

## KALDERIMIS, Sophie (UNHC)

---

**From:** NEW YORK  
**Sent:** Thursday, 12 November 2020 5:15 PM  
**To:** UNHC  
**Cc:** ...MULTILATERAL POSTS; DS MLG; ISED; DCE; PHM; DCI; MEA; TEHRAN; SEA; YANGON; SEOUL; TOKYO; NAD; ...EUROPEAN POSTS; EUR; CAIRO; ANKARA; CPCD; BEIJING; CCD; LGL; DST; DS PDG; CEO; DS EMA  
**Subject:** FORMAL MESSAGE: UNGA75 THIRD COMMITTEE: UPDATE ON KEY ISSUES AHEAD OF RESOLUTION ADOPTIONS COMMENCING

**Security Classification:** RESTRICTED

[RESTRICTED]

### RĀPOPOTO – SUMMARY

Negotiations on resolutions in the UN General Assembly's Third Committee, which covers social, cultural and humanitarian issues, have now concluded. Adoptions will take place from 13 to 20 November. Issues, which have been difficult throughout negotiations include: sexual and reproductive health and related health-care services and gender issues. New Zealand has long-standing policy positions on most of these issues. Regular updates and voting position recommendations on specific resolutions being adopted will be captured in the [Third Committee tracking chart](#). Formal Messages will continue to be sent on high priority resolutions including the Moratorium on the Death Penalty and the Right to Privacy in the Digital Age.

### HOHENGA – ACTION

UNHC – grateful confirmation of our proposed approach on difficult issues that may result in votes during the adoption of Third Committee resolutions.

### PŪRONGO – REPORT

1. Negotiations for the UN General Assembly's Third Committee (Social, Cultural and Humanitarian) resolutions have now concluded. Adoptions of the draft resolutions are expected to commence on 13 November and continue until 20 November.
2. We will give as much notice as possible on upcoming action, but advice on which resolutions will be adopted each day, and what votes are being planned can occur at short notice. Additionally, we may only learn of some votes during the adoption of a resolution itself. To enable timely flow of information, we will provide updates, including the positions of key partners and recommendations for New Zealand's voting position for each resolution in the [Third Committee tracking chart](#). However, we will continue to send separate Formal Messages for high priority resolutions, namely the resolution on the Moratorium on the Death Penalty (which New Zealand is a main sponsor) and the resolution on the Right to Privacy in the Digital Age.
3. Throughout this session, a number of issues have been particularly difficult and we anticipate that at least some of these will be grounds for votes being called. New Zealand has long-standing policy positions on many of these issues, which we will use to guide our recommended voting positions. We have outlined below the key issues that we expect may be difficult during adoption, and our recommended position towards these issues. Broadly, we propose to approach all Third Committee votes in line with New Zealand's existing policy and to advance and protect human rights. We propose this approach also to any procedural votes that may arise, and recommend we vote in support of the Committee's consideration of an issue. Given the rapidly changing nature of events, we request discretion for the Permanent Representative to determine our voting position on any unexpected votes in line with existing policy positions (as per UNHC's Formal Message of 4 October).

Out of scope

Out of scope

9. There is a collection of other issues which have proven difficult in discussions across the Committee, which may result or have in the past resulted in a vote being called. Many of these issues are not new this year, and New Zealand has well established position. **Out of scope**  
Out of scope

There are also a number of resolutions called to a vote by s6(a) which include resolutions on the Durban Declaration, the Human Rights Council Report and Nazism.

ENDS//

KALDERIMIS, Sophie (UNHC)

---

From: PIDGEON, Gareth (EUR)  
Sent: Thursday, 21 January 2021 5:17 PM  
To: PIDGEON, Gareth (EUR)  
Subject: FW: FORMAL MESSAGE: INSTRUCTIONS REQUESTED ON RUSSIA'S UN GENERAL ASSEMBLY RESOLUTION ON WWII 75TH ANNIVERSARY

Security Classification: RESTRICTED

[RESTRICTED]

From: PIDGEON, Gareth (EUR)  
Sent: Thursday, 12 November 2020 4:18 PM  
To: KALDERIMIS, Sophie (UNHC) <Sophie.Kalderimis@mfat.govt.nz>  
Cc: MINEHAN FITZGERALD, Jessica (EUR) <Jessica.MinehanFitzgerald@mfat.govt.nz>  
Subject: FW: FORMAL MESSAGE: INSTRUCTIONS REQUESTED ON RUSSIA'S UN GENERAL ASSEMBLY RESOLUTION ON WWII 75TH ANNIVERSARY

Hi Sophie,

Jess and I just talked <sup>s6(a)</sup> and conveyed the position on the Nazism resolution – i.e. we support the sentiment of opposition to glorification of Nazism but some aspects of the text hit up against important freedom of expression and freedom of opinion principles for us, and that in particular we don't support the language on desecration of monuments because we feel it impinges on those some principles.

s6(a)

Thanks,

Gareth

From: MINEHAN FITZGERALD, Jessica (EUR)  
Sent: Friday, 6 November 2020 12:01 PM  
To: PIDGEON, Gareth (EUR)  
Subject: FW: FORMAL MESSAGE: INSTRUCTIONS REQUESTED ON RUSSIA'S UN GENERAL ASSEMBLY RESOLUTION ON WWII 75TH ANNIVERSARY

[RESTRICTED]

FYI. Probably good for us to let <sup>s6(a)</sup> now, as well as for MOS.

Cheers

Jess

**From:** KALDERIMIS, Sophie (UNHC) <[Sophie.Kalderimis@mfat.govt.nz](mailto: Sophie.Kalderimis@mfat.govt.nz)>  
**Sent:** Friday, 6 November 2020 11:44 AM  
**To:** MINEHAN FITZGERALD, Jessica (EUR) <[Jessica.MinehanFitzgerald@mfat.govt.nz](mailto: Jessica.MinehanFitzgerald@mfat.govt.nz)>  
**Subject:** RE: FORMAL MESSAGE: INSTRUCTIONS REQUESTED ON RUSSIA'S UN GENERAL ASSEMBLY RESOLUTION ON WWII 75TH ANNIVERSARY

[RESTRICTED]

Hi Jess

Thanks for following up – sorry been a hectic week.

Here you go (any questions, please yell out!):

- New Zealand supports commemorating the 75<sup>th</sup> anniversary of the end of WWII through the resolution titled “Seventy-fifth anniversary of the end of the Second World War”.
- However, we do not support inclusion of PP5 in the draft resolution, which reads:
  - o *PP5 Emphasizing that the Victory in the Second World War is the common legacy of all Member States of the United Nations and noting in this regard the importance of preservation and inadmissibility of desecration or destruction of monuments erected in remembrance of those who fought in that war on the side of the United Nations,*
- This is because we believe that the rights of freedom of expression and freedom of protest are vital to an inclusive democratic society and this paragraph looks to potentially limit these rights.
- We have co-sponsored the amendment to remove PP5. If this is successful we will vote in favour of the resolution. If PP5 remains, we intend to abstain from the resolution due to this paragraph.
- We have similar concerns with language used in the Third Committee resolution on “Combatting the Glorification of Nazism”.
- New Zealand does not condone neo-Nazism. However, in company with a number of Member States, we abstain on this particular resolution as we have concerns with regards to certain paragraphs around the balance being struck between the fight against racism, and restricting the rights to freedom of peaceful assembly and association, and freedom of opinion and expression. For example, the text attempts to restrict various forms of activity that could be construed as neo-Nazi (but may not necessarily be), and in doing so pushes very hard against established human rights standards in the area of freedom of expression.
- Additionally, we do not support the problematic elements of the text around the desecration of monuments, as seen in the resolution on the anniversary of WWII.

Cheers,

Sophie

**From:** MINEHAN FITZGERALD, Jessica (EUR) <[Jessica.MinehanFitzgerald@mfat.govt.nz](mailto: Jessica.MinehanFitzgerald@mfat.govt.nz)>  
**Sent:** Friday, 6 November 2020 9:26 AM  
**To:** KALDERIMIS, Sophie (UNHC) <[Sophie.Kalderimis@mfat.govt.nz](mailto: Sophie.Kalderimis@mfat.govt.nz)>  
**Subject:** RE: FORMAL MESSAGE: INSTRUCTIONS REQUESTED ON RUSSIA'S UN GENERAL ASSEMBLY RESOLUTION ON WWII 75TH ANNIVERSARY

[RESTRICTED]

Morning Sophie

Sorry to push you on this while you're juggling a lot of other things as well – if there's anything I can do from my end to help with a draft explanation of voting positions, please let me know. Most ideal scenario is something I can include in tonight's roundup to MOS / that I could ask Gareth to give<sup>s6(a)</sup> a call about today, but understand if this isn't realistic. ☺

Cheers

Jess

**From:** MINEHAN FITZGERALD, Jessica (EUR)  
**Sent:** Tuesday, 3 November 2020 10:23 AM  
**To:** KALDERIMIS, Sophie (UNHC) <[Sophie.Kalderimis@mfat.govt.nz](mailto:Sophie.Kalderimis@mfat.govt.nz)>  
**Cc:** PIDGEON, Gareth (EUR) <[Gareth.Pidgeon@mfat.govt.nz](mailto:Gareth.Pidgeon@mfat.govt.nz)>; MCLACHLAN, Pip (DS EMA Office) <[Pip.McLachlan@mfat.govt.nz](mailto:Pip.McLachlan@mfat.govt.nz)>; BECKETT, Kathryn (UNHC) <[kathryn.beckett@mfat.govt.nz](mailto:kathryn.beckett@mfat.govt.nz)>  
**Subject:** RE: FORMAL MESSAGE: INSTRUCTIONS REQUESTED ON RUSSIA'S UN GENERAL ASSEMBLY RESOLUTION ON WWII 75TH ANNIVERSARY

Thanks Sophie!

A draft today would be great – it would be good if we can give the Embassy a heads up before the action is taken on 5 November, if possible.

Cheers

Jess

**From:** KALDERIMIS, Sophie (UNHC) <[Sophie.Kalderimis@mfat.govt.nz](mailto:Sophie.Kalderimis@mfat.govt.nz)>  
**Sent:** Tuesday, 3 November 2020 9:05 AM  
**To:** MINEHAN FITZGERALD, Jessica (EUR) <[Jessica.MinehanFitzgerald@mfat.govt.nz](mailto:Jessica.MinehanFitzgerald@mfat.govt.nz)>  
**Cc:** PIDGEON, Gareth (EUR) <[Gareth.Pidgeon@mfat.govt.nz](mailto:Gareth.Pidgeon@mfat.govt.nz)>; MCLACHLAN, Pip (DS EMA Office) <[Pip.McLachlan@mfat.govt.nz](mailto:Pip.McLachlan@mfat.govt.nz)>; BECKETT, Kathryn (UNHC) <[kathryn.beckett@mfat.govt.nz](mailto:kathryn.beckett@mfat.govt.nz)>  
**Subject:** RE: FORMAL MESSAGE: INSTRUCTIONS REQUESTED ON RUSSIA'S UN GENERAL ASSEMBLY RESOLUTION ON WWII 75TH ANNIVERSARY

[RESTRICTED]

Hi Jess

Thanks for the helpful email yesterday – we've sent off the FM with instructions for NYK.

Most happy to collaborate on an explanation of our voting positions. I could get a draft to you tomorrow afternoon if that works? Apologies, we have some other instructions to get out over the next two days that may slow me down!

Many thanks,

Sophie

**From:** MINEHAN FITZGERALD, Jessica (EUR) <Jessica.MinehanFitzgerald@mfat.govt.nz>  
**Sent:** Monday, 2 November 2020 3:50 PM  
**To:** KALDERIMIS, Sophie (UNHC) <Sophie.Kalderimis@mfat.govt.nz>  
**Cc:** PIDGEON, Gareth (EUR) <Gareth.Pidgeon@mfat.govt.nz>; MCLACHLAN, Pip (DS EMA Office) <Pip.McLachlan@mfat.govt.nz>; BECKETT, Kathryn (UNHC) <kathryn.beckett@mfat.govt.nz>  
**Subject:** RE: FORMAL MESSAGE: INSTRUCTIONS REQUESTED ON RUSSIA'S UN GENERAL ASSEMBLY RESOLUTION ON WWII 75TH ANNIVERSARY

[RESTRICTED]

Hi Sophie

Hope you had a restful weekend!

Thanks for checking in with us on this; we confirm we're comfortable (as are MOS) with UNHC's proposed approach.

The Russian DHOM here came in to see us about both resolutions (my readout to UNHC about the Glorifying Nazism one is attached for your background), and it will be helpful if we could work with you on brief explanation of our voting position for both resolutions, for us to give him. <sup>s6(a)</sup>  
s6(a)

Please let me know if there's anything more you need from our end.

Cheers

Jess

**From:** KALDERIMIS, Sophie (UNHC) <Sophie.Kalderimis@mfat.govt.nz>  
**Sent:** Friday, 30 October 2020 2:22 PM  
**To:** MINEHAN FITZGERALD, Jessica (EUR) <Jessica.MinehanFitzgerald@mfat.govt.nz>  
**Cc:** PIDGEON, Gareth (EUR) <Gareth.Pidgeon@mfat.govt.nz>; MCLACHLAN, Pip (DS EMA Office) <Pip.McLachlan@mfat.govt.nz>; BECKETT, Kathryn (UNHC) <kathryn.beckett@mfat.govt.nz>  
**Subject:** FW: FORMAL MESSAGE: INSTRUCTIONS REQUESTED ON RUSSIA'S UN GENERAL ASSEMBLY RESOLUTION ON WWII 75TH ANNIVERSARY

[RESTRICTED]

Hi Jess

Apologies for bypassing you before and heading to Pip – lovely to meet you in person.

Please find below NYK's FM on Russia's UNGA resolution on the 75<sup>th</sup> anniversary of WWII.

To confirm, UNHC proposes cosponsoring the UK's proposed amendment to delete PP5 and then of course vote in its favour. If the amendment succeeds, we propose voting for the resolution.

In the event that the EU amendment is defeated, we propose to abstain on the resolution, taking the same voting approach as the Glorification of Nazism resolution (referenced below and attached).

NYK requests instructions on co-sponsorship of the amendment by COP Monday 2 November NZT and instructions on the text by COP 5 November NZT. However, if you are able to confirm both by Monday COP that'd be much appreciated and we will go back in one FM with the full set of instructions.

Many thanks,

Sophie

From: NEW YORK <NYK@mfat.govt.nz>  
Sent: Friday, 30 October 2020 8:57 AM  
To: UNHC <DM-UNHC@mfat.govt.nz>  
Cc: NEW YORK <NYK@mfat.govt.nz>; ...MULTILATERAL POSTS <MLGPOSTS@mfat.net.nz>; ...EUROPEAN POSTS <EUROPEANPOSTS@mfat.net.nz>; ...NORTH AMERICA POSTS <NORTHAMERICAPOSTS@mfat.net.nz>; CANBERRA <CBA@mfat.govt.nz>; CEO <DM-CEO@mfat.govt.nz>; DS MLG <DM-DSMLG@mfat.govt.nz>; FM.P/S MFA (Seemail) <PS.MFA@mfat.net.nz>; FM.Defence (Seemail) <fm.defence@nzdf.mil.nz>; FM.Defence MOD (Seemail) <cables@defence.govt.nz>  
Subject: FORMAL MESSAGE: INSTRUCTIONS REQUESTED ON RUSSIA'S UN GENERAL ASSEMBLY RESOLUTION ON WWII 75TH ANNIVERSARY

[RESTRICTED]

#### Rāpopoto - Summary

Russia has tabled a UN General Assembly resolution on the "Seventy-fifth anniversary of the end of the Second World War", for the second time this year. The resolution was blocked for adoption during the 74<sup>th</sup> session of the General Assembly in April. There was a lack of agreement over a paragraph referring to the desecration of WWII monuments which the EU sought to delete in an amendment. This paragraph is problematic, including for New Zealand s6(a)

s6(a) Given that the UN General Assembly is now able to meet in person to vote, Russia is moving for this resolution to be adopted with the paragraph included. EU has re-tabled its amendment and it is cosponsored by many of our likeminded s6(a) The resolution and the amendment are expected to be voted on 5 November NYT.

#### Hohenga - Action

UNHC: Grateful confirmation of whether we cosponsor the EU amendment to delete PP5 of the resolution on desecration of monuments if possible by COB 2 November NZT. The EU has said they would welcome cosponsorship as soon as possible, however it is possible to cosponsor right up until adoption.

Grateful confirmation also of voting approach outlined in paragraph 5 below no later than COB 5 November NZT.

#### Pūrongo – Report

1. Russia has tabled a UN General Assembly resolution (attached) on commemorating the 75<sup>th</sup> anniversary of the end of the Second World War for the second time this year: first in the 74<sup>th</sup> session of the General Assembly in April and again in the 75<sup>th</sup> session. In April, there was no consensus over a controversial paragraph, PP5 below, regarding the desecration of WWII monuments s6(a)  
s6(a)

In-person meetings were not possible in April, which effectively blocked a vote on this resolution and the EU amendment (attached) to delete this paragraph effectively blocked this resolution from being adopted.

*PP5 Emphasizing that the Victory in the Second World War is the common legacy of all Member States of the United Nations and noting in this regard the importance of preservation and inadmissibility of desecration or destruction of monuments erected in remembrance of those who fought in that war on the side of the United Nations,*

2. Now that the General Assembly is able to meet in person and therefore vote on resolutions, Russia has once again presented the resolution s6(a) In response, the EU has re-tabled its amendment to delete the above paragraph, which has been cosponsored by many of our likeminded partners s6(a)  
s6(a)

3. This paragraph is problematic, including for New Zealand s6(a)

4. Similar language on the desecration of WWII monuments s6(a) s6(a) appears in Third Committee resolution on "Combatting the Glorification of Nazism" (attached). The resolution is voted each year and we abstain on the resolution. No amendments are presented in this case to delete paragraphs as these have been included in the text for a number of years, and their removal would not change the overall vote on the resolution due to a wide range of concerns that are not addressed each year by Russia. Our rationale for abstention is, that while we do not support the problematic elements of the text, we do not want to be perceived to be voting directly against a resolution that condemns Nazism.

5. We expect that action will be taken on the resolution on 5 November, and that votes will be called on the EU amendment and then the whole resolution. We recommend that we cosponsor the EU amendment in company with our likeminded partners and vote in its favour. In the event that the EU amendment is defeated, we propose to abstain on the resolution, taking the same voting approach as the Glorification of Nazism resolution.

6. Grateful confirmation to cosponsor EU amendment to delete PP5 by COB 2 November NZT. Grateful confirmation of voting positions outlined above in paragraph 5, by no later than COB 5 November NZT.

MUTU/ENDS



## KALDERIMIS, Sophie (UNHC)

---

**From:** PIDGEON, Gareth (EUR)  
**Sent:** Thursday, 21 January 2021 5:11 PM  
**To:** PIDGEON, Gareth (EUR)  
**Subject:** FW: Update for MOS: week of 30 October 2020  
**Attachments:** FW: PR Statement by Vladimir Putin on additional steps to de-escalate the situation in Europe in the wake of the termination of the Intermediate-Range Nuclear Forces Treaty (INF Treaty); RE: Meeting request; RE: Ambassador Zuev meeting with Divisional Manager, APEC Policy Division; RE: CCAMLR delegation update #3; FW: FORMAL MESSAGE: INSTRUCTIONS REQUESTED ON RUSSIA'S UN GENERAL ASSEMBLY RESOLUTION ON WWII 75TH ANNIVERSARY; RE: Response to emails about Armenian conflict; FW: Upcoming 36th Session Universal Periodic Review - EUR Divisional Feedback on engagement; Invitation for Helen Clark to attend the International Online Congress <<G-Global. World of the 21st Century>>.

**Security Classification:**  
RESTRICTED

[RESTRICTED]

**From:** MINEHAN FITZGERALD, Jessica (EUR) <Jessica.MinehanFitzgerald@mfat.govt.nz>  
**Sent:** Friday, 30 October 2020 5:02 PM  
**To:** VAN TOOR, Si'alei (MOS) <Si'alei.VanToor@mfat.govt.nz>; MURPHY, Rohan (MOS) <Rohan.Murphy@mfat.govt.nz>; WILKINSON, Kelsie (MOS) <Kelsie.Wilkinson@mfat.govt.nz>; WESTENRA, Mark (MOS) <Mark.Westenra@mfat.govt.nz>  
**Cc:** PIDGEON, Gareth (EUR) <Gareth.Pidgeon@mfat.govt.nz>; PRASAD, Claudia (EUR) <Claudia.Prasad@mfat.govt.nz>  
**Subject:** Update for MOS: week of 30 October 2020

[RESTRICTED]

Hi team MOS

Hope you're all doing OK. Many thanks Rohan for your helpful advice following last week's update. A less crazy Russia week on our end this short week:

### Engagement with Embassy

#### Request for DHOM meeting with MFAT to discuss UNGA draft resolution on Nazism

- An update on this item in last week's email: <sup>s6(a)</sup> met with Gareth and I on Wednesday. My readout to UNHC (who you will recall were swamped so we took the meeting in their place) is attached – see 'RE: Meeting request'

Out of scope

Out of scope

Released under the Official Information Act 1982

Out of scope

That's all from us this week – take care.

Jess & team EUR

**Jessica Minehan Fitzgerald**

Policy Officer | Kaiāpiha Kaupapa  
Europe Division | Wānanga o Ūropi  
New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

p s9(2)(a) : [Jessica.MinehanFitzgerald@mfat.govt.nz](mailto:Jessica.MinehanFitzgerald@mfat.govt.nz)

---

195 Lambton Quay, Private Bag 18901, Wellington 5045, New Zealand

[www.mfat.govt.nz](http://www.mfat.govt.nz) | [www.safetravel.govt.nz](http://www.safetravel.govt.nz)

**KALDERIMIS, Sophie (UNHC)**

---

**From:** PIDGEON, Gareth (EUR)  
**Sent:** Thursday, 21 January 2021 5:11 PM  
**To:** PIDGEON, Gareth (EUR)  
**Subject:** FW: Update for MOS: week of 23 October 2020  
**Attachments:** APEC Education conference invitation; RE: From Russia: APEC Education Conference Invitation; FYI: China and Russia projects were approved by the AIIB Board on Thursday; Meeting with Russian ambassador.docx; Re: FW: MPI meeting request; non paper.pdf; RE: Fishing crew in Christchurch: lines on Crimean origin of crew members; RE: Russian fishermen in quarantine; RE: Russian fishermen in quarantine; FW: For information: UNGA C2 Resolution on Semipalatinsk, Kazakhstan; RE: Designation of Russian gov research center; RE: Bio for new Russian PM?; RE: FORMAL MESSAGE: UN CYBER DRAFT FIRST COMMITTEE RESOLUTIONS AND PROCESS UPDATE; 75 UNGA Combating glorification of Nazism\_zero draft.pdf; TPN on establishing Tajikistan Parliamentary Friendship Group; UPR 35 statements - Kiribati LPDR Lesotho Kenya (2).docx; VV Introductory Call Brief - Russia.docx; Tracking Tool - Russia.docx; Mishutin bio for EAS.docx; Draft statement to UPR on Belarus 2020.docx

**Security Classification:** RESTRICTED

[RESTRICTED]

**From:** MINEHAN FITZGERALD, Jessica (EUR) <Jessica.MinehanFitzgerald@mfat.govt.nz>  
**Sent:** Friday, 23 October 2020 3:58 PM  
**To:** VAN TOOR, Si'alei (MOS) <Si'alei.VanToor@mfat.govt.nz>; MURPHY, Rohan (MOS) <Rohan.Murphy@mfat.govt.nz>; WILKINSON, Kelsie (MOS) <Kelsie.Wilkinson@mfat.govt.nz>; WESTENRA, Mark (MOS) <Mark.Westenra@mfat.govt.nz>  
**Cc:** PIDGEON, Gareth (EUR) <Gareth.Pidgeon@mfat.govt.nz>; PRASAD, Claudia (EUR) <Claudia.Prasad@mfat.govt.nz>  
**Subject:** Update for MOS: week of 23 October 2020

[RESTRICTED]

Kia ora team MOS  
Out of scope

Released under the Official Information Act 1982

Out of scope

Request for DHOM meeting with MFAT to discuss UNGA draft resolution on Nazism

- s6(a) as requested I set up a meeting between s6(a) and a counterpart to discuss this resolution on combating glorification of Nazism [and neo-Nazism]. I reached out to UNHC, but they are so swamped that they can't receive them. I'll therefore offer next week to meet with s6(a) to receive the text and any lobbying, and give UNHC a readout. I'm awaiting s6(a) response to this offer. The draft resolution text, which is long, is attached – see '75 UNGA Combating glorification of Nazism zero draft.pdf'

Out of scope

Out of scope

Take care,  
Jess

**Jessica Minehan Fitzgerald**

Policy Officer | Kaiāpiha Kaupapa  
Europe Division | Wānanga o Ūropi  
New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

Phone: **s9(2)(a)** : [Jessica.MinehanFitzgerald@mfat.govt.nz](mailto:Jessica.MinehanFitzgerald@mfat.govt.nz)

---

195 Lambton Quay, Private Bag 18901, Wellington 5045, New Zealand

[www.mfat.govt.nz](http://www.mfat.govt.nz) | [www.safetravel.govt.nz](http://www.safetravel.govt.nz)



Released under the Official Information Act 1982

## KALDERIMIS, Sophie (UNHC)

---

**From:** MINEHAN FITZGERALD, Jessica (MAD)  
**Sent:** Thursday, 29 October 2020 5:18 PM  
**To:** AGNEW, Sarah (UNHC)  
**Cc:** BECKETT, Kathryn (UNHC); PIDGEON, Gareth (EUR)  
**Subject:** RE: Meeting request  
**Attachments:** Russia draft UNGA resolution on elimination of racism and combating Nazism.pdf

**Security Classification:** RESTRICTED

Hi Sarah

Gareth and I met with <sup>s6(a)</sup> earlier this week to receive the text (attached) and hear his additional points, which were:

s6(a)

Gareth gave a very high level explanation of NZ's independent foreign policy, but otherwise we were in listening mode.

From our perspective, we think it would be useful bilaterally to explain, what we can, of our voting position to the Russians via email, and if we will be again be abstaining, to be able to point to a couple of particular points / paras as to why (mindful that this is a pretty long resolution). We don't recall last year's abstention, but if you do, it might be worth us having a look back to see *why* we abstained and go from there.

We know you're slammed at present, but any quick analysis you're able to do of the attached, that can turn into a quick email response to the Russians advising what our position will be in the next week or two, would be much appreciated on our end.

Gareth is away until Monday, but please let me know if you need anything from my end.

Thanks  
Jess

**From:** MINEHAN FITZGERALD, Jessica (EUR)  
**Sent:** Friday, 23 October 2020 2:01 PM  
**To:** AGNEW, Sarah (UNHC) <Sarah.Agnew@mfat.govt.nz>  
**Cc:** BECKETT, Kathryn (UNHC) <kathryn.beckett@mfat.govt.nz>; PIDGEON, Gareth (EUR) <Gareth.Pidgeon@mfat.govt.nz>  
**Subject:** RE: Meeting request

Many thanks for the quick reply Sarah. Totally understand your resourcing constraints!

I'll go back to <sup>sb(a)</sup> offering to receive the text and any lobbying - and will pass these on to you.

Cheers

Jess

**From:** AGNEW, Sarah (UNHC) <Sarah.Agnew@mfat.govt.nz>  
**Sent:** Friday, 23 October 2020 12:53 PM  
**To:** MINEHAN FITZGERALD, Jessica (EUR) <Jessica.MinehanFitzgerald@mfat.govt.nz>  
**Cc:** BECKETT, Kathryn (UNHC) <kathryn.beckett@mfat.govt.nz>; PIDGEON, Gareth (EUR) <Gareth.Pidgeon@mfat.govt.nz>  
**Subject:** RE: Meeting request

[RESTRICTED]

Hi Jess

Thanks so much for your email.

Capacity wise we are a bit too stretched to receive this at the moment, and we also wouldn't have much to add to the conversation (I don't think we've co sponsored this before).

s6(a) though so we are happy for EUR to receive the text and any lobbying, and for your to pass this on to us. The DHOM may also wish to send you his points via email also.

Happy to discuss.

Thanks again

Sarah

**Sarah Agnew**

Policy Officer

*Te Rūnanga mā Te Rōpū Whakakotahi ai i Ngā Iwi o te Ao, Ngā tika Tangata, me te Commonwealth*

United Nations, Human Rights and Commonwealth Division

*Manatū Aorere*

New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

E [Sarah.Agnew@mfat.govt.nz](mailto:Sarah.Agnew@mfat.govt.nz)

**From:** MINEHAN FITZGERALD, Jessica (EUR) <Jessica.MinehanFitzgerald@mfat.govt.nz>  
**Sent:** Friday, 23 October 2020 12:16 PM  
**To:** AGNEW, Sarah (UNHC) <Sarah.Agnew@mfat.govt.nz>  
**Subject:** FW: Meeting request

[RESTRICTED]

Hi Sarah

Hope you're feeling better! The Russians have asked to meet again with a MFAT counterpart about an UNGA draft resolution on 'combating glorification of Nazism [and neo-Nazism]' – draft text attached.

I don't think I've had eyes on this before. Would you (since it would once again be DHOM) have capacity next week for a brief meeting with s9(2)(a) to meet with about this?



s6(a)

Happy to give you a call if easier!

Jess

From: Russian Embassy <[info@rusembnz.com](mailto:info@rusembnz.com)>  
Sent: Friday, 23 October 2020 8:54 AM  
To: MINEHAN FITZGERALD, Jessica (EUR) <[Jessica.MinehanFitzgerald@mfat.govt.nz](mailto:Jessica.MinehanFitzgerald@mfat.govt.nz)>  
Cc: PIDGEON, Gareth (EUR) <[Gareth.Pidgeon@mfat.govt.nz](mailto:Gareth.Pidgeon@mfat.govt.nz)>  
Subject: Re: Meeting request

Dear Jessica,

Thank you and also please find the draft resolution attached.

s9(2)(a)

вт, 22 окт. 2020 г. в 16:26, MINEHAN FITZGERALD, Jessica (EUR)  
<[Jessica.MinchanFitzgerald@mfat.govt.nz](mailto:Jessica.MinchanFitzgerald@mfat.govt.nz)>:

[UNCLASSIFIED]

<sup>s6(a)</sup>  
Kia ora!



Thank you for your email. I will check in with colleagues on who will be the most appropriate counterpart for <sup>s6(a)</sup> to meet with, and get back to you in the coming days. If there is any further information you can send through in advance, that would be most appreciated.

Kind regards

Jessica

From: Russian Embassy <[info@rusembnz.com](mailto:info@rusembnz.com)>  
Sent: Thursday, 22 October 2020 3:20 PM  
To: MINEHAN FITZGERALD, Jessica (EUR) <[Jessica.MinehanFitzgerald@mfat.govt.nz](mailto:Jessica.MinehanFitzgerald@mfat.govt.nz)>  
Subject: Meeting request

Dear Jessica,

As usual we ask your kind assistance to organise a meeting for our Deputy <sup>s6(a)</sup>  with a relevant counterpart at MFAT. The aim of the meeting will be to discuss the draft 

resolution "Combating glorification of Nazism, neo-Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance".

Kind regards,

s9(2)(a)

---

"The information contained in this email message is intended only for the addressee and is not necessarily the official view or communication of the Ministry. It may be legally privileged. If you are not the intended recipient you must not use, disclose, copy or distribute this message or the information in it as this may be unlawful. If you have received this message in error, please email or telephone the sender immediately."

**KALDERIMIS, Sophie (UNHC)**

---

**From:** PIDGEON, Gareth (EUR)  
**Sent:** Thursday, 21 January 2021 5:13 PM  
**To:** PIDGEON, Gareth (EUR)  
**Subject:** FW: Meeting request  
**Attachments:** 75 UNGA Combating glorification of Nazism\_zero draft.pdf

**Security Classification:** UNCLASSIFIED

[UNCLASSIFIED]

**From:** Russian Embassy <info@rusembnz.com>  
**Sent:** Friday, 23 October 2020 8:54 AM  
**To:** MINEHAN FITZGERALD, Jessica (EUR) <Jessica.MinehanFitzgerald@mfat.govt.nz>  
**Cc:** PIDGEON, Gareth (EUR) <Gareth.Pidgeon@mfat.govt.nz>  
**Subject:** Re: Meeting request

Dear Jessica,

Thank you and also please find the draft resolution attached.

Kind regards,  
s6(a)  
s9(2)(a)

ЧТ, 22 ОКТ. 2020 Г. В 16:26, MINEHAN FITZGERALD, Jessica (EUR)  
<Jessica.MinehanFitzgerald@mfat.govt.nz>

[UNCLASSIFIED]

Kia ora s6(a)

Thank you for your email. I will check in with colleagues on who will be the most appropriate counterpart for s6(a) to meet with, and get back to you in the coming days. If there is any further information you can send through in advance, that would be most appreciated.

Kind regards

Jessica

**From:** Russian Embassy <info@rusembnz.com>  
**Sent:** Thursday, 22 October 2020 3:20 PM  
**To:** MINEHAN FITZGERALD, Jessica (EUR) <Jessica.MinehanFitzgerald@mfat.govt.nz>  
**Subject:** Meeting request

Dear Jessica,

As usual we ask your kind assistance to organise a meeting for our Deputy s6(a) with a relevant counterpart at MFAT. The aim of the meeting will be to discuss the draft resolution

"Combating glorification of Nazism, neo-Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance".

Kind regards,

s6(a)

s9(2)(a)

---

"The information contained in this email message is intended only for the addressee and is not necessarily the official view or communication of the Ministry. It may be legally privileged. If you are not the intended recipient you must not use, disclose, copy or distribute this message or the information in it as this may be unlawful. If you have received this message in error, please email or telephone the sender immediately."



Seventy-fourth fifth session

Agenda item 68 (a)

Elimination of racism, racial discrimination, xenophobia  
and related intolerance: elimination of racism, racial  
discrimination, xenophobia and related intolerance

### Resolution adopted by the General Assembly on 18 December 2019

[on the report of the Third Committee (A/74/397) (A/75/329)]

#### 74/136 75/. Combating glorification of Nazism, neo-Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance

The General Assembly,

Pp.1 Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,<sup>1</sup> the International Covenant on Civil and Political Rights,<sup>2</sup> the International Convention on the Elimination of All Forms of Racial Discrimination<sup>3</sup> and other relevant human rights instruments,

Pp.2 Recalling the provisions of Commission on Human Rights resolutions 2004/16 of 16 April 2004<sup>4</sup> and 2005/5 of 14 April 2005<sup>5</sup> and relevant Human Rights Council resolutions, in particular resolutions 7/34 of 28 March 2008,<sup>6</sup> 18/15 of 29 September 2011<sup>7</sup> and 21/33 of 28 September 2012,<sup>8</sup> as well as General Assembly resolutions 60/143 of 16 December 2005, 61/147 of 19 December 2006, 62/142 of 18

- 1 \_\_\_\_\_ Resolution 217 A (III).  
2 \_\_\_\_\_ See resolution 2200 A (XXI), annex.  
3 \_\_\_\_\_ United Nations, *Treaty Series*, vol. 660, No. 9464.  
4 \_\_\_\_\_ See *Official Records of the Economic and Social Council, 2004, Supplement No. 3 (E/2004/23)*, chap. II, sect. A.  
5 \_\_\_\_\_ *Ibid.*, 2005, *Supplement No. 3* and corrigenda (E/2005/23, E/2005/23/Corr.1 and E/2005/23/Corr.2), chap. II, sect. A.  
6 \_\_\_\_\_ See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53 (A/63/53)*, chap. II.  
7 \_\_\_\_\_ *Ibid.*, *Sixty-sixth Session, Supplement No. 53A* and corrigendum (A/66/53/Add.1 and A/66/53/Add.1/Corr.1), chap. II.  
8 \_\_\_\_\_ *Ibid.*, *Sixty-seventh Session, Supplement No. 53A (A/67/53/Add.1)*, chap. II.



December 2007, 63/162 of 18 December 2008, 64/147 of 18 December 2009, 65/199 of 21 December 2010, 66/143 of 19 December 2011, 67/154 of 20 December 2012, 68/150 of 18 December 2013, 69/160 of 18 December 2014, 70/139 of 17 December 2015, 71/179 of 19 December 2016, 72/156 of 19 December 2017, and 73/157 of 17 December 2018 and 74/136 of 18 December 2019 on this issue, and its resolutions 61/149 of 19 December 2006, 62/220 of 22 December 2007, 63/242 of 24 December 2008, 64/148 of 18 December 2009, 65/240 of 24 December 2010, 66/144 of 19 December 2011, 67/155 of 20 December 2012, 68/151 of 18 December 2013, 69/162 of 18 December 2014, 70/140 of 17 December 2015, 71/181 of 19 December 2016, 72/157 of 19 December 2017, and 73/262 of 22 December 2018 and 74/137 of 18 December 2019, entitled "A global call for concrete action for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action". (technical update)

Pp.3 *Acknowledging* other important initiatives of the General Assembly aimed at raising awareness about the suffering of victims of racism, racial discrimination, xenophobia and related intolerance and forms of discrimination, including in the historical perspective, in particular regarding commemoration of the victims of slavery and the transatlantic slave trade,

Pp.4 *Recalling* the Charter of the Nuremberg Tribunal, and the Judgment of the Tribunal which recognized as criminal, inter alia, the SS organization and its integral parts, including the Waffen SS, through its officially accepted members implicated in or with knowledge of the commission of war crimes and crimes against humanity connected with the Second World War, as well as other relevant provisions of the Charter and the Judgment,

Pp.5 *Mindful* of the horrors of the Second World War, and stressing in this regard that the victory over Nazism in the Second World War contributed to the establishment of the conditions for the creation of the United Nations, designed to prevent future wars and save succeeding generations from the scourge of war,

Pp.6 *Noting* that neo-Nazism is more than just the glorification of a past movement, it is a contemporary phenomenon with strong vested interests in racial inequality and an investment in gaining broad support for its false claims of racial superiority,

Pp.7 *Recalling* the relevant provisions of the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001,<sup>9</sup> in particular paragraph 2 of the Declaration and paragraphs 84 to 86 of the Programme of Action, as well as the relevant provisions of the outcome document of the Durban Review Conference of 24 April 2009,<sup>10</sup> in particular paragraphs 11, 13 and 54,

Pp.8 *Alarmed* at the spread in many parts of the world of various extremist political parties, movements, ideologies and groups of a racist or xenophobic character, including neo-Nazis and skinhead groups, and at the fact that this trend has resulted in the implementation of discriminatory measures and policies at the local or national level,

Pp.9 *Noting with concern* that, even where neo-Nazis do not formally participate in government, the presence therein of extreme right-wing ideologues

<sup>9</sup> See A/CONF.189/12 and A/CONF.189/12/Corr.1, chap. I.

<sup>10</sup> See A/CONF.211/8, chap. I.

can have the effect of injecting into governance and political discourse the same ideologies that make neo-Nazism so dangerous.

Pp.10 *Alarmed* at music lyrics and video games that advocate racial hatred and incite discrimination, hostility or violence,

Pp.11 *Concerned* by the use of Internet platforms by groups that advocate hatred to plan, fundraise and circulate information about public events aimed at promoting racism, xenophobia and related intolerance, such as rallies, demonstrations and acts of violence,

Pp.12 *Seriously concerned* that neo-Nazi groups, as well as other groups and individuals espousing ideologies of hatred, have increasingly targeted susceptible individuals, mainly children and youth, by means of specifically tailored websites with the aim of their indoctrination and recruitment,

Pp.13 *Deeply concerned* by all recent manifestations of violence and terrorism incited by violent nationalism, racism, antisemitism, Islamophobia, Christianophobia, Afrophobia, xenophobia and related intolerance, including during sports events,

Pp.14 *Recognizing with deep concern* the continued alarming increase in instances of discrimination, intolerance and extremist violence motivated by antisemitism, Islamophobia and Christianophobia and prejudices against persons of other ethnic origins, religions and beliefs,

Pp.15 *Underlining* the existing lack of uniformity of norms regarding protected speech and expression and prohibited racial discrimination and advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence,

Pp.16 *Noting with concern*, in this regard, that the variation in national standards prohibiting hate speech may provide safe havens for neo-Nazi, violent nationalist, xenophobic or racist speech owing to the fact that many neo-Nazi and relevant extremist groups of a racist or xenophobic character operate transnationally by relying on Internet service providers or social media platforms,

Pp.17 *Stressing* that the purpose of addressing hate speech is not to limit or prohibit freedom of speech, but to prevent incitement to discrimination, hostility and violence, which shall be prohibited by law,

Pp.18 *Expressing its concern* about the use of digital technologies by neo-Nazis and other extremist and hate groups to disseminate their ideology, while recognizing that digital technologies are of great importance for the enjoyment of human rights and for combating racism, racial discrimination, xenophobia and related intolerance,

Pp.19 *Recalling* that, ~~in 2020~~, this year the international community will celebrate the seventy-fifth anniversary of victory over Nazism in the Second World War, and looking forward in this regard to ~~the initiative to hold a special solemn meeting at the seventy-fourth session~~ of the General Assembly, (*technical update*)

Pp.19bis *Stressing* that this historic event contributed to establishing the conditions for the creation of the United Nations, designed to prevent future wars and save succeeding generations from the scourge of war, (*pp 10 from A/RES/70/139 verbatim*)

Pp.19ter *Recalling also* that the seventy-fifth session of the General Assembly coincides with the seventy-fifth anniversary of the establishment of

the Nuremberg Tribunal and the adoption of its Charter, (based on pp 7 from A/RES/65/199)

1. *Reaffirms* the relevant provisions of the Durban Declaration and of the outcome document of the Durban Review Conference, in which States condemned the persistence and resurgence of neo-Nazism, neo-Fascism and violent nationalist ideologies based on racial and national prejudice and stated that those phenomena could never be justified in any instance or in any circumstances;

2. *Recalls* the provisions of the Durban Declaration and of the outcome document of the Durban Review Conference, in which States recognized the positive contribution that the exercise of the right to freedom of expression, in particular by the media and new technologies, including the Internet, and full respect for the freedom to seek, receive and impart information can make to the fight against racism, racial discrimination, xenophobia and related intolerance;

3. ~~Takes note with appreciation of~~ *Welcomes* the report of the Special Rapporteur of the Human Rights Council on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, prepared in accordance with the request contained in its resolution 73/157 74/136,<sup>11</sup> (pending the issue of the report)

4. *Expresses its appreciation* to the United Nations High Commissioner for Human Rights and her Office for their efforts to fight racism, racial discrimination, xenophobia and related intolerance, including the maintenance by the Office of the United Nations High Commissioner for Human Rights of the database on practical means to combat racism, racial discrimination, xenophobia and related intolerance;

5. *Expresses deep concern* about the glorification, in any form, of the Nazi movement, neo-Nazism and former members of the Waffen SS organization, including by erecting monuments and memorials, holding public demonstrations in the name of the glorification of the Nazi past, the Nazi movement and neo-Nazism, declaring or attempting to declare such members and those who fought against the anti-Hitler coalition, collaborated with the Nazi movement and committed war crimes and crimes against humanity participants in national liberation movements, as well as by the renaming of streets glorifying them;

6. *Calls for* the universal ratification and effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, and urges those States parties that have not yet done so to consider making the declaration under its article 14, thus providing the Committee on the Elimination of Racial Discrimination with the competence to receive and consider communications from individuals or groups of individuals within their jurisdiction claiming to be victims of a violation by a State party of any of the rights set forth in the Convention;

7. *Urges* States to eliminate all forms of racial discrimination by all appropriate means, including legislation as required by circumstances, while ensuring that the definition of racial discrimination set out therein complies with article 1 of the Convention;

8. *Encourages* those States that have made reservations to article 4 of the Convention to give serious consideration to withdrawing such reservations as a matter of priority, as stressed by the Special Rapporteur;

11 \_\_\_\_\_ A/74/253, A/75/329



9. *Acknowledges* that discrimination on the basis of race, ethnicity or religion in all its forms and manifestations, including neo-Nazism, Islamophobia, Christianophobia and antisemitism, is a threat to societies as a whole, not just to those racial and ethnic groups that are their direct target;

10. *Recalls* that any legislative or constitutional measures adopted with a view to countering extremist political parties, movements, ideologies and groups of a racist or xenophobic character, including neo-Nazis and skinhead groups and similar extremist ideological movements, should be in conformity with the relevant international human rights obligations, in particular articles 4 and 5 of the Convention and articles 19 to 22 of the International Covenant on Civil and Political Rights;

11. *Encourages* States parties to the Convention to take appropriate measures to ensure that their legislation is in accordance with their obligations under the Convention, including those under article 4;

12. *Emphasizes once more* the recommendation of the Special Rapporteur that "any commemorative celebration of the Nazi regime, its allies and related organizations, whether official or unofficial, should be prohibited" by States,<sup>12</sup> also emphasizes that such manifestations do injustice to the memory of the countless victims of the Second World War and negatively influence children and young people, and stresses in this regard that it is important that States take measures, in accordance with international human rights law, to counteract any celebration of the Nazi SS organization and all its integral parts, including the Waffen SS, and that failure by States to effectively address such practices is incompatible with the obligations of States Members of the United Nations under its Charter;

13. *Expresses deep concern* about increased frequency of attempts and activities intended to desecrate or demolish monuments erected in remembrance of those who fought against Nazism during the Second World War, as well as to unlawfully exhume or remove the remains of such persons, and in this regard urges States to fully comply with their relevant obligations, inter alia, under article 34 of Additional Protocol I to the Geneva Conventions of 1949;<sup>13</sup>

14. *Firmly condemns* incidents that glorify and promote Nazism, such as acts involving pro-Nazi graffiti and paintings, including on monuments dedicated to victims of the Second World War;

15. *Expresses alarm* over the use by neo-Nazi groups, as well as other groups and individuals espousing ideologies of hatred, of information technologies, the Internet and social media to recruit new members, especially targeting children and young people, and to disseminate and to amplify their hate-filled messages, while recognizing that the Internet can also be used to counteract these groups and their activities;

16. *Notes with concern* the significant number of racist incidents worldwide, including the rise of skinhead groups, which have been responsible for many of these incidents, as well as the resurgence of racist and xenophobic violence targeting, inter alia, persons belonging to national or ethnic, religious and linguistic minorities, or on any other grounds, including arson attacks on houses and vandalization of and violence in schools and places of worship and cemeteries;

<sup>12</sup> \_\_\_\_\_ A/72/291, para. 79.

<sup>13</sup> \_\_\_\_\_ United Nations, *Treaty Series*, vol. 1125, No. 17512.

17. *Reaffirms* that such acts may, in certain circumstances, be qualified as falling within the scope of the Convention, that they may not be justifiable as exercises of freedom of peaceful assembly, freedom of association and freedom of expression and that they will often fall within the scope of article 20 of the International Covenant on Civil and Political Rights and may be subject to certain restrictions, as set out in articles 19, 21 and 22 of the Covenant;

18. *Encourages* States to take appropriate concrete measures, including legislative and educational ones, in accordance with their international human rights obligations, in order to prevent revisionism in respect of the Second World War and the denial of the crimes against humanity and war crimes committed during the Second World War;

19. *Calls upon* States to take active measures to ensure that education systems develop the necessary content to provide accurate accounts of history, as well as promote tolerance and other international human rights principles;

20. *Takes note* of the recommendation of the Special Rapporteur that education that seeks to undercut the racist effects of nationalist populism should include accurate and representative accounts of national history that give voice to racial and ethnic diversity and that expose the untruths of those who attempt to write ethnic groups out of national histories and identities in order to sustain ethnonationalist myths of racially or ethnically "pure" nations;<sup>14</sup>

21. *Condemns without reservation* any denial of or attempt to deny the Holocaust, as well as any manifestation of religious intolerance, incitement, harassment or violence against persons or communities, on the basis of ethnic origin or religious belief;

22. *Affirms its deep commitment* to the duty of remembrance, and welcomes the call of the Special Rapporteur for the active preservation of those Holocaust sites that served as Nazi death camps, concentration and forced labour camps and prisons, as well as his encouragement to States to take measures, including legislative, law enforcement and educational measures, to put an end to all forms of Holocaust denial;<sup>15</sup>

23. *Takes note* of the conclusions of the Special Rapporteur that revisionism and attempts to falsify history may, in certain circumstances, fall under the prohibition of hate speech under article 4 (a) of the Convention, which States are required to declare as offences punishable by law,<sup>16</sup> and that neo-Nazi recruitment attempting to mainstream extreme ideologies or racial, ethnic or religious hatred and intolerance may fall under article 4 (b) of the Convention;

24. *Calls upon* States to continue to take all appropriate measures aimed at preventing and countering hate speech, including on the Internet, and incitement to violence against persons in vulnerable situations, including the organization of meetings and violent protests, fundraising and engagement in other activities;

24bis. *Expresses serious concern* regarding attempts to prohibit at the legislative level symbols associated in States with the Victory over Nazism;  
(new)

14. \_\_\_\_\_ A/73/305 and A/73/305/Corr.1, para. 56.

15. \_\_\_\_\_ A/72/291, para. 91.

16. \_\_\_\_\_ A/HRC/38/53, para. 15.

25. *Expresses also deep concern* about attempts at commercial advertising aimed at exploiting the sufferings of the victims of war crimes and crimes against humanity committed during the Second World War by the Nazi regime;

26. *Stresses* the need to respect the memory and that the practices described above do injustice to the memory of the countless victims of crimes against humanity committed in the Second World War, in particular those committed by the SS organization and by those who fought against the anti-Hitler coalition and collaborated with the Nazi movement, and may negatively influence children and young people, and that failure by States to effectively address such practices is incompatible with the obligations of States Members of the United Nations under its Charter, including those related to the purposes and principles of the Organization;

27. *Also stresses* that all such practices may fuel contemporary forms of racism, racial discrimination, antisemitism, Islamophobia, Christianophobia, xenophobia and related intolerance and contribute to the spread and multiplication of various extremist political parties, movements and groups of a racist or xenophobic character, including neo-Nazis and skinhead groups, and in this regard calls for increased vigilance;

28. *Expresses concern* that the human rights and democratic challenges posed by extremist political parties, movements and groups are universal and no country is immune to them;

29. *Emphasizes* the need to take appropriate measures necessary to counter the practices described above, and calls upon States and all other stakeholders to take more effective measures in accordance with international human rights law to prevent, counter and combat those phenomena and extremist movements of a racist or xenophobic character, which pose a real threat to democratic values, and to increase their vigilance and be proactive in strengthening their efforts to recognize and effectively address those challenges;

30. *Underlines* the importance of data and statistics on racist and xenophobic crimes for identifying the types of offences committed, the profiles of victims and of perpetrators and whether the latter are affiliated with extremist movements or groups, thus enhancing better understanding of the phenomenon and identifying effective measures to address such racist and xenophobic crimes, and recalls in this regard the commitments made in the 2030 Agenda for Sustainable Development<sup>17</sup> on data, monitoring and accountability, including collecting data disaggregated by characteristics relevant in national contexts;

31. *Encourages* States to adopt further measures to support training for the police and other law enforcement bodies on the ideologies of extremist political parties, movements and groups whose advocacy constitutes incitement to racist and xenophobic violence, to strengthen their capacity to address racist and xenophobic crimes, to fulfil their responsibility for bringing to justice the perpetrators of such crimes and to combat impunity;

32. *Expresses deep concern* about the increased number of seats occupied by representatives of extremist parties of a racist or xenophobic character in a number of national and local parliaments, and emphasizes in this regard the need for all democratic political parties to base their programmes and activities on respect for human rights and freedoms, democracy, the rule of law and good governance and to condemn all messages disseminating ideas that are based on racial superiority or

<sup>17</sup> \_\_\_\_\_ Resolution 70/1.

hatred and that have the objective of fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance;

33. *Takes note* of the concern of the Special Rapporteur regarding the resurgence of neo-Nazism in contemporary times and growing support for and acceptance of neo-Nazism and related ideology in an increasing number of countries;<sup>18</sup>

34. *Notes with appreciation*, in this regard, the call of the Special Rapporteur upon political leaders and parties to strongly condemn incitement to racial discrimination or xenophobia, to promote tolerance and respect and to refrain from forming coalitions with extremist parties of a racist or xenophobic character;<sup>19</sup>

35. *Welcomes* the recommendation of the Special Rapporteur to continue to take steps through national legislation, in accordance with international human rights law, aimed at preventing hate speech and incitement to violence, to withdraw support – financial and otherwise – from political parties and other organizations that engage in neo-Nazi or other hate speech and to take steps to dismantle responsible organizations where such hate speech aims, or can reasonably be expected, to incite violence;<sup>20</sup>

36. *Encourages* States to improve diversity within law enforcement agencies, and urges them to take all appropriate measures to facilitate the filing of complaints about and to impose appropriate sanctions against those within the public service found to have committed racially motivated violence or to have used hate speech;

37. *Expresses deep concern* about the increase in reported cases of racist, antisemitic, Islamophobic, Arabophobic, Afrophobic and xenophobic manifestations during sports events, including those committed by extremist groups of a racist or xenophobic character, including neo-Nazis and skinhead groups, and calls upon States, international organizations, sports federations and other relevant stakeholders to strengthen measures to address such incidents, while also welcoming the steps that many States, sports federations and clubs have taken to eliminate racism at sporting events, including through sport practised without discrimination of any kind and in the Olympic spirit, which require human understanding, tolerance, inclusion, fair play and solidarity;

38. *Recalls* the recommendation of the Special Rapporteur to introduce into national criminal law a provision according to which committing an offence with racist or xenophobic motivations or aims constitutes an aggravating circumstance, allowing for enhanced penalties,<sup>21</sup> and encourages those States whose legislation does not contain such provisions to consider that recommendation;

39. *Notes* measures taken by States to prevent discrimination against, in particular but not limited to, persons belonging to national or ethnic, religious and linguistic minorities, people of African descent, Roma, migrants, refugees and asylum seekers, and to ensure their integration into society, urges States to ensure the full and effective implementation of legal, policy and institutional measures protecting these individuals and groups, including women and girls, and recommends that States effectively guarantee to everyone, without discrimination of any kind, their human rights, including those related to safety and security, access to justice, adequate reparation and appropriate information about their rights, and

18 \_\_\_\_\_ A/HRC/38/53, para. 16.

19 \_\_\_\_\_ A/72/291, para. 83.

20 \_\_\_\_\_ A/HRC/38/53, para. 35 (c).

21 \_\_\_\_\_ A/69/334, para. 81.

pursue prosecution and adequate punishment, as appropriate, of those responsible for racist and xenophobic crimes against them, including the possibility of seeking reparation or satisfaction for damages suffered as a result of such crimes;

40. *Underlines* that the roots of extremism are multifaceted and must be addressed through adequate measures such as education, awareness-raising and the promotion of dialogue, and in this regard recommends the increase of measures to raise awareness among young people of the dangers of the ideologies and activities of extremist political parties, movements and groups;

41. *Reaffirms*, in this regard, the particular importance of all forms of education, including human rights education, as a complement to legislative measures, and calls upon States to continue to invest in education, in both conventional and non-conventional curricula, inter alia, in order to transform attitudes and counteract ideas of racial hierarchies and superiority, and counter their negative influence, and to promote the values of non-discrimination, equality and respect for all, as outlined by the Special Rapporteur;

42. *Recognizes* the paramount role of education in promoting human rights and combating racism, racial discrimination, xenophobia and related intolerance, especially in promoting the principles of tolerance, inclusion and respect for ethnic, religious and cultural diversity and preventing the spread of extremist racist and xenophobic movements and ideas;

43. *Strongly condemns* the use of educational material and rhetoric in educational settings, which promulgate racism, discrimination, hatred and violence on the basis of ethnic origin, nationality, religion or belief;

44. *Emphasizes* the recommendation of the Special Rapporteur presented at the sixty-fourth session of the General Assembly, in which he emphasized the importance of history classes in teaching the dramatic events and human suffering which arose out of the adoption of ideologies such as Nazism and Fascism;<sup>22</sup>

45. *Stresses* the importance of other positive measures and initiatives aimed at bringing communities together and providing them with space for genuine dialogue, such as round tables, working groups and seminars, including training seminars for State agents and media professionals, as well as awareness-raising activities, especially those initiated by civil society representatives, which require continued State support;

46. *Underlines* the positive role that relevant United Nations entities and programmes, in particular the United Nations Educational, Scientific and Cultural Organization, can play in the aforementioned areas;

47. *Reaffirms* article 4 of the Convention, according to which States parties condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination and, to this end, with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of the Convention, inter alia:

(a) Shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, and incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of

22 \_\_\_\_\_ A/64/295, para. 104.

persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;

(b) Shall declare illegal and prohibit organizations, and also organized and all other propaganda activities, which promote and incite racial discrimination, and shall recognize participation in such organizations or activities as an offence punishable by law;

(c) Shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination;

48. *Also reaffirms* that, as underlined in paragraph 13 of the outcome document of the Durban Review Conference, any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence should be prohibited by law, that all dissemination of ideas based on racial superiority or hatred, or incitement to racial discrimination, as well as all acts of violence or incitement to such acts, shall be declared offences punishable by law, in accordance with the international obligations of States, and that these prohibitions are consistent with freedom of opinion and expression;

49. *Notes* the launch by the Secretary-General of the United Nations Strategy and Plan of Action on Hate Speech, which can play its part in addressing hate speech around the world while upholding freedom of opinion and expression, in collaboration with Governments, civil society, the private sector and other partners;

50. *Recognizes* the positive role that the exercise of the right to freedom of opinion and expression, as well as full respect for the freedom to seek, receive and impart information, including through the Internet, can play in combating racism, racial discrimination, xenophobia and related intolerance;

51. *Calls upon* States to strengthen freedom of expression, which can play a crucial role in promoting democracy and combating racist and xenophobic ideologies based on racial superiority;

51bis. *Urges* States, who have the primary responsibility to counter discrimination and hate speech, and all relevant actors, including political and religious leaders, to promote inclusion and unity in response to the COVID-19 pandemic and to prevent, speak out and take strong action against racism, xenophobia, hate speech, violence, discrimination and stigmatization; *(based on op4 from A/RES/74/306)*

52. *Expresses concern* about the increased use of digital technologies to promote and disseminate racism, racial hatred, xenophobia, racial discrimination and related intolerance, and in this regard calls upon States parties to the International Covenant on Civil and Political Rights to counter the dissemination of the above-mentioned ideas while respecting their obligations under articles 19 and 20 of the Covenant, which guarantee the right to freedom of expression and outline the grounds on which the exercise of this right can be legitimately restricted;

53. *Recognizes* the need to promote the use of new information and communications technologies, including the Internet, to contribute to the fight against racism, racial discrimination, xenophobia and related intolerance;

54. *Also recognizes* the positive role that the media can play in combating racism, racial discrimination, xenophobia and related intolerance, promoting a

culture of tolerance and inclusion and representing the diversity of a multicultural society;

55. *Encourages* States, civil society and other relevant stakeholders to use all opportunities, including those provided by the Internet and social media, to counter, in accordance with international human rights law, the dissemination of ideas based on racial superiority or hatred and to promote the values of equality, non-discrimination, diversity and democracy;

56. *Encourages* national human rights institutions, where they exist, to develop appropriate programmes to promote tolerance, inclusion and respect for all and to collect relevant information in this regard;

57. *Notes* the importance of strengthening cooperation at the regional and international levels with the aim of countering all manifestations of racism, racial discrimination, xenophobia and related intolerance, in particular regarding issues raised in the present resolution;

58. *Stresses* the importance of cooperating closely with civil society and international and regional human rights mechanisms in order to counter effectively all manifestations of racism, racial discrimination, xenophobia and related intolerance, as well as extremist political parties, movements and groups, including neo-Nazis and skinhead groups, and other similar extremist ideological movements that incite racism, racial discrimination, xenophobia and related intolerance;

59. *Recalls* the request of the Commission on Human Rights, in its resolution 2005/5, that the Special Rapporteur continue to reflect on this issue, make relevant recommendations in future reports and seek and take into account in this regard the views of Governments and non-governmental organizations;

60. *Invites* States to consider including in their reports for the universal periodic review and their reports to relevant treaty bodies information on the steps taken to combat racism, racial discrimination, xenophobia and related intolerance, including with the aim of implementing the provisions of the present resolution;

61. *Requests* the Special Rapporteur to prepare, for submission to the General Assembly at its ~~seventy-fifth~~ ~~sixth~~ session and to the Human Rights Council at its ~~forty-fourth~~ ~~seventh~~ session, reports on the implementation of the present resolution, and encourages the Special Rapporteur to pay specific attention to paragraphs 5, 11, 12, 13, 14, 16, 24, 24bis, 25, 42 and 44 above, based on the views collected in accordance with the request of the Commission, as recalled in paragraph 59 above; *(technical update)*

62. *Expresses its appreciation* to those Governments and non-governmental organizations that have submitted information to the Special Rapporteur in the course of the preparation of her report to the General Assembly;

63. *Encourages* States and non-governmental organizations to cooperate with the Special Rapporteur, including by providing information on developments with regard to the issues raised in the present resolution in order to contribute to the preparation of future reports to the General Assembly;

64. *Stresses* that such information is important for the sharing of experiences and best practices in the fight against extremist political parties, movements and groups, including neo-Nazis and skinhead groups, and other extremist ideological movements that incite racism, racial discrimination, xenophobia and related intolerance;

Combating glorification of Nazism, neo-Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance

A/RES/74/136 75/

65. *Encourages* Governments to invest more resources in building and sharing knowledge on successful positive measures to prevent and counter racism, racial discrimination, xenophobia and related intolerance that go beyond sanctioning violations once they have occurred, including the provision of remedies to victims of relevant violations;

66. *Encourages* Governments, non-governmental organizations and relevant actors to disseminate, as widely as possible, information regarding the contents of and the principles outlined in the present resolution, including through the media, but not limited to it;

67. *Decides* to remain seized of the issue.

50th plenary meeting  
18 December 2019



Out of scope

Out of scope

Released under the Official Information Act 1982

Out of scope

L.49 Combating glorification of Nazism, neo-Nazism and other practices that contribute to fueling contemporary forms of racism, racial discrimination, xenophobia and related intolerance (Russian Federation) – Traditionally voted	Traditionally voted. New Zealand has a long standing abstention. No amendments are expected but will world abstain on any	Confirm abstention. If amendments are proposed to the text, confirm abstain on the amendments. This is in line with our principle-based approach to abstain on amendments when abstaining on the text of a resolution. If any specific amendments come to light and you have concern with the approach, please let us know.
--	---	---

s6(a)

s6(a)

Out of

3

Out of scope

L.11 United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (Uganda (on behalf of African Group)) – usually adopted by consensus	Traditionally consensus and not expecting a vote. Recommend voting in support of the text if needed.	Confirm vote in support if required
---	--	-------------------------------------

s6(a)

Any issues, WhatsApp away.

Many thanks,  
Sophie

Released under the Official Information Act 1982

Cc: HAWKE, Craig (NYK) <Craig.Hawke@mfa.govt.nz>; BECKETT, Kathryn (UNHC) <kathryn.beckett@mfa.govt.nz>; COLLINS, Ben (NYK) <Ben.Collins@mfa.govt.nz>; FEPULEA, Justin (DS MLG Office) <Justin.Fepulea@mfa.govt.nz>; MCGILLIVRAY, Michelle (GVA) <Michelle.McGillivray@mfa.govt.nz>; RAMSDEN, Mark (AUE) <Mark.Ramsden@mfa.govt.nz>; YAP, Renee (NYK) <Renee.Yap@mfa.govt.nz>  
Subject: RE: Third Committee - NYK 17 November

Hi Sophie,

Out of scope

Thanks  
Sarah  
From: KALDERNIMIS, Sophie (UNHC) <Sophie.Kaldernimis@mfa.govt.nz>  
Sent: Tuesday, 17 November 2020 2:20 a.m.  
To: MCDOWELL, Sarah (NYK) <Sarah.McDowell@mfa.govt.nz>  
Cc: HAWKE, Craig (NYK) <Craig.Hawke@mfa.govt.nz>; BECKETT, Kathryn (UNHC) <kathryn.beckett@mfa.govt.nz>; COLLINS, Ben (NYK) <Ben.Collins@mfa.govt.nz>; FEPULEA, Justin (DS MLG Office) <Justin.Fepulea@mfa.govt.nz>; MCGILLIVRAY, Michelle (GVA) <Michelle.McGillivray@mfa.govt.nz>; RAMSDEN, Mark (AUE) <Mark.Ramsden@mfa.govt.nz>; YAP, Renee (NYK) <Renee.Yap@mfa.govt.nz>  
Subject: RE: Third Committee - NYK 15 November  
[RESTRICTED]

Hi Sarah

EIE, Missing persons, Nazism, country specific, will provide instructions, including on amendments and EIVs in the next days' COP email

Out of scope

L49 Combating glorification of Nazism, neo-Nazism and other practices that contribute to fueling contemporary forms of racism, racial discrimination, xenophobia and related intolerance (Russian Federation) – traditionally voted

s6(a)

Out of scope

Out of scope

Released Under the Official Information Act

Out of scope

Released under the Open Information Act 1982

Released under the Official Information Act 1982

Released under the Open Information Act 1982

Out of scope

Released under the Official Information Act 1982

Out of scope

Released under the [Canadian Information Act](#) / 1982



Released under the Official Information Act 1982

Out of scope

Released under the Open Information Act 1982

Released under the Official Information Act 1982

Out of scope

Released under the Open-Door Information Act (1982)

Out of scope

Released under the Official Information Act 1982

Out of scope

Released pursuant to the Official Information Act 1982

Released under the Official Information Act 1982

Out of scope

Released under the President John F. Kennedy Library Act 1982



Released under the Official Information Act 1982

Out of scope

Released under the Canadian Information Act / 1982

Out of scope

Released under the Official Information Act 1982

Out of scope

Released under the Official Information Act 1982

Released under the Official Information Act 1982

Out of scope

Released under the [Access to Information Act](#) /  
Révisé en vertu de la [Loi sur l'accès à l'information](#)

Out of scope

Released under the Official Information Act 1982

Out of scope

Released under the Open Access Information Act 1982



Released under the Official Information Act 1982

Out of scope

Releasé Over Information Act 1982

Released

Out of scope

Released under the Official Information Act 1982

Out of scope

55

56

Released under the Official Information Act 1982

Out of scope

Released under the Official Information Act 1982

Out of scope

Released under the Official Information Act 1982

Out of scope

Released under the Official Information Act 1982

Out of scope

Released under the Official Information Act 1982



Out of scope

Released under the Official Information Act 1982

Out of scope

Released under the Open Access Information Act 1982

Out of scope

b6  
b7C

Out of scope

b6  
b7C

Out of scope

Released under the Official Information Act 1982

Out of scope

Released under the Official Information Act 1982

Released under the Official Information Act 1982

