Explanation of Vote on a Resolution on the Durban Declaration and Program of Action

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AS DELIVERED

Chair – The United States remains firmly committed to countering racism and racial discrimination in all its forms. Indeed, we recognize a special obligation to do so given historical injustices perpetrated during past eras of colonial expansion into indigenous communities, slavery, and the Jim Crow period. Our transparency, commitment to a free press, and insistence on ensuring that justice is served allow the world to witness our challenges and contribute to our efforts to find solutions. These values, often discussed in multilateral organizations, are fundamental to our nation. We pledge to continue our work with civil society, international mechanisms, and all nations of goodwill to combat the consequences of this legacy of injustice.

As a State Party to the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), the United States believes the CERD provides comprehensive protections in this area and constitutes the most relevant international framework to address all forms of racial discrimination. We continue to raise the profile of, and participate in, activities in support of the International Decade for People of African Descent. In addition, we remain deeply concerned about speech that advocates national, racial, or religious hatred, particularly when it constitutes discrimination, hostility, or incitement to violence. From our own experience and history, the United States remains convinced that the best antidote to offensive speech is not a ban and punishment, but a combination of robust legal protections against discrimination and hate crimes; proactive government outreach to racial and religious minority communities; and the vigorous protection of freedom of expression, both on- and off-line.

As in similar years, however, we regret that we cannot support this resolution – on such an important topic – because the text is not genuinely focused on countering racism, racial discrimination, xenophobia and related intolerance. Among our concerns about the resolution are its endorsements of the Durban Declaration and Program of Action (DDPA), the outcome of the Durban review conference and its endorsement of overbroad restrictions on freedom of speech and expression. We reject any effort to advance the “full implementation” of the DDPA. We believe this resolution serves as a vehicle to prolong the divisions caused by the original Durban conference and its follow-up mechanisms, rather than providing a comprehensive and inclusive way forward for the international community to counter the scourge of racism and racial discrimination.

In addition, the United States cannot accept the resolution’s call for States to consider withdrawing reservations to Article 4 of the CERD. We note, further, that this resolution has no effect as a matter of international law. We also categorically reject the resolution’s call for “former colonial Powers” to provide reparations “consistent with” the DDPA.

The United States notes with concern that the resolution remains silent on the issue of oppression of members of ethnic minority groups in the People’s Republic of China, which regularly oppresses its own people, including members of minority groups of Asian, Turkic, and other descent. In Xinjiang, a merciless crackdown has resulted in the mass arbitrary detention of more than one million Uyghur Muslims and members of other ethnic and religious minority groups, forced labor, forced sterilizations, and other serious human rights abuses.

In addition to our longstanding concerns with this resolution, we are troubled that it would also create a new High-Level Week official event during the 76th General Assembly commemorating the Durban Declaration and Program of Action. It is inappropriate for the General Assembly to host this divisive and costly event.

For these reasons, we must again vote against this resolution, and we urge other delegations to do the same.