a precondition for tolerance. India therefore totally rejected Pakistan's unwarranted reference to the Indian state of Jammu and Kashmir, an integral part of the country whose people had repeatedly chosen and reaffirmed their destiny through free and fair democratic processes. It had been a blatant attempt by Pakistan to divert attention from its dismal record of gross human rights violations. Pakistan would do well to examine its own affairs before making baseless allegations and should refrain from using the current forum to detract from the important issue at hand.

34. **Mr. Weisleder** (Costa Rica) said that for multicultural and multi-ethnic Costa Rica, fully committed to eliminating all forms of racial discrimination, the recognition of people of African descent as a vulnerable group and the designation of the slave trade as a crime against humanity had been fundamental achievements. Racism and discrimination should stir national consciences and Costa Rica had set itself the task of fulfilling its voluntary commitment made at the Durban Conference, and also meeting the challenge of helping ethnically vulnerable populations.

35. The Government was undertaking a more systematic approach to racism, in compliance with the concluding observations and recommendations arising from the treaty body reporting process. Consequently, the Ministry of Foreign Affairs and Religion, through the Inter-Agency Commission for Monitoring and Implementation of International Human Rights Obligations and with the support of the Office of the High Commissioner for Human Rights (OHCHR), continued to work on a national plan against racism and discrimination. It was hoped that the Plan, which was being drafted in an inclusive process involving all stakeholders and with active participation and full commitment of civil society through a permanent advisory body, would lay the foundation for a forward-looking public policy to combat discrimination through State institutions and an eventual comprehensive human rights policy.

36. Further efforts included the establishment of a Commission for Afro-descendent Studies, the Afro-Costa Rican Commission, comprising Government officials, academics and two former parliamentarians of Afro-Caribbean origin, the 2010 promulgation of the Migration and Aliens Act and new self-identification categories in the 2011 population census which had enabled better analysis and development of sectors.

37. While there had been progress in the fight against racism and intolerance, no country could claim to be entirely free of that scourge. Costa Rica hoped that the racist sentiment and political extremism that had resulted from the socio-economic crisis in Europe would be neutralized peacefully by the majority. It was vital to depoliticize the approach to racism and concentrate on the needs of victims. Concrete action in intercultural dialogue and respect for diversity, coupled with human rights education, were essential.

38. *Ms Šćepanović (Vice-Chair) took the chair.*

39. **Mr. Nazarian** (Armenia) said that the right to self-determination was a major component and effective guarantee of the promotion and respect for human rights. That substantive legal principle had come to be recognized as a fundamental right which Armenia saw as a binding and universal norm of international law to be implemented under its international obligations. Violating that right had a number of repercussions, including armed conflict, internal displacement and refugee crises.

40. Although the wounds of the Nagorno-Karabakh war had not yet healed, Azerbaijan was trying to launch a new war, using State propaganda and preaching hatred to incite dangerous "Armenophobia" which had already set off alarm bells internationally. That country's stubborn dissemination of false accusations, as well as the glorification and rewarding of an Azerbaijani army officer convicted of the slaughter of an Armenian officer proved that it was endangering peaceful coexistence. The recent presidential pardon of and constant public praise for that heinous act opened the door to the recurrence of ethnically-motivated crime and illustrated an absence of rule of law and a culture of rule by force. It was an appalling example of continued impunity, contradicting the humanitarian purpose of international human rights instruments while challenging the entire system of human rights and endangering regional peace and security.

41. The United Nations and the wider international community should voice concern and take appropriate and prompt action, for the dangerous rise in the manifestation of xenophobia and racism created an atmosphere of mistrust and called into question whether Azerbaijan understood the goals of the United Nations. Armenia valued the role and mandate of the United Nations in recognizing the duty of States to take decisive measures to eliminate racism.

42. **Ms. Gunnarsdóttir** (Iceland) said that her country's Constitution and two provisions in the General Penal Code safeguarded against discrimination based on race, ethnicity or belief. Furthermore, the Penal Code prohibited all forms of hate speech, which was not covered by the right to free speech where it violated an individual's human rights, as recently reaffirmed by a landmark ruling by the European Court of Human Rights. Valuing freedom of expression as a fundamental right, the Government had undertaken comprehensive legislative review and a report had recently been submitted to Parliament containing an overview of suggested changes to Icelandic law drawing on and incorporating some of the strongest free speech laws and best practices from around the world.

43. It was essential to work towards the universal ratification and full implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, which had lost none of its relevance given daily expressions of racism around the world,

including in sports. She reaffirmed Iceland's continued support for the Durban Declaration and Programme of Action as well as the outcome document of the Durban Review Conference as they transformed victims of discrimination into rights holders and States into duty bearers.

44. Iceland also reiterated its long-standing support for the right to self-determination. It was determined to contribute to the realization of the inalienable right of the Palestinian people to self-determination and continued to call upon the Security Council to recommend to the General Assembly Palestine's full membership in the United Nations. Until then, Iceland would support any decision by the Palestinians to pursue its application for status as a non-member observer State.

45. **Mr. Selim** (Egypt), recalling that the right to self-determination was at the forefront of international covenants, declarations and resolutions on human rights, said that despite the significant progress made by the United Nations, the Organization had been continuously politicized where the right of the Palestinian people to self-determination was concerned. Their legitimate rights were being flagrantly violated on a daily basis despite reports and resolutions adopted on the matter. He expressed grave concern at Israel's unilateral decision to suspend cooperation with the Human Rights Council, which set a dangerous precedent that, left unnoticed, would undermine the effective role and mandate of the Council.

46. Egypt reiterated its call for the full implementation of the recommendations contained in the report of the International Independent Investigation Commission; the international community had a moral and legal responsibility to prevent the reoccurrence of violations and to hold perpetrators of human rights abuses accountable. Egypt also remained hopeful that next report the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 would include specific recommendations on how the Council should perform its role. The choice of the theme of the sixty-seventh session of the General Assembly underscored the need to ensure that mediation was objective and effective. The many efforts undertaken by the United Nations and its agencies to end decolonization remained incomplete and greater international efforts were required. His country

welcomed the report of the Special Committee on decolonization. Declaring 2011-2020 the third International Decade for the Eradication of Colonialism would send the right message and encourage all parties to step up efforts to achieve tangible results. He called upon the United Nations to meet fully its responsibility to ensure the unconditional right to self-determination by building the trust needed to reach a just and lasting peace in the Middle East and to enable the Palestinian people to establish the State of Palestine within the 1967 borders with East Jerusalem as its capital.

47. **Mr. Musayev** (Azerbaijan) said that self-determination was a key principle of modern international law that applied to people in non-self-governing territories or subjected to foreign subjugation or occupation. The International Court of Justice had reaffirmed that understanding in a 2010 advisory opinion, and several General Assembly resolutions on the issue proceeded from a similar position, considering acts of foreign military intervention as a suppression of the right to self-determination and calling upon States responsible to cease intervention and occupation. However, instances of flagrant misinterpretation of the principle continued, especially when misapplied to justify actions unambiguously prohibited by international law. Claims of self-determination were unsustainable when accompanied by such violations.

48. Armenia's continued aggression against Azerbaijan and incitement of unilateral secession of parts of Azerbaijan through unlawful use of force were among other egregious violations of international law. Other international political organizations and judicial institutions had reaffirmed relevant Security Council and General Assembly resolutions adopted in response to occupation of Azerbaijani territory, which was rendered illegal by the establishment of an ethnically constructed subordinate separatist entity. Armenia's revisionist claims of self-determination were untenable in international law and it must be made clear that that right was not achieved by illegal means, political circumstances or manipulation.

*Statements in exercise of the right of reply*

49. **Mr. Kariv** (Israel) said that it was surreal to hear the Syrian representative speaking about protecting civilians and human rights when her Government continued to slaughter its own people daily and had



massacred tens of thousands of men, women and children. It was time for the desperate regime to stop using Israel to distract attention while sweeping its own atrocities under the carpet. The representative of Palestine had, once again, chosen to use the current forum to make inflammatory statements instead of taking the proper steps towards peace. Israel was, in fact, committed to advancing the self-determination of the Palestinian people in a two-State solution, side by side with the nation State of the Jewish people. She and other speakers had conveniently omitted the fact that the many overtures for negotiations made by the Israeli Prime Minister since taking office had been rebuffed time and again as the Palestinian authorities seemingly preferred to criticize Israel in international forums. She should refrain from distorting international norms, stop berating Israel and begin cooperating with it.

50. **Mr. Butt** (Pakistan) recalled that Kashmir was an internationally recognized disputed territory awaiting final settlement, as established in relevant Security Council resolutions. With regard to the Kashmiri people's self-determination through elections, it was widely known that those processes had been rejected by the Security Council and the Kashmiri people and leadership alike. Moreover, no electoral exercise conducted by India could substitute for a free and impartial plebiscite mandated by the Security Council. Pakistan regretted the reference to a purported human rights situation in the country and while it would be easy to point out many such documented violations by India, he had no desire to comment on Indian internal issues. However, Jammu and Kashmir was not India's internal affair.

51. The statement to which the Indian representative had referred reflected the views of the people of Indian-occupied Kashmir, international media and NGOs. Pakistan would continue to support the right of the people of Jammu and Kashmir to peacefully determine their destiny, in accordance with United Nations resolutions. A solution was impossible without an environment of cooperation, to which Pakistan remained committed.

52. **Mr. Sahakov** (Armenia) said that the statement made by the representative of Azerbaijan had been misleading and misrepresented the causes and consequences of the conflict in Nagorno-Karabakh. Armenia had never started any aggression; on the contrary, it was Azerbaijan that had started the full-scale war against the people of Nagorno-Karabakh,

forcing them to take up arms to protect themselves. Azerbaijan was responsible for systematic violations of the rule of law and fundamental freedoms and human rights, including the right to self-determination.

53. The current situation in the region stemmed from Azerbaijan's decision to use force to suppress the people of Nagorno-Karabakh and keep them from exercising their right to self-determination. Azerbaijan had violated Security Council resolutions urging parties to pursue negotiations in the context of the Organization for Security and Cooperation in Europe (OSCE) Minsk Group framework. That country's refusal to engage in direct negotiations with elected representatives of Nagorno-Karabakh, and its hostile stance against Armenia, was the main impediment to resolving that issue. Meanwhile, Armenia had used its good offices with the Nagorno-Karabakh leadership to find a peaceful solution to the conflict.

54. **Ms. Alsaleh** (Syrian Arab Republic) said that the statement by the representative of the occupying Power was inaccurate and aimed to divert attention from events in his country. That delegation represented an authority that had been exercising racial discrimination for more than 60 years as it murdered, raped, and imposed a blockade. The representative's expression of concern about the fate of the Palestinian people only served his own purposes. The Government of the Syrian Arab Republic impatiently awaited the Israeli occupying Power's evacuation of the Golan Heights. Her Government would continue to draw the international community's attention to the actions of the occupying Power for as long as it continued occupy Arab territories.

55. **Ms. Rasheed** (Observer for Palestine) said that it was regrettable that the same assertions of misrepresented and distorted truths continued to be made by the delegation of Israel year after year. The fact was that Israel, as the occupying Power, continued to violate international law, international humanitarian law and United Nations resolutions, counter to its false claim of wanting peace and being a peace-loving country. Meanwhile, it continued to demolish Palestinian homes and displace the Palestinian people, building illegal settlements and unleashing racist settlers. Israel must stop making false statements of peace, and, instead, end its violations against a defenceless population. Only when Israel ended its occupation and violations would peace and security prevail. Her delegation and the rest of the international

community would continue to shed light on all of Israel's violations until justice was served and peace brought to Palestinian people.

56. **Mr. Kumar** (India) said that the reference by the representative of Pakistan to the State of Jammu and Kashmir was unwarranted and interfered in the internal affairs of India, as that area was an integral part of his country. The people of Jammu and Kashmir had peacefully chosen their destiny in accordance with democratic practices.

57. **Mr. Musayev** (Azerbaijan) said that the comments made by the representative of Armenia were an attempt to mislead the international community. Armenia's actions toward the unilateral secession of Nagorno-Karabakh from Azerbaijan had never been peaceful, nor had its claims been consistent with international legal norms. The situation following the independence of Azerbaijan and the actions of Armenia were clear: there was significant documentary evidence to show that Armenia had unleashed a war, occupied Azerbaijan and occupied its territories, including in the Nagorno-Karabakh and seven adjacent districts, and conducted ethnic cleansing. It had also established an ethnically constructed and subordinate separatist entity on captured Azerbaijani territory. The most serious crimes had been committed during the war.

58. He drew attention to the four United Nations Security Council resolutions which condemned Armenia's actions, called for its withdrawal and confirmed that Nagorno-Karabakh was part of Azerbaijan. The international community had made it clear that any attempt by Armenia to encourage, procure or sustain the secession of Nagorno-Karabakh was a violation of the principle of the respect for the territorial integrity of sovereign States. What Armenia described as the peaceful exercise of the right to self-determination by the ethnic Armenian group living in Azerbaijan had been qualified by the Security Council and other international organizations as the illegal use of force, and the commitment of other crimes was of serious concern for the international community.

59. **Mr. Butt** (Pakistan) urged the representative of India to refer to the relevant Security Council resolutions. The only way to resolve the Jammu and Kashmir dispute was to address it in an international forum and through meeting the aspirations of the Kashmiri people. Pakistan was committed to a peaceful resolution to the dispute, in good faith.

60. **Mr. Sahakov** (Armenia) said that the response by the representative of Azerbaijan distorted facts. The references to occupation and aggression were baseless and showed that that country was not interested in finding a solution based in international law, and reflected a systematic breach of the rule of law and of fundamental freedoms. The people of Nagorno-Karabakh had exercised their inalienable right to self-determination in compliance with international law, it had held free and fair elections, and had stable political institutions, legitimate authorities, a functioning Government and an independent judiciary. Civil society, too, continued to participate in the political process there. Armenia attached the utmost importance to justice, the rule of law and to maintaining peace and security, and promoting and protecting human rights in the region.

61. **Mr. Musayev** (Azerbaijan) said that the reply by the representative of Armenia was inaccurate, out of context, and only reflected that Armenia was not seeking peace in the region. It was ironic to hear those comments, when Armenia bore responsibility for unleashing the war against Azerbaijan and committing other serious international crimes during the conflict.

62. Armenia, which had purged its own country and the occupied areas of Azerbaijan of all non-Armenians and created mono-ethnic cultures, should be the last to speak about human rights, the rule of law and justice. The lecture its representative had made to the victim of the aggression was an open challenge to the conflict settlement process and threatened international peace and security. He was confident that Armenia would be obliged to denounce its territorial claims towards neighbouring nations and establish civilized relations with all countries in the region.

*The meeting rose at 12.20 p.m.*