

SIDE EVENT – the role of NHRIs in Implementing the DDPA

Summary Report

On 20 April 2009, national human rights institutions (NHRIs) from around the world met at a side event during the Durban Review Conference, to consider their role in implementing the Durban Declaration and Programme of Action (DDPA) to share best practices on, and key challenges to, monitoring racism, discrimination, xenophobia and related intolerance.

The event was moderated by Mr. Anders Kompass, Director of the OHCHR Field Operations and Technical Cooperation Division. In his opening remarks, Mr. Kompass outlined some of the activities undertaken by OHCHR to enhance the capacity of NHRIs to combat discrimination and racism, including by working with treaty bodies such as the CERD to enhance the status of NHRIs and supporting the International Coordinating Committee of NHRIs (ICC) Working Group for the Durban Review Conference. He reminded NHRIs that their significant role in combating racism was highlighted in several paragraphs of the Durban Declaration. In concluding, Mr. Kompass stressed the strategic role that NHRIs can play in providing information to the High Commissioner's proposed observatory on racism, including statistics, legislation, policies, programmes and case law.

During the panel presentations:

- The Equality and Human Rights Commission of Great Britain explained how the contemporary debate on racism in the United Kingdom had moved away from concepts of anti-discrimination towards a more inclusive concept of fairness. This reflects increasing ethnic diversity, recognizes intersecting causes of inequality, and encourages more proactive policy development.
- The South African Human Rights Commission provided an overview of the constitutional and legislative infrastructure that enables commission work to fight racism and highlighted key areas where challenges remain, such as the pending finalization of the national action plan to combat racism.
- The Costa Rica National Human Rights Commission considered the role of NHRIs in supporting government at the national level to achieve legislative reform, better models of public policy and investments in social development. For example, in ensuring that human rights education starts at the heart of the family, where bias and prejudice may be bred.
- The Australian Human Rights Commission discussed a number of projects it has undertaken in relation to human rights education, policy development, and community engagement, aimed at developing understanding between all Australians.
- The Kenya National Commission on Human Rights gave an overview of its work to develop a national action plan on equal treatment, a project that has brought together various stakeholders in six thematic clusters, to develop proposals for the review of various laws, enactment of new laws, and public awareness campaigns.

The following discussions, facilitated by the New Zealand Human Rights Commission's Race Relations Commissioner, highlighted the need to deal with racism within a human rights and equality framework that recognizes intersecting causes of discrimination and emphasizes the universality and indivisibility of human rights. Participants also explored a number of issues specifically relating to racism, for example concerning migrant workers, refugees, trafficking, and cyber racism, and the potential amplification of these issues as a result of the global economic crisis. Many examples of the role NHRIs can play to combat racism were shared, such as complaints handling, monitoring

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incidents, human rights education, legal interventions, and facilitating intercultural dialogue, diversity and harmonious relationships. Participants also expressed a wish to continue the dialogue at upcoming events of the International Coordinating Committee of NHRIs.

Participants identified the following priority areas, where they committed to take action:

- promoting the goals of the Durban process as a global effort to combat racism;
- promoting and participating in the development of national plans of action;
- promoting the ratification of the relevant international treaties on racism and the implementation of their provisions through domestic legislation;
- exercising their mandates in relation to the rights of Indigenous Peoples;
- engaging with NGOs, Indigenous Peoples, ethnic and religious minorities, vulnerable groups, business and the media;
- monitoring racism at the national, regional and global levels by such means as annual and special reports on racism and cultural diversity; discrimination testing; government contracts; complaints analysis; reviewing the performance of public institutions and national strategies;
- ensuring that data about racism is collected and that research is conducted, and collating existing data from a range of sources relating to racism, and contributing this information to the observatory proposed and to be further developed by the High Commissioner for Human Rights;
- establishing focal points on racism within NHRIs and networking with each other, including through electronic networks, the NHRI web forum, regional meetings, roundtables, and side events at the ICC to share good practice and discuss issues;
- recognizing that there are different manifestations of racism in different regions and countries;
- engaging with the wider public on racism;
- further increasing engagement with the UN human rights system and the OHCHR, as a two way process;
- gaining public confidence in our procedures by being accessible to victims;
- promoting CERD reporting and developing national plans of action to combat racism;
- ensuring that governments adequately resource NHRIs to carry out their functions under the Paris Principles independently and effectively, despite the current environment of financial constraints.

