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Meeting Summary

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Durban Review Conference
MORNING

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NON-GOVERNMENTAL ORGANIZATIONS ADDRESS DURBAN REVIEW CONFERENCE ON ISSUES ARISING FROM THE OBJECTIVES OF THE CONFERENCE

The Durban Review Conference this morning heard from dozens of non-governmental organizations speaking on issues arising from the objectives of the Conference, under which they raised a variety of subjects on racism and indigenous peoples, reparation for slaves, the untouchables of Asia, upholding freedom of speech in the outcome document, the withdrawal of a number of countries from the Conference, and discrimination and counter-terrorism, among others.

Some NGOs said racism and racial discrimination were real obstacles to the enjoyment of human rights of indigenous peoples, and these peoples had a key role to play in the Durban Review Conference. States had to pay due attention to the rights of indigenous peoples. Reparation for slaves was a substantive part of the Durban Declaration and Programme of Action and one of the outcomes of this Review Conference should have been the process of repairing the damage that had been done. The compromise reached by the final document of the Conference was welcome, in particular that it reaffirmed the importance of guaranteeing freedom of expression and its limits as set out by international law in order to effectively fight against racism, racial discrimination, xenophobia and related intolerance. Several speakers were deeply disappointed by the absence of some countries, in particular by the boycott of the United States delegation.

Some said the Review Conference would go down in history as yet another failure because it did not say a single word about situations concerning State-sponsored racism, which verged on genocide and were crying out for redress. The Conference had totally ignored the worst cases of institutionalised racism on Earth - the scourge of untouchability. While no diplomatic conference could completely solve a social problem as pervasive as racism, one had higher hopes that such a conference would at least remain focused on the topic at hand - the discrimination against individuals on the basis of their skin. All perpetrators of war crimes and crimes against humanity should be brought to justice. All racist practices against peoples and individuals in the name of counter-terrorism were condemned. Some speakers objected that the final outcome document had been adopted before civil society had made its contribution. Little progress had been made since the adoption of the Durban Declaration and Programme of Action in Durban eight years ago. The need to make the latter a tool for the eradication of racism remained a dim hope, unless Governments became human rights-based Governments.

The following non-governmental organizations took the floor: Association for World Education, International Humanist and Ethical Union, International Youth and Student Movement for the United Nations, Asian Indigenous and Tribal Peoples Network, Indigenous World Association, Global Afrikan Congress, in a joint statement with December twelfth Movement International Secretariat, International Association against Torture, International Campaign for Tibet, Society for Threatened Peoples, Becket Fund for Religious Liberty, Human Rights First, Urban Justice Center, Gherush 92 Committee for Human Rights, Cobase - Associazione Technico Scientifica Di Base, Ambedkar Center for Justice and Peace, Sikh Human Rights Group, BADIL Resource Centre for Palestinian and Refugee Rights, Al-Haq, Law in the Service of Man, ITTIJAH : Union of Arab Community Based Organizations, in a joint statement with several NGOs¹, *Mouvement pour l'abolition de la prostitution et de la pornographie et de toutes formes de violences sexuelles et de discriminations sexistes*, in a joint statement with Coalition against Trafficking in Women; and European Women's Lobby, International Organization for the Elimination of all Forms of Racial Discrimination (EAFORD), Independent Jewish Voices, CIVICUS World Alliance for Citizen Participation, China NGO Network for International

Exchanges, in a joint statement with China Association for Preservation and Development of Tibetan Culture, *Cercle de recherche sur les droits et les devoirs de la personne humaine (CRED)*, European Youth Forum, International Movement against all Forms of Discrimination and Racism (IMADR), B'nai B'rith International, in a joint statement with Coordination Board of Jewish Organizations, Youth Against Racism, Indigenous Peoples and Nations Coalition, in a joint statement with Indian Council of South America, North-South XXI, in a joint statement with Union of Arab Jurists, *Centro de Estudos e Assesona, Criola - Organizacion de Mujeres Negras, Red de Mujeres Afrocaribenas y Afrolatino americanas*, Juridical Commission for Auto-Development of First Andean Peoples (CAPAJ), Indian Movement "Tupaj Amaru", in a joint statement with World Peace Council, Women's International League for Peace and Freedom, International Women's Rights Action Watch, Habitat International Coalition, *Organizacion Nacional Indigena de Colombia*, African Canadian Legal Clinic, Arab Organisation for Human Rights, Bexley Council for Racial Equality, Heritage Foundation, Equal Rights Trust, Lutheran World Federation, in a joint statement with Commission of the Churches on International Affairs of the World Council of Churches, Dignity International, Cellule de coordination des ONG africaines des droits de l'homme, International Committee for the Respect and the Application of the African Charter on Human and Peoples' Rights, *Action internationale pour la paix et le développement dans la région des Grands Lacs (AIPD)*, African Commission of Health and Human Rights Promoters, Espace Afrique International, China Association for Preservation and Development of Tibetan Culture, in a joint statement with China NGO Network for International Exchanges, Jana Utthan Pratisthan (Jup-Nepal), Center for Interethnic Cooperation, Drammeh institute, Leadership Conference on Civil Rights Education Fund, Canadian Arab Federation, and Professional Institute for Advanced Wound Recovery.

The Durban Review Conference immediately started its afternoon meeting at 2 p.m. today to finish hearing those inscribed on the speakers' list before it concludes its session.

General Debate on Issues Arising from the Objectives of the Conference

DAVID LITTMAN, of Association for World Education, in a joint statement with World Union for Progressive Judaism, said the adopted outcome document had a mention of "neo-Nazi, neo-Fascist and other violent national ideologies", but no mention of violent religious ideologies. UNESCO and all United Nations bodies should strive to denounce passages in all United Nations-related publications that could increase xenophobia, hatred, and tensions, especially when dealing with history and culture. Clear rampant Judeophobia should be publicly denounced at the Durban Review Conference.

ROY BROWN, of International Humanist and Ethical Union, said sadly, despite the magnificent efforts made by so many, the Review Conference would go down in history as yet another failure - a failure to offer hope to the hundreds of millions of fellow humans suffering from racism every day of their lives. On State-sponsored racism, verging on genocide, there was not a single word about situations crying out for redress. The world would demand to know why the Conference had totally ignored the worst cases of institutionalised racism on Earth - the scourge of untouchability. The Conference had been deeply tainted by its selectivity - and yet, despite this collective failure, the struggle would go on.

OLUWOLE DAVID OSHOTA, of the International Youth and Student Movement for the United Nations, said that they played an active role in the organising of the Civil Society Forum for the Durban Review Conference. The Civil Society Forum assembled some 400 participants from all regions and was the only large non-governmental organization and civil society event in connection with the Conference that was based on full support for the Durban Declaration and Programme of Action and covered a broad range of Durban issues.

NGAWANG CHOEPHEL, of the Asian Indigenous and Tribal Peoples Network, raised serious concern about the decision taken at the Third Prepcom "not to take action" on the applications of certain non-governmental organizations to participate at the Durban Review Conference, in particular, the Tibetan Centre for Human Rights and Democracy. The decision pertaining to the Tibetan Centre for Human Rights and Democracy had no legal or moral basis. It must be recorded that a procedural tool was used to deny the participation of a non-governmental organization which denoted the name of a community "Tibetan".

EMPERATRIZ CAHUACHE CASADO, of Indigenous World Association, said that racism violated the rights of indigenous populations. Racism and racial discrimination were real obstacles to the

enjoyment of the human rights of indigenous peoples. Racism against indigenous populations was something that rejected the fact that all people were born equal in their rights. Indigenous peoples had to be recognized as peoples with rights to self-determination. That was an inherent right granted by God. The term indigenous peoples could not be interpreted as something related to international standards. All human rights were interdependent and mutually reinforcing and there was no hierarchy between them. The indigenous peoples had rights that were recognized under international legislation. Indigenous peoples had a key role to play in the Durban Review Conference and States had to pay due attention to the rights of indigenous peoples.

CIKIAH THOMAS, of Global Afrikan Congress, in a joint statement with December twelfth Movement International Secretariat, said that the Durban Conference in 2001 clearly spelt out the obligations for the international community. Never before was slavery recognized as a crime. Reparation was a substantive part of the Durban Declaration and Programme of Action. One of the outcomes of this Review Conference should have been the process of repairing the damage that had been done. The United Nations must provide resources for the establishment of national reparation commissions that would assess the need of reparation and distribute it. Immediately debt cancellation could be a first step in reparation for States in Latin America, the Caribbean and Africa which had suffered from slavery.

ROGER WAREHAM, of International Association against Torture, said the outcome document represented a victory for African people - the victims until the Durban Conference in 2001 of internationally denied crimes against humanity. On the other hand, it dealt a crushing defeat to the Western European and Other Group who fought tenaciously and opportunistically to erase Durban and its advances from the memory of the international community. The authority of the 183 countries which approved the outcome document far outweighed the impact of the futile attempt to discredit the Durban Declaration and Programme of Action and the Review Conference by the cowardly withdrawal by a handful of countries. The outcome document was an important step in the process of the international community breaking with the old, colonial, twentieth century way of doing things.

DEKYI DOLKAR, of International Campaign for Tibet, said the question was now whether there was a political will to change the ground realities and create a world free of discrimination, hatred, fear and prejudice. The situation in Tibet had frequently been raised at various United Nations Conferences and fora on human rights and by Governments and NGOs. The outcome document was welcome, as it urged all Member States to address with greater resolve and political will all forms and manifestations of racism, racial discrimination, xenophobia and related intolerance in all spheres of life and in all parts of the world, including those under foreign occupation. The situation of Tibet should not be forgotten by the international community.

TENZIN KAYTA, of the Society for Threatened Peoples, said that since the World Conference against Racism in 2001 an encouraging development was the growing number of Chinese and Tibetans reaching out to each other. In this regard the Society for Threatened Peoples welcomed that in the outcome document of the Conference paragraph 68: "Expressed its concern over the rise in recent years of acts of incitement to hatred, which had targeted and severely affected racial and religious communities and persons belonging to racial and religious minorities, whether involving the use of print, audio-visual or electronic media or any other means, and emanating from a variety of sources".

LINDSAY BENNETT GRAHAM, of the Becket Fund for Religious Liberty, said that everyone knew that racism was not dead in the world. It was often so entrenched in cultures that one could hardly recognize it. And while no diplomatic conference could completely solve a social problem as pervasive as racism, one had higher hopes that such a conference would at least remain focused on the topic at hand - the discrimination against individuals on the basis of their skin. The distraction some delegations had created by drawing attention to separate issues was unfortunate when there was work to be done.

TAD STAHNKE, of Human Rights First, said that the path of this Conference had been uncertain, as serious disagreements stalled the negotiation of the outcome document. The Conference also began on a bad note, as the deplorable remarks made by the President of Iran were precisely the sort of hatred and incitement that the Durban Review process was supposed to combat. But the approval by consensus of the outcome document was a significant achievement by States and the High Commissioner, in that the document was greatly improved over earlier proposals. The organization welcomed that the provision on defamation of religion were dropped, as they could have led to the creation of new international norms that would have limited free speech.

RAMONA ORTEGA, of Urban Justice Center, in a joint statement, said that it was deeply disappointed by the decision of the United States Government not to participate in this Conference. The United States civil society was present at this forum to remind Member States that racism in western States created societies in which the majority of poor people were black, Latinos or belonging to ethnic minorities. The United States could clearly not say that it had arrived in a post-racial era. It had to end the economic marginalization of ethnic minorities. The Urban Justice Center would continue to demand a Durban plus ten Conference and to push the United States to participate.

VALENTINA JAPPELLI, of Gherush 92 Committee for Human Rights, said there was concern and disappointment that the final declaration was approved before listening to the proposals of civil society - further, the document was inadequate to fight centuries of racism because it did not analyse the problem in its historical context. Today, the victims of racism were still the same as they were 500 years ago. There should be an international convention against the crime of Anti-Semitism, another against the crime of Anti-Romanism, and guidelines for the protection of cultural diversity.

STEFANO MANNACCIO, of Cobase - Associazione Technico Scientifica Di Base, said it was also concerned that the final declaration was approved before listening to the proposals of civil society. The World Conference Against Racism in 2001 had been defined in several occasions as "the festival of hate". The Durban Review Conference could also be defined as "the festival of hypocrisy". The promotion of cultural diversity and indigenous issues contributed to solve or at least to relieve some of the greatest problems of mankind such as racism and discrimination. The reduction of cultural diversity and the diffusion of uniformity, caused by racism and discrimination, could be reason for great harm. Racism meant deprivation of knowledge. There should be a project to fight racism with the valorisation of cultural diversity, and another to find cultural solutions to conflicts.

YOGESH VARHADE, of the Ambedkar Center for Justice and Peace, said Dr. Ambedkar the chief architect of India's constitution wrote, "turn in any direction you like, caste is a monster that crosses your path. You cannot have economic reform unless you kill this monster". The Prime Minister of India compared in 2006 this cruel descent caste based discrimination to Apartheid in South Africa. The Scheduled Castes (Untouchables or Dalits) were the people of South Asia, numbering about 250 million, and were the most marginalized lot on earth, being 25 percent of India's population. Their human rights were violated constantly.

MARIO FUA, of the Sikh Human Rights Group, said they hoped that the Review Conference would not marginalise the more comprehensive Durban Declaration and Programme of Action. At the Durban Conference it was suggested that a paragraph be introduced that hoped that anti-racism would one day be history and the world could move on to a convention on diversity. Russia introduced this issue. It was hoped that the United Nations would seriously work towards a positive concept of diversity and pluralism rather than remain perpetually locked in the racist history and its corrections.

JARADAT GASSNER INGRID, of BADIL Resource Centre for Palestinian and Refugee Rights, said the international community must recognize that racial discrimination was not an abstract problem, but a practical one that affected millions of people. None of the paragraphs of the Durban Declaration and Programme of Action specified groups affected by racism. It identified the Palestinian people as one group suffering under foreign occupation and reaffirmed their inalienable right of self-determination. The Palestinian people were not only victims of occupation, but also of apartheid and colonialism. Israel was a colonialist power, with features of apartheid. Apartheid and colonialism still existed in the present and could not be relegated to the past. Israel's assertion of control over the maximum of land with a minimum of Palestinian inhabitants, realized by forced displacement, rendered a two State solution impossible.

MAYSA ZOROD, of Al-Haq, Law in the Service of Man, said that it was deplorable that Palestinian and other non-governmental organizations had been purposefully denied the opportunity to hold side-events at the Conference and thus prevented from representing victims of racial discrimination. The message relayed as justification was that the Conference was dealing with principles, not with specific peoples or places. Racism was, however, not something that occurred in the abstract, but that afflicted real people in real places. The Palestinians were among those explicitly listed as victims of racism and racial discrimination by the 2001 Durban Declaration and Programme of Action. However, rather than being addressed in accordance with this Durban Declaration and Programme of Action, Israel's policies of discrimination against the Palestinian had in fact proliferated since 2001.

AMEER MAKHOUL, of ITTIJAH : Union of Arab Community Based Organizations, in a joint statement with several NGOs¹, said they wished to express their solidarity with all the Arab victims of human rights violations. It was important to involve Arab civil society in international conferences in order to express a unified position on issues and condemn the plotting by certain Governments participating. The participation in this Conference should be an international commitment binding all Governments. Governments had failed to assert that the Palestinian cause was the cause of all those who fought against racist practices. All perpetrators of war crimes and crimes against humanity should be brought to justice. Foreign occupation was condemned, in Iraq and the Golan. All racist practices against peoples and individuals in the name of counter-terrorism were condemned.

BERNICE DUBOIS, of Mouvement pour l'abolition de la prostitution et de la pornographie et de toutes formes de violences sexuelles et de discriminations sexistes, in a joint statement with Coalition against Trafficking in Women; and European Women's Lobby, said it welcomed that women, who were invisible during the Durban process, had become a major priority of the United Nations, but there was concern for the instrumentalisation of the struggle of women. The use of the term "forced prostitution" threatened the freedom of women to live free of any form of trafficking. The paragraphs in the current document on trafficking were a step backwards from the Durban Declaration and Program of Action of 2001. Political asylum should be given to women victims of State or other practices, in particular those which criminalised sexuality outside marriage, adulterous women, and lesbian women, as well as those who exercised their reproductive rights. Religion should not be used to reduce women's human rights by positing them as second-class citizens.

ANIS AL-QASEM, of International Organization for the Elimination of all Forms of Racial Discrimination (EAFORD), said victims of racism were justified in holding that the proceedings at this Conference may correctly be treated as a retrograde step in their struggle. Both offender and victim were relegated to equality in anonymity, with the offender having the upper hand – they must remain nameless, as if one was dealing with abstractions. The main purpose of the Conference was to assess the effect of Durban One on the lives and rights of peoples suffering from racism and racial discrimination like the Palestinians. That discussion was excluded, and the Palestinians were left to face their fate under an exclusivist ideology that negated all their national and human rights.

DIANA RALPH, of Independent Jewish Voices, said as Canadian Jews they opposed all forms of racism and therefore strongly supported the Durban Process. They denounced the Canadian Government for boycotting and attacking this crucial forum. They denounced the campaign by pro-Israeli groups to destroy the Durban Review Conference through escalating intimidation and fear tactics. They also opposed acts of hatred against Jews. But these groups attempted to deflect attention from Israel's flagrant violations of international law and war crimes by claiming that legitimate criticism of Israel was anti-Semitic. It was not anti-Semitic to criticize Israel's ongoing violations of international law, especially its recent assault on the people of Gaza. By attacking this Conference, the Government of Canada had demonstrated its contempt for the Durban Declaration and Programme of Action. Rather than boycotting, the Government should support all victims of crimes against humanity, including the people of Canada's First Nations, and their legitimate demands for justice.

RENATE BLOEM, of CIVICUS World Alliance for Citizen Participation, said that the World Alliance was deeply disappointed by the absence of some countries, in particular by the boycott of the United States delegation. Having affirmed a new spirit and commitment to deal with the world's problem, the World Alliance said that this was a missed opportunity for the Obama administration to demonstrate its support for the United Nations and its multilateral processes. The World Alliance was encouraged by the strong rights-based approach to combat racism, racial discrimination, xenophobia and related intolerance. It believed that universal acceptance and implementation of the principal human rights treaties was indispensable to putting in place successful forward looking strategies to enhance human dignity and elimination of discrimination in both law and practice.

ZHU FAGEN, of China NGO Network for International Exchanges, in a joint statement with China Association for Preservation and Development of Tibetan Culture, welcomed efforts to implement the Durban Declaration and Programme of Action. The fight against racism was of great significance. Countries that had engaged in slavery had to provide reparation to the affected peoples. Freedom of speech could not be used as an excuse to carry out defamation of religions. China was a country with multiple nationalities and the Government had taken a serious approach to these questions. The NGO Network hoped that it would also continue to adopt effective measures in that regard.

BELL HILAIRE, of Cercle de recherche sur les droits et les devoirs de la personne humaine (CRED), said the constraining power of models and roles was not based solely on positive and negative sanctions - it was more formally entrenched into the adhesion to values. Restrictions of freedom of expression, freedom of association and assembly were too numerous to list throughout the world. The number of deaths and the amount of destruction and injustice deriving thereof weighed on the conscience of humanity. A draft Universal Declaration on the duties of human beings should be created, as this would give hope to billions of human beings who no longer had faith in the work being done at the Conference. This would help to achieve the objectives of the Conference in a fraction of seconds.

MARCO PEROLINI, of European Youth Forum, said it was deeply regrettable that misunderstandings and manipulations had not been avoided prior and during this Conference, which should not have been considered in any case a political arena enhancing the promotion of biased views from both Governments and civil society organizations. However, the compromise reached by the final document of the Conference was welcome, in particular that it reaffirmed the importance of guaranteeing freedom of expression and its limits as set out by international law in order to effectively fight against racism, racial discrimination, xenophobia and related intolerance. Dialogue among Governments was vital, and the decision not to engage in such dialogue fell short in the fight against racism, racial discrimination, xenophobia and related intolerance.

MEGUMI KOMORI, of International Movement against all Forms of Discrimination and Racism (IMADR), said this Review Conference was an important milestone in the struggle against racism, racial discrimination, xenophobia and related forms of intolerances. The International Movement was deeply concerned about the boycott of this event by several Member States. This attitude showed a lack of responsibility towards the affected communities whom they failed to protect over centuries, namely minorities, indigenous people, the Sinti and Roma, African and Asian descent, migrants, victims of trafficking including women and children.

RICHARD HEIDEMAN, of B'nai B'rith International, in a joint statement with Coordination Board of Jewish Organizations, said many gathered here with hope for a better day in spite of the fact that the 2001 Durban Conference on Racism was marred, and thus fundamentally discredited, by the anti-Semitic outrages on the part of non-governmental organizations surrounding that Conference. In reality, this Review Conference would forever be remembered – and blemished – by the hate speech that was witnessed not outside, but on the very podium of this Conference by the man who had been afforded the honour of first place among the high-level speakers.

SAEED FOTOHINIA, of Youth Against Racism, said that friendship, brotherhood, sisterhood or even excellence would not prevail if they continued to buy into Karl Marx' claim that religion was the opium of the masses. One of the delegates from Belgium had reminded the Bureau of the Preparatory Committee that non-governmental organizations often provided an important window onto the outside world. Karl Marx had made it into Penguin Paperbacks. Heinrich Marx asked his son in a letter, if his heart corresponded to his head, his talents? Did it have room for the softer feelings of this world which provided such essential comfort for the man of feeling in this vale of woe? His soul was obviously animated and ruled by a demon not given to all men; was this demon a heavenly or a Faustian one? While fatherhood turned racism, per force, into an act of species-wide self-hate, it was not simply by reserving their venom for centaurs that the softer feelings of this world would triumph.

RONALD BARNES, of Indigenous Peoples and Nations Coalition, in a joint statement with Indian Council of South America, said that the current Durban Declaration and Programme of Action condemned colonialism. Its provisions had to be implemented. The Human Rights Council and its Special Procedures still omitted the need to address the plague of colonialism. The United Nations made it clear that doctrines of racial superiority, the denial of self-determination, and the fact that indigenous peoples had to give up the right to self-determination were crimes against humanity. The Human Rights Council was currently called upon to address all human rights, including the right to self-determination. The Coalition called on the Human Rights Council to address the right to self-determination for indigenous peoples, including in Alaska and Hawaii.

CURTIS DOEBBLER, of North-South XXI, in a joint statement with Union of Arab Jurists, said the text that had been adopted was not properly negotiated by States, but promulgated by the Chair of the Inter-Sessional Working Group with little input from non-governmental organizations in a process that lacked transparency, and in an environment clouded by threats from a handful of States that refused to even participate in dialogue. The remarks made by States that showed an unwillingness and lack

of courage to arrive at a strong outcome document were deplored. The document should have highlighted the plight of the victims of racism and other intolerances. Unfortunately, the voice of NGOs was only heard after the adoption of the document. The Conference should have provided an impetus to efforts born in 2001- instead, there was an outcome document that did little more than reiterate more weakly what was already said in the Durban Declaration and Programme of Action.

CESARDA OLIVEIRA, of *Centro de Estudos e Assesora*, said racism was a huge injustice, and one of the greatest barriers for humanity to overcome to put an end to violence and work towards the full enjoyment of human rights. There were very powerful interests in the North, particularly those who walked out of the Conference, in burying the Durban Declaration and Programme of Action, not wishing to accept responsibilities for promoting racism world-wide in the past. Racism against migrants deprived millions of their most basic rights. Member States of the United Nations had reaffirmed the Durban Declaration and Programme of Action, and had not left any room for backtracking on what was agreed in 2001. However, the review process was not democratic, and had not incorporated civil society.

LUCIA MARIA XAVIER DE CASTRO, of *Criola - Organizacion de Mujeres Negras*, said everybody needed to be responsible vis-à-vis their commitments made at Durban in 2001. Affirming the principles of secularism and religious freedoms was necessary. It was important to eliminate the Catholic and Evangelical organizations from society as they negated some women's rights. It was also important to recognize domestic workers rights, as these workers were subject to exploitation and sexism. Democratizing the access to land and the right to hold property for women was recommended. The next step was the implementation of the Durban Declaration and Programme of Action, and the inclusion of civil society and social movements in the dialogue on this urgent and necessary work.

DOROTEA WILSON DE BONILLA, of *Red de Mujeres Afrocaribenas y Afrolatino americanas*, said defending the Durban Declaration and Programme of Action in all its contents was necessary to make progress in its implementation and to have adequate responses to contemporary forms of racism that were now emerging. No one should deny the existence of racism. This process would not come to an end with a declaration, and despite the fact that many of the comments made by civil society had not been taken into account in the drafting of the final document, civil society would continue to contribute in constructive and innovative ways to combat this scourge.

TOMAS ALARCON, of *Juridical Commission for Auto-Development of First Andean Peoples (CAPAJ)*, said that their communities lived in order to preserve harmony in nature and also to provide for the rest of the world ecological services that would help to avoid the consequences of climate change. States had applied and continued to apply legislation to their communities which prioritized the interests of companies that deemed their interests superior to the way of living of indigenous peoples and their way of cultivating the land. The so-called Latin American Republics allowed the natural resources to be pillaged and did not comply with the provisions of the Durban Declaration and Programme of Action to combat such practices. They implied that the indigenous peoples did not have a culture, that they were ignorant because they were faithful to the values and tradition of their ancestors. This was racism. It was covert racism, but it was degrading their lives.

LAZARO PARY, of *Indian Movement "Tupaj Amaru"*, in a joint statement with World Peace Council, said that colonialism had created wealth and power, but also installed the transatlantic slave trade and the most inhuman inquisition. Given its magnitude, the colonial period was really a disaster for humanity which also brought about the extinction of indigenous peoples. These ideologies continued until today. Racism in new forms had taken on dramatic proportions and the world had gone through a spiral of violence. The anti-terrorism measures had outlawed certain movements of national liberation and criminalized the just fight of the indigenous peoples in Latin America. The former colonialist metropolis had massive debt vis-a-vis countries that suffered colonial tragedies. At this Conference, instead of responding to the cries of indigenous peoples, the powers had simply walked out.

MARIA JOMAA, of *Women's International League for Peace and Freedom*, said the outcome document reaffirmed the Durban Declaration and Programme of Action. The implementation of the Durban Declaration and Programme of Action could be moved forward only by taking an all-comprehensive approach to the global social crisis which had its roots to a large extent in an unfair economic system. The elimination of poverty and the unfair distribution of wealth that were most of the time at the root of conflict required substantial resources. The implementation of the Durban Declaration and

Programme of Action required a serious re-balancing of budgeting and all national Governments should reallocate their resources from military to social expenditures.

WATHSHLAH GAJAPATHYNAIDY, of International Women's Rights Action Watch, said the adoption of the outcome document was a commitment by all States to eliminate racism, racial discrimination, xenophobia and related intolerance. The absence of key issues such as discrimination based on work and descent and on the basis of sexual orientation and gender expression was of concern. All States should recognise the intersectionality of all forms of discrimination including gender and racism, and address the systematic disadvantages women suffered due to racism, and incorporate a gender perspective and intersectional analysis into measures aimed at eliminating discrimination against women. Despite the compromise involved in the drafting of the outcome document, its adoption was an important milestone to reaffirm the commitments made in 2001 in Durban.

JOSEPH SCHECHLA, of Habitat International Coalition, said affirming all the commitments of the Durban Declaration and Programme of Action, Habitat was convinced that, were a review of the 2001 Durban Programme of Action to take place someday, in order to be productive, it would have to identify the persistent – and new – patterns of discrimination in housing and land, if ever to correct them. Strikingly negative factors since Durban included undisciplined market forces, social attitudes, professional bias and inappropriate policies that conspired to make discrimination worse in this important aspect of human life and coexistence.

MIGUEL VALBUENA GUAURIYU, of Organizacion Nacional Indigena de Colombia, acknowledged the good intentions of the Government of Colombia to ratify legislation relating to the human rights of indigenous peoples. As a civil society organization representing indigenous peoples in Colombia, they supported the State of Colombia in its process of dialogue and open-ended consultations with indigenous groups. The thematic discussion between the State and indigenous peoples aimed to change the horizons affecting the right of indigenous peoples arising from armed conflict, among other things.

MARGARET PARSONS, of African Canadian Legal Clinic, said the situation for African Canadians was critical and had worsened since 2001 - they continued to be victims of hate crimes, and in particular violent hate crimes, and the Government remained silent. This experience was not limited to Canada, but was shared globally by African descendents in the diaspora. This was not surprising as anti-Black racism was rooted in and was a legacy of the trans-Atlantic slave trade- reparations for the trade should be part of any and all efforts to redress anti-Black racism. There should be a Permanent Forum for People of African Descent at the United Nations.

FIDA ABUATA, of Arab Organisation for Human Rights, said there was racism on the base of sex, religion, religious denomination, language, nationality, migrant status, gender, and ethnic minorities in the region from which the speaker came. Efforts to reverse these were hampered due to the continued application of double standards on all the issues that concerned the region. There was racism as a result of foreign occupation, and internal armed conflicts in Darfur, Iraq, Syria and Lebanon. The situation was compounded by the indiscriminate global war on terrorism which undermined human rights, as well as national strife in Sudan and Darfur. The exclusion of civil society from the Conference negotiations should not be repeated in the future.

GNANAPRAGASAM ANANDARAJAH, of Bexley Council for Racial Equality, said they had done much more in implementing the Durban Declaration and Programme of Action than many. Sadly, the Council also dealt with victims of race hate crime and their families. Dealing with the victims of State terror, he realized how sadistic the instigators and sponsors of these crimes could be. Sadly perpetrators of crimes against humanity today led quite a few nation States, who enjoyed the misery, helplessness and destruction of others. Such people failed to realize that they too were just mere humans with an unpredictable position of political power, which was neither continuous nor certain.

BRETT SCHAEFER, of Heritage Foundation, said they shared the same sentiments of many of the non-governmental organization community that the treatment of these organizations this week had been disappointing to say the least. In this venue and for this Conference, the value of input from national, regional, and international non-governmental organizations prior to the adoption of the outcome document would have been particularly constructive. As it was, the final document was adopted on the second day of the Conference before a single non-governmental organization had had the opportunity to make an intervention.

JARLATH CLIFFORD, of Equal Rights Trust, said the right to equality was a basic human right that was autonomous rather than subsidiary to any other right set forth by law. In all world regions the struggle for equality persisted. Racism, racial discrimination, xenophobia and related intolerance represented a fundamental challenge to ensuring full and effective equality. A growing number of human rights advocates believed that international and national initiatives to achieve equality should move beyond formal notions of equality. Despite positive strides made by the Preparatory Committee, there were a number of limitations to the outcome document. The Review Conference process would have benefited from a more inclusive approach which recognised the egregious human rights violations which other disadvantaged groups suffered, and without this there was a serious setback to the development of the right to equality and a dilution of the protections which the Conference sought to secure.

FRANCESCA TRAGLIA, of Lutheran World Federation, in a joint statement with Commission of the Churches on International Affairs of the World Council of Churches, said it was evident that a key objective of this Conference and its preparatory process was to produce an outcome that could not reasonably cause offence - in that, the Conference had certainly succeeded. However, the Lutheran World Federation wondered whether the victims of racism, racial discrimination, xenophobia and related intolerance would judge that as a success. The Durban Review Conference had failed to acknowledge the suffering of the more than 200 million people discriminated against on the basis of work and descent. This was a political failure, and NGOs welcomed the recent leadership of the High Commissioner for Human Rights on this important issue, and hoped that the proposed observatory on discrimination could help throw further light on the situation of the millions of victims of untouchability practices.

JERALD JOSEPH, of Dignity International, said little progress had been made since the adoption of the Durban Declaration and Programme of Action eight years ago. The need to make the latter a tool for the eradication of racism remained a dim hope, unless Governments became human rights-based Governments. Racism had caused immense human rights violations to victims with names, identities, and a nationality. It was imperative that the outcome document not stand hollow in the face of real questions of scrutiny. The pressure was on the Durban Review Conference, and each of the Governments here to produce results immediately and not to remain silent for another eight years.

DJELY KARIFA SAMOURA, of Cellule de coordination des ONG africaines des droits de l'homme, said it regretted that the attention of the Review Conference and its impact was overshadowed by political conflicts. After many difficult centuries it was now common practice to alienate persons of their economic and social rights. The issue of remuneration added to the misery of so many Africans. There could not be any industry without a basis on raw materials. This civilization, called a universal one, which revealed enormous inequalities, was decadent, as seen with the issue of migrants and so many other things. All must be able to open up avenues to explore for the newly emerging forms of racism and racial discrimination.

MALUZA WASILUADIO, of International Committee for the Respect and the Application of the African Charter on Human and Peoples' Rights, said they were present today to make heard the voices of the dead Africans who were victim of the transatlantic slave trade, which must never happen again. The West at a certain moment in its history tried to exclude Blacks despite the contribution Africa made to global development. Reparation for the crimes of slave trade, colonialism and apartheid were not on the agenda of any Government despite signing the Durban Declaration and Programme of Action, which was the end to true reconciliation amongst any people.

MAURICE KATALA, of Action internationale pour la paix et le développement dans la région des Grands Lacs (AIPD), said that the Durban Review Conference and the preparatory work for the Conference which had taken place all over the world had highlighted the fact that there were increasing xenophobic hostilities to asylum seekers and migrants. This was a great violation of human rights. There were measures to restrict immigration, and the fact that migrants were linked deliberately to delinquency was a very worrying trend. Migrants found themselves outside of the protection of the law. Agreements between European and African countries allowed for the return of asylum-seekers without any guarantees for their safety at their return. These agreements violated the principles of non-refoulement in the Convention on Refugees. These agreements must be annulled and those practices between the African States and the European Union be stopped.

DJELY KARIFA SAMOURA, of African Commission of Health and Human Rights Promoters, said that the world was in crisis and that there were ethical questions. Africa still bled from the genocide of Tutsis

in Rwanda. This affected all Africans today since history was the collective memory of the peoples. At the Conference there had been great political differences, everyone was now aware of that. Along with the old forms of racism, which had diminished, new forms had arisen. Many children failed at school and were thereafter deprived of their rights on the labour and housing markets. The great weakness of modern society was that it was difficult to detect these actions. What impact could the Conference have? The situation was serious. This planet was full of ghettos and favelas, what practice could alter this situation? In the Committee on Economic, Social and Cultural Rights, a country had proposed that for the issue of discrimination, the burden of proof would be placed on the complainants, could the United Nations study this solution?

AWA NDIAYE, of Espace Afrique International, said a legitimate, irrevocable, fundamental human right to be addressed today was the right of return for millions of Africans who were forcibly torn away from their continent. Each and every person had a divine and inalienable right to return. This principle required the support of the United Nations and of the international community as a whole. The youth of the continent should be aware that there was a future for the cradle of humanity.

QIAN DOUG, of China Association for Preservation and Development of Tibetan Culture, in a joint statement with China NGO Network for International Exchanges, said since 2006 priority by China had been given to ethnic minorities in remote areas, and efforts had been made to improve education and healthcare so that these could better enjoy economic development and participate in economic affairs. The Government would continue to invest in restoring cultural sites, including religious sites in Tibet. There was a very vibrant religious atmosphere in Tibet. Today the negative effects of the financial crisis were being felt especially on minorities. The Chinese Government should take specific measures to implement the Durban Declaration and Programme of Action and ensure that in the financial crisis minorities' interests were effectively protected.

AMRIT BISHWAKAMA, of Jana Utthan Pratisthan (Jup-Nepal), said that Nepali delegates perceived the Durban Review Conference as a gathering to share global concerns as well as efforts being made to fight racism, racial discrimination, xenophobia and related intolerance, including caste-baste discrimination. This was one of the most heinous global human rights violations, affecting at least 260 million people, including Dalits in Nepal and other Asian countries. Two hundred and five types of caste-based discrimination were practiced in Nepal. These included denial of access to water sources, temples and other public places; opposition, often violent, to intercast marriage involving a Dalit person; and untouchability, the practice of treating a Dalit and items that she or he touches as impure.

VICTORIA SHUKHAT, of Center for Interethnic Cooperation, said that unfortunately the evaluation of the implementation of the recommendations of the Durban Declaration and Programme of Action had not been discussed. The existence of the current economic system stimulated a widening economic gap in societies which forced migrants to the most lowly valued jobs. The outcome document was just a temporary compromise and States had used this forum to pursue their own national priorities. The outcome document was acceptable but not a binding document. The speaker recalled that events such as the Armenian genocide which had been commemorated recently should not happen again.

CLAUDETTE PERRY, of Drammeh institute, said the United States had made no progress in advancing the goals of the Durban Declaration and Programme of Action. The current Durban Declaration and Programme of Action had been diluted to appease the perpetrators of crimes against humanity and this showed disrespect for United Nations authority and the oppressed people they were supposed to represent. This had always been the arrogant behaviour of supremacist nations. In the United States, racism was perpetuated in many forms. In all future deliberations of the United Nations Conference Against Racism, the Holocaust of African Enslavement, the murder and pillage of 50 million Africans and African descendents should be raised to its appropriate prominence, and the victims of the crime considered before the perpetrators of the crime.

ANTOINE MORRIS, of Leadership Conference on Civil Rights Education Fund, said it welcomed in particular the final outcome document's reaffirmation of the need for States to create national human rights bodies. A national human rights commission should have a broad mandate that addressed a range of racial discrimination issues including discrimination in the rights to housing, voting and equal treatment by the criminal justice system. Bias-motivated crimes merited a priority response because of their special impact on their victims. It could also engage the Durban mechanisms and the Committee on the Elimination of Racial Discrimination and other relevant United Nations bodies to

monitor progress made on eliminating hate crimes in the United States. There should be strong and accountable institutions to uphold international human rights obligations.

MOHAMED BOUDJENANE, of Canadian Arab Federation, said that today the Canadian Arabic communities were under siege and marginalized. Legislative measures had alarmingly eroded the freedoms of these communities, leading to shocking crimes committed against their Members. This kind of institutionalized racism had made the Arab community the highest-ranking community in unemployment despite high education levels. One of three Arab children was living in poverty. The right to freedom of expression was restricted, the Canadian Government tried to muzzle the Canadian Arab Federation because of their criticism of Canadian policies vis-à-vis Israel. The Canadian Government was hiding behind multilateralism. The international community must take specific measures to bring the Canadian Government to respect international law.

JERRY LEAPHART, of Professional Institute for Advanced Wound Recovery, said that an internal United Nations communication said that the organization's written statement would not be published on this Conference's intranet. The speaker urged the President to reverse this discrimination and censorship. The statement had made mention of the need for reparation arising out of the transatlantic slave trade. The organization had also indicated that it was petitioning the Oxford English Dictionary to have the word Anti-Semite and its derivatives removed from the lexicon because that word was incongruent. It excluded Palestinian, Arabs and persons of Middles Eastern descent from its protective aura and was limited to protecting the interest of present day Israelis who were, by and large of Eastern European descent and who were not ethnically Semitic.

¹Joint statement: ITTIJAH: Union of Arab Community Based Organizations; *Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos*; International Trade Unions Confederation; International Association of Democratic Lawyers; and Arab Organization for Human Rights.