

**General Assembly**

Seventy-third session

Official Records

Distr.: General
17 December 2018

Original: English

Third Committee**Summary record of the 40th meeting**

Held at Headquarters, New York, on Tuesday, 30 October 2018, at 3 p.m.

Chair: Mr. Kováčik (Vice-Chair) (Slovakia)**Contents**Agenda item 72: Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*)

- (a) Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*)
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Agenda item 73: Right of peoples to self-determination (*continued*)

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In the absence of Mr. Saikal (Afghanistan), Mr. Kováčik (Slovakia), Vice-Chair, took the Chair.

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

Agenda item 72: Elimination of racism, racial discrimination, xenophobia and related intolerance
(continued) (A/73/18)

- (a) **Elimination of racism, racial discrimination, xenophobia and related intolerance** (continued) (A/73/312)
- (b) **Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action** (continued) (A/73/98, A/73/228, A/73/305, A/73/354 and A/73/371)

Agenda item 73: Right of peoples to self-determination (continued) (A/73/303 and A/73/329)

1. **Ms. Mudallali** (Lebanon) said that political polarization and economic conditions were fuelling xenophobia and discrimination around the world, and political troubles and economic instability were blamed on the “other”. The antidote was to promote a politics of kindness and generosity. Societies would develop not by diminishing the weak or by discriminating against minorities, but rather by embracing those individuals and protecting them against hate and intolerance.

2. The principles of the Universal Declaration of Human Rights were enshrined in the Lebanese Constitution and the Government was committed to promoting them in all areas. That commitment was reflected in the country’s engagement with the issue of displaced persons and refugees, despite limited resources and land and despite the concomitant political challenges and security concerns.

3. The realization of the right of peoples to self-determination was a human right that all States were obliged to respect. It amounted to the right to exist. In that spirit, Lebanon called for self-determination for the Palestinian people and the fulfilment of their right to an independent, sovereign State, as reaffirmed repeatedly by the General Assembly.

4. **Mr. Anyanah** (Ghana) said that recent trends showed that racism and racial discrimination continued to increase, aided by digital technology. While the Internet and social media platforms had the potential to positively transform societies, they also allowed groups espousing racial intolerance to disseminate hatred and recruit young people into extremist groups. That phenomenon must be addressed through effective partnerships at the national, regional and international levels and through engagement with the private sector

and civil society organizations. Ghana supported the development of legislation that required social media platforms to remove racist content and hate speech within 24 hours.

5. During the country’s annual National Cyber Security Awareness Month, stakeholders discussed the matter of protecting cyberspace from hate speech. The National Media Commission and the National Communication Authority of Ghana also played a role in regulating the media to ensure that hate speech and comments that contributed to other violations of human rights were penalized.

6. Ghana welcomed the assistance provided by the Office of the High Commissioner for Human Rights to combat racism and racial discrimination and supported the convening of capacity-building workshops for national human rights institutions and entities that promoted equality. Ghana also welcomed the fellowship programme for people of African descent, which was an intensive learning opportunity that allowed participants to deepen their understanding of the United Nations system and its mechanisms. Any efforts to criminalize contemporary forms of racial discrimination should be carried out in parallel with education programmes, awareness-raising and enhancement of national protection mechanisms.

7. **Ms. Horbachova** (Ukraine) said that existing legislation on racism and xenophobia must be enforced, and there should be a focus on actions that could make a difference on the ground. Ukraine strongly believed that the International Convention on the Elimination of All Forms of Racial Discrimination and other human rights instruments offered a powerful and effective international framework for the common fight to eliminate those phenomena.

8. The ongoing Russian aggression against Ukraine and its temporary occupation of parts of Ukrainian territory were accompanied by flagrant and systematic ethnic discrimination against the Ukrainian people. In Crimea, the occupying authorities had mounted a broad-based campaign against ethnic Ukrainians and the Crimean Tatar community, which faced continuing harassment, abuse and restrictions. In order to hold the Russian Federation accountable for such acts, the Government of Ukraine had filed an application with the International Court of Justice to initiate proceedings against the Russian Federation for its violations of the Convention. In April 2017, the Court had issued an order that required the Russian Federation to lift its ban on the activities of the Mejlis of the Crimean Tatars and to guarantee education in the Ukrainian language. More than a year later, it was apparent that the Russian

Federation had not fulfilled its international obligations under the Convention.

9. Moreover, the Russian Government had encouraged, supported and financed far-right and paramilitary movements, while State-owned media had disseminated hate-speech propaganda, which generated ethnic hostility. Ukraine therefore urged the Russian Federation to stop all acts of racial discrimination against persons, groups of persons or institutions, particularly in the occupied territories.

10. **Mr. Melad** (Libya) said that seventeen years after the adoption of the Durban Declaration and Programme of Action, contemporary forms of racism and hatred based on religion, race, colour, language and culture were still rampant. According to the Qur'an and the provisions of sharia law, all persons were equal in dignity. Libya had ratified relevant international human rights instruments, including the International Convention on the Elimination of All Forms of Racial Discrimination, and had incorporated the principle of non-discrimination in Libyan legislation. The Enhancement of Freedom Act of 1991 provided that all citizens, both men and women, were equal in terms of rights and duties. In the 1970s and 1980s, Libya had assisted the people of South Africa in their just fight against an abhorrent system of race- and colour-based discrimination, which was, at the time, supported and sponsored by certain powerful countries.

11. Any discussion of racial discrimination must include mention of the human rights situation in the Palestinian occupied territories and the violations carried out by the Israeli occupation authorities, depriving the Palestinians of basic human rights with respect to education, health, employment, housing and freedom of movement. The Israeli occupation authorities also deprived them of their rights to life and self-determination.

12. Freedom of choice and freedom of opinion were sometimes used as cover for disparaging Islam. The propagation of the idea that Islam was dangerous contributed greatly to waves of hatred towards Muslims and the spread of extremism, which undermined peaceful coexistence in pluralistic societies and created inequality and discrimination. Libya called on all States to strengthen current mechanisms for follow-up to international and regional instruments on racism, racial discrimination and anti-foreigner sentiment. Libya looked forward to redoubled efforts towards a world free of racism and racial discrimination, where all could live in safety without fear of religious conflicts or ethnic strife.

13. **Mr. Sor** (Singapore) said that his country had undergone a period of intercommunal tension and race

riots in the lead-up to its independence in 1965. Lives had been lost, property had been destroyed and people had been afraid to leave the safety of their ethnic enclaves. The country's survival depended on its ability to transcend racial and religious lines. Since the adoption of its National Pledge in 1966, Singaporeans had resolved to be one united people, regardless of race, language or religion. The country was religiously and ethnically diverse: one in five marriages between Singaporeans was inter-ethnic and one in three was transnational.

14. The country had made significant progress in preserving racial and religious harmony over the preceding 53 years. The Constitution affirmed that all were equal before the law, and the Presidential Council for Minority Rights ensured that legislation did not unfairly discriminate against any race or religion and that laws were in place to deal with individuals who spread hostility among the various communities. The country had also instituted housing, education and employment policies to maximise interaction among communities.

15. Technology had made it easier to create and disseminate hatred among communities. The Government, concerned that such messages would foster intolerance and affect the country's racial and religious harmony, continued to guard against extremist views, which, if allowed to take root, could lead to a divided society. Singapore therefore worked closely with religious and community leaders to build mutual trust and understanding through dialogue-building initiatives. It had also introduced the Harmony Fund, which supported harmony-promoting grass-roots projects.

16. **Mr. Mikayilli** (Azerbaijan) said that his country viewed the rise of Islamophobia, hate speech and xenophobic rhetoric with concern and rejected any attempt to associate Islam with violence. Intercultural and interreligious dialogue and multiculturalism were State policy in Azerbaijan, and the Government had spearheaded several important initiatives in that regard. The Baku Process launched in 2008 to strengthen cooperation among member States of the Organization of Islamic Cooperation and the Council of Europe had led to the creation in 2011 of the World Forum on Intercultural Dialogue, which had been praised in a report of the Secretary-General.

17. Racism and xenophobia were often among the root causes of armed conflicts and had led to war crimes, crimes against humanity, ethnic cleansing and the destruction of cultural heritage. The right of self-determination was recognized as applicable to the

peoples of non-self-governing territories and peoples subjected to alien subjugation, domination and exploitation. At the same time, the right to self-determination had occasionally been flagrantly misinterpreted, especially when used to justify unlawful use of force, military occupation and externally supported unilateral secessions from independent States. International law clearly did not provide for the right of unilateral secession from independent States and did not establish grounds for legitimizing non-consensual secession. In light of that principle, the Security Council in 1993 had adopted four resolutions condemning the use of force against Azerbaijan and calling for the immediate, full and unconditional withdrawal of occupying forces from all occupied territories of Azerbaijan. In those resolutions, the Security Council confirmed that Nagorno-Karabakh was part of Azerbaijan and reaffirmed respect for the country's sovereignty and territorial integrity and the inviolability of its international borders.

18. **Monsignor Grysa** (Observer for the Holy See) said that although racism, racial discrimination, xenophobia and related intolerance were contrary to the inalienable dignity of every human person, such sentiments seemed to be re-emerging and spreading. Leaders of all religions had the important mission of spreading the ethical principles and values inscribed by God in the heart of man. It was true that religious leaders and believers had not always lived up to that responsibility, and religiously-motivated intolerance had been used as a pretext for marginalization and violence. In order to address that problem, an authentic dialogue must take place between religious communities and begin with the joint reaffirmation that killing others in the name of God was blasphemy.

19. Although it was good practice to monitor and investigate incidents of hate speech and hate crimes, those activities should not be used by States as pretexts for censorship and other abuses. Some regulations defined hate speech according to ideologically biased criteria. The drive to combat racism could never justify the adoption of discriminatory or repressive measures against those who, for example, defended the dignity of every human life or upheld the dignity of marriage and the family. Racism would be eliminated through actions based on the principles of respect for every human life and the dignity of every person, as well as those based on qualities such as empathy and compassion, which went far beyond tolerance.

20. **Mr. Situmorang** (Indonesia) said that his delegation noted with concern the finding of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance that

a growing number of States were adopting, or threatening to adopt, blanket bans against refugees and visitors of particular religious affiliations or ethnic origins. The increase in blatantly discriminatory counter-terrorism policies that legitimized profiling was also of concern. Indonesia affirmed the importance of the principles of universality, impartiality, non-selectivity and transparency and called for all mandates to be discharged in an independent and non-politicized manner. The core issues of the mandate needed to be addressed before venturing into the issue of intersectionality with other issues that were not mentioned in the mandate or in the Durban Declaration and Programme of Action. The Special Rapporteur should prioritize issues that lay clearly within the mandate so that the report would resonate with Member States.

21. The report of the Special Rapporteur neglected to mention the discrimination experienced by Palestinians in the Occupied Territories. The Special Rapporteur on the situation of human rights in the Palestinian territories had briefed the Committee on the policies of the occupying Power that systematically discriminated against Palestinians, and Indonesia therefore called for that issue to be included in the future work of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

22. Indonesia also noted that individuals exploited their rights to free expression and democracy to spread racism, racial discrimination, xenophobia and related intolerance on on-line platforms. Constructive dialogues among States and the sharing of good practices and specific experiences were important in that regard.

23. **Ms. Alzarooni** (United Arab Emirates) said that her country had made efforts to fight racial discrimination by strengthening its legislative framework. In that context, the State had issued Federal Law Decree No. 2 of 2015 on combating discrimination and hatred, which criminalized acts of contempt towards religions and their holy places. It addressed all forms of discrimination and the spread of hateful discourse through various means. It also criminalized any word or deed that would sow social discord or promote discrimination against individuals or groups.

24. The members of some 200 nationalities lived peacefully and harmoniously in the United Arab Emirates, and the Government had made every effort to guarantee their religious freedom. The Government had also facilitated the construction of places of worship for various religions through land grants. The United Arab Emirates was home to 83 houses of worship for resident non-Muslims of various nationalities, allowing them to

practice their religions in a climate of tolerance and dignity.

25. The Government fostered tolerance and promoted values of respect by strengthening its institutional framework. In 2016, it had renewed the position Minister of State for Tolerance. It had also established the United Arab Emirates Tolerance Centre, which had carried out a number of relevant research projects. To mark World Tolerance Day, the country would hold an international summit on that subject in November, whose sessions would feature speakers from around the world.

26. **Mr. Koonjul** (Mauritius) said that although a number of colonies had achieved independence since the creation of the United Nations, remnants of that system remained. In 2010, the General Assembly had declared the period from 2011 to 2020 to be the Third International Decade for the Eradication of Colonialism. The right of peoples to self-determination, enshrined in the United Nations Charter, was one of the most essential principles of international law. The General Assembly recognized it as a fundamental human right and the International Court of Justice held it to be an *erga omnes* norm.

27. The adoption in 1960 of General Assembly resolution 1514 (XV) was a watershed for the formal recognition of the legal right of non-self-governing territories to self-determination. In that resolution, the General Assembly declared that all people had the right to self-determination and called for a speedy and unconditional end to colonialism in all its forms and manifestations. By the mid-1960s, the binding legal right of self-determination had given rise to important obligations for colonial powers including the obligation to respect the territorial integrity of colonial territories. Colonial powers could not undermine the process of self-determination by changing the boundaries of the territorial unit before its people had had a chance to express their wishes. Any division of a colonial territory must have the agreement of the people of the entire territorial unit. Colonial powers were also obliged to swiftly accede to demands for independence from colonial territories.

28. **Ms. Bellout** (Algeria) said that her delegation strongly believed that the violation of the right of self-determination of peoples under foreign occupation was a form of racial discrimination. The right to self-determination formed the basis for other rights and was a binding rule enshrined in the Charter of the United Nations, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. In accordance

with those instruments, the right to self-determination entailed the unconditional liberation of peoples and lands under foreign occupation, without any constraints or pressure that would adversely affect the expression of popular will. Algeria supported the right of all non-self-governing peoples to self-determination, subject to free and fair referendums in accordance with international law, including General Assembly and Security Council resolutions.

29. **Mr. Rahman** (Bangladesh) said that the people of Bangladesh denounced any form of oppression, deprivation or discrimination and rejected dominance based on racism, religion or culture. The country's Constitution guaranteed the equality of all citizens before the law and did not discriminate on the basis of religion, race, caste, sex or place of birth. The current Government would continue to uphold human rights while ensuring sustainable development through a "whole of society" approach.

30. Bangladesh stressed the need for international cooperation, awareness-raising and political will in addressing the spread of hatred and intolerance through social media and Internet platforms. It urged Member States to adhere to the values underpinning the global compact on refugees and migrants in order to protect migrants and refugees from racial discrimination and xenophobia, and condemned racial profiling along ethnic or religious lines and the ultra-nationalist tendencies sweeping various parts of the world. Bangladesh was also concerned by the political use of Islamophobia to serve vested interests and obscure the root causes of socio-cultural alienation.

31. In light of its own similar historical struggle, Bangladesh fully supported the exercise of the inalienable right to self-determination by the Palestinian people. Self-determination was a fundamental condition for the effective guarantee of human rights and was enshrined in the Charter of the United Nations. Over the years, the main organs of the United Nations had adopted resolutions that addressed self-determination, and the international community should take steps to promote the realization of that right.

32. **Mr. Thein** (Myanmar) said that his country opposed racism and xenophobia and encouraged peaceful coexistence among its 130 different ethnic communities and religions. The Constitution ensured equal rights for all citizens regardless of ethnicity, race, religion or language and did not establish a state religion.

33. His delegation objected to paragraphs 24 and 43 of the report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and

related intolerance as they contained unfounded allegations of crimes against Rohingya Muslims. Myanmar urged victims to come forward with hard evidence of human rights violations so that legal measures could be taken against perpetrators. On 30 July 2018, the Government had established a four-member Independent Commission of Enquiry that would investigate allegations of human rights violations following the terrorist attacks by the Arakan Rohingya Salvation Army and formulate recommendations on fostering peace and stability in Rakhine State.

34. Paragraph 43 of the report stated that Rohingya women were subject to a two-child policy. In reality, however, the birth rate among Muslims in northern Rakhine State was double that of other ethnic groups in the state as a whole. Myanmar had adopted the National Strategic Plan for the Advancement of Women (2013-2022), which was aligned with the 12 critical areas of the Beijing Declaration and Platform for Action, which would promote and protect women's rights, including sexual and reproductive rights.

35. The Government of Myanmar took United Nations principles seriously. It was discouraging to see that those same principles and platforms were being misused by United Nations experts who had been swayed by popular rhetoric and prejudice against Myanmar. Unfounded allegations should be avoided, and constructive ideas should be put forward to address important issues.

36. **Mr. Rabi** (Morocco) said that "self-determination" was not a synonym for "independence". Since the adoption of General Assembly resolution 1514 (XV), several other resolutions had expanded its scope and application. General Assembly resolution 1541 (XV) set out the conditions under which a non-self-governing territory could be said to have reached self-government, including free association with an independent State or integration with an independent State. That resolution was complemented later by General Assembly resolution 2625 (XXV), which reaffirmed that self-determination could be implemented through the free association or integration with an independent State or the emergence into any other political status freely determined by a people. It was clear that those who reduced self-determination to independence did so to assert their regional hegemony.

37. 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 is incompatible with the purposes and principles of the Charter of the United Nations.

38. Self-determination could not be a pretext for interfering in the internal affairs of a State nor for promoting acts that violated the territorial integrity of States. The Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations clearly emphasized that every State had the duty to refrain from organizing, instigating, assisting or participating in acts of civil strife or terrorist acts in another State or acquiescing in organized activities within its territory directed towards the commission of such acts, when they involved a threat or use of force. Therefore, no State had the right to support separatist activities in the territory of another State in order to incorporate that territory. Similarly, the arming and training of rebels violated the principle of territorial integrity. In addition, a State must not authorize activities on its territory that could threaten the territorial integrity of another State.

39. Self-determination must be exercised through free, transparent and democratic elections, local governance, economic and political participation, respect for human rights and the preservation of cultural identity. Autonomy was the most authentic and forward-looking form of self-determination.

40. **Ms. Shoman Khot** (Jordan) said that her Government wished to express its condolences to the Government of the United States of America and to the families of the victims of the heinous terrorist attack on the synagogue in Pittsburgh and reaffirmed its condemnation of all hate crimes and terrorism.

41. In the Middle East, Jordan was a driving force for peace and security and was committed to the fight against racism, xenophobia and all forms of discrimination and intolerance, playing a key role in international efforts to promote mutual respect and understanding through initiatives such as the World Interfaith Harmony Week. All residents of Jordan were protected from discrimination and had the right to lodge complaints of racial discrimination with the courts. Violence or provocation against a person or group were crimes, as was racist propaganda.

42. As underscored in the International Covenant on Civil and Political Rights, empowering peoples to exercise their right to self-determination promoted economic, social, political and cultural development. No pretext could be invoked to prevent a people from exercising that internationally recognized right. Granting people the right of self-determination would

have a positive impact on international peace and stability. The Palestinian people's right to establish an independent, sovereign and viable State of Palestine with East Jerusalem as its capital, in accordance with the 4 June 1967 borders, must be upheld. Jordan therefore called for Israel to halt its unilateral actions — including settlement activity, the demolition of homes, land confiscation and the killing of innocents — which aimed to pre-empt the results of negotiations on crucial issues. That would enable the return to serious, good-faith negotiations with a view to achieving a just peace.

Statements made in exercise of the right of reply

43. **Mr. Cheena** (Pakistan) said that it was regrettable that the delegation of India had chosen to stand on the wrong side of history. When the report of the United Nations High Commissioner for Human Rights on systematic abuses in Indian-occupied Jammu and Kashmir had been issued, India had reverted to its habit of hiding behind tired and empty rhetoric and not responding to substance. Instead of addressing the content of the report and amending its behaviour, India had chosen to rely on hollow rhetoric. If the case of Jammu and Kashmir was not an issue of self-determination, then what was? At no point in history had the state of Jammu and Kashmir been a part of India, nor would it ever be.

44. **Mr. Chu** Guang (China) said that his country regretted the discriminatory words and deeds against migrants by United States political leaders and was concerned about systematic prejudice against Asian-Americans in United States society. Although Asian-Americans had made indelible and distinguished contributions to the development and prosperity of the United States throughout its history, that had not altered the Government's discrimination against and exclusion of Asian-Americans. China was particularly concerned about the tightening of United States visa restrictions where Chinese citizens, including Chinese science students, were concerned. The United States claimed that almost all Chinese students in the country were spies and posed a threat to national security. Such an Orwellian fallacy not only undermined the diversity of its society and universities, but also led to increased xenophobia. China strongly urged the Government of the United States to recognize the positive contributions made by Asian-Americans to the social and economic development of the country, to rescind its decision to tighten visa restrictions and to retract its anti-China statements.

45. **Mr. Yesod** (Israel) said that the Committee had heard countless accusations against his country during recent weeks. Some Member States that had spoken

against Israel had so clearly been instructed by the Palestinian delegation that one could assume that the Palestinian representative had written their speeches. Although Israel was confident that all its actions were just and transparent and thus did not take accusations, half-truths and lies to heart, a response was warranted.

46. Israel was a willing partner and had extended its hand in peace at every opportunity, but the same could not be said of the Palestinian Authority. That was aside from the fact that it was difficult to trust the Palestinian Authority when half the Palestinian population had supported a violent uprising against it in Gaza, preferring the rule of the vicious terrorist group Hamas. Those same individuals had become pawns in the power struggle between the Palestinian Authority and Hamas, with innocent Israelis the victims. Palestinians continued to choose the path of war and hatred, educating their children to hate all Israelis and all Jews, inciting violence in schools and launching terror attacks against civilians. The Palestinian Authority was directly involved in said incitement through their "pay to slay" policy, whereby the Palestinian Authority took funds provided by the international community and used them to pay murderers.

47. Accusations had been made that Israel was an apartheid State and that its laws marginalized Israeli Arabs. Such claims had also been made at the General Assembly by Mahmoud Abbas, the President of the Palestinian Authority. Needless to say, they were false, although it seemed that the Palestinian Authority wished that they were true. All Israelis, whether they were Muslims, Christians, Jews or Druze, had the opportunity to participate in real democratic elections for local municipalities, which might sound strange to the Palestinian delegate, whose President was on his twelfth year of a four-year term. It was far easier to blame Israel than to address the real obstacles. For peace to prevail, the Palestinians must forsake the path of violence.

48. **Ms. Sukacheva** (Russian Federation) said that Georgia must recognize the political reality that the Republics of Abkhazia and the Republic of Southern Ossetia were sovereign States.

49. With respect to the statement of the representative of Ukraine, the Russian Federation reaffirmed that Crimea and Sevastopol would join the Russian Federation as a result of the achievement of the right of peoples to self-determination. The 16 March 2014 referendum in Crimea was organized in full compliance with international law, and the right to self-determination was enshrined not only in the United Nations Charter but also in the international human rights covenants and in the 1970 Declaration on

Friendly Relations. The residents of Crimea enjoyed all human rights and freedoms to which they were entitled under the Constitution of the Russian Federation and international agreements signed by the Russian Federation. Furthermore, the Russian Federation recalled that in the region of Donbass there had been armed conflicts that were not international in nature. That definition was provided by the International Committee of the Red Cross.

50. The Russian Federation called on Ukraine to fully comply with the Minsk agreements and called for full contact between Ukraine and both the Donetsk Republic and the Luhansk Republic. The Russian Federation also called on the Ukrainian Government to end the blockade of the south-eastern part of Ukraine, which had led to many violations of human rights and freedoms.

51. **Mr. Yaremenko** (Ukraine) said that his delegation wished to recall a few facts pertaining to the so-called referendum of the Autonomous Republic of Crimea and the city of Sevastopol. Aggression by the Russian Federation against Ukraine had begun on 20 February 2014, and, less than one month later, with the support of its own armed forces, the Russian Federation saw to it that there would be a so-called referendum under threat of rifles and cannons. The Ukrainian delegation did not believe that holding a so-called referendum on a part of the territory of another State under the barrels of the guns of Russian Federation forces was in accordance with the Charter of the United Nations. Moreover, it seemed that Russian rhetoric on that matter was extremely dangerous for the Russian Federation itself because, proceeding from that logic, any region of the State, such as Kaliningrad Province, could hold a referendum and take a decision to separate from the Russian Federation and join another country. That was not in anyone's interest. Therefore, he called upon the Russian Federation to be cautious when it came to advocating such principles and discussing them at United Nations forums.

52. The Russian delegation was the only delegation that saw a worsening of the human rights situation in Ukraine and manifestations of extremism and discrimination. Ukraine had, of its own accord, invited the High Commissioner for Human Rights for a visit and had cooperated fully with his mandate. Russian media did not feature news about Russia but rather focused exclusively on Ukraine. He urged the Russian delegation to focus on what was taking place in its own country.

53. **Ms. Kipiani** (Georgia) said that it was regrettable that the comments of the Russian Federation merely served the purpose of misleading the international

community. The Russian Federation was continuing its policy of violating Georgian sovereignty and territorial integrity by breaching the United Nations Charter, the 2008 six-point cease-fire agreement brokered by the European Union, the norms and principles of international law and all Security Council resolutions on Georgia.

54. The Russian Federation committed military aggression against Georgia and continued to occupy 20 per cent of its sovereign territory, violations duly reflected in the findings of the International Independent Fact-Finding Mission on the Conflict in Georgia. In addition, Pre-Trial Chamber I of the International Criminal Court had found sufficient indication that the Russian Federation exercised overall control over the South Ossetian forces, meaning that also the period before the direct intervention of Russian forces might be seen as an international armed conflict. Therefore, until the occupation of Georgian regions ended, full responsibility for the situation in the occupied territories, including human rights violations, rested with the Russian Federation, as the occupying Power.

The meeting rose at 4.25 p.m.