



# United Nations - Information Service

## Meeting Summary

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Durban Review Conference  
AFTERNOON

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### **HIGH COMMISSIONER FOR HUMAN RIGHTS SAYS DURBAN REVIEW CONFERENCE WAS A CELEBRATION OF TOLERANCE AND DIGNITY FOR ALL**

#### **Durban Review Conference Concludes**

The Durban Review Conference this afternoon concluded its work and adopted its final report after hearing from non-governmental organizations speaking on issues arising from the objectives of the Conference, general statements from national delegations, closing speeches from regional groups, and concluding statements by the Secretary-General of the Conference and High Commissioner for Human Rights, Navi Pillay, and the President of the Conference.

Ms. Pillay said despite the misgivings of some critics, the Conference had proved to be what it was intended to be: a celebration of tolerance and dignity for all. Member States were fully aware that the towering challenges of racism, racial discrimination, xenophobia and related intolerance required the pooling together of political will, strengths and resources. This was why Member States had wisely and generously chosen to reject divisive stances.

The document they had adopted this week was a carefully balanced and yet meaningful outcome enshrining a common aspiration: to defy racism in all its manifestations and work to stamp it out wherever it may occur, Ms. Pillay said. The document reaffirmed the centrality of freedom of expression and stressed its compatibility with the prohibition of incitement to hatred, thereby reconciling these two equally fundamental principles of international human rights law. Member States had succeeded in finding common ground.

Amos Wako, the President of the Conference, said in spite of a rather heated and controversial start, delegations were able to quickly recover and reconcile their differences in a calm and diplomatic manner, and this was done in the style and esteem befitting of the United Nations. In this spirit it was possible during the second day of the Conference to adopt by consensus a pivotal document that would guide all, together with the Durban Declaration and Programme of Action adopted in 2001, to better implement strategies aimed at protecting current and future victims of these scourges. Adopting this outcome document well before the conclusion of the Conference sent a clear message to sceptics that the world remained united as it waged this struggle.

During the meeting, the Conference adopted its final report and the report of its Credentials Committee after hearing general statements from Brazil, Singapore, Mexico, Gabon and the United Kingdom. Closing speeches from regional groups were made by Pakistan on behalf of the Organization of the Islamic Conference, South Africa on behalf of the African Group, Cuba on behalf of the Non-Aligned Movement, Chile on behalf of the Group of Latin American and Caribbean Countries, India on behalf of the Asian Group, Sweden on behalf of 22 countries, the Russian Federation speaking as the Russian facilitator, and Switzerland as the host country.

In the discussion on issues arising from the objectives of the Conference, non-governmental organizations said that the Durban Review Conference had not sufficiently covered issues related to education. Human rights education served to altering values, attitude and behaviour towards ethnic groups. A speaker said any aim to eliminate racism, racial discrimination, xenophobia and related intolerance should include a stronger reference to the rights of those under occupation than that made in the outcome document.

The following non-governmental organizations took the floor this afternoon: Centro de Estudos das Relações do Trabalho e Desigualdades, World Organization of the Scout Movement, Actionaid

International, Aldet Centre - Saint Lucia, Foundation for Aboriginal and Islander Research Action, International Association of Democratic Lawyers, Forum-Menschenrechte, Canadian HIV/Aids Legal Network, Congres Mondial Amazigh, Article 19 - The International Centre against Censorship, International Federation of University Women, Migrants Rights International, Council of Agencies Serving South Asians, Jewish Leadership Council, OBE-CST Protecting the Jewish Community, International Council for Human Rights, International Islamic Federation of Student Organizations, Chirapaq: Centro de Culturas Indias, African Hebrew Development Agency, and Bilaal Justice International.

The Durban Review Conference met from 20 to 24 April at the Palais des Nations in Geneva.

### **General Debate on Issues Arising from the Objectives of the Conference**

DANIEL SILVA BENTO TEIXEIRA, of Centro de Estudos das relaces do Trabalho e Desigualdades, said although there was no exactly satisfactory outcome to this Conference, civil society should be applauded for having stood firm and supported the Durban Declaration and Programme of Action. There was a global financial crisis and all forecasts were pessimistic, if not tragic. This would have a certain impact on ethnic minorities. Governmental representatives should include firm action priorities in this regard. Not much progress had been made with regards to addressing violence against people of African and indigenous descent in urban areas. There was a whole world of issues and possibilities between Israel and Arabs, but this should not be the only matter to guide the discussions on racism, nor should it colour the implementation of specific public policy on this matter.

PATRICE GALLAUD, of World Organization of the Scout Movement, said participants should be aware of the key points of the declaration made for the Conference by NGOs and UNESCO. Given the persistence of racism, the foundation of human rights was equal to human dignity, and its lack was an impediment to the free enjoyment of human rights by all human beings. International and national programmes on human rights education should be made available to pre-school and university students as well as all others.

CAMILLA CROSO, of Action Aid International, in a joint statement, said that the Durban Review Conference had not sufficiently covered issues related to education. It was excessively optimistic about so-called progress since 2001 in the field of education. The Durban Declaration and Programme of Action was an essential, and the right to education gave access to several other human rights. Human rights education served to altering values, attitude and behaviour towards ethnic groups. Fighting for the right to education was all the more important while it was linked to other social movements. The organization recommended that States guaranteed the implementation of the Durban Declaration and Programme of Action and recognized persistent racism and sexism in educational systems and undertook affirmative action to tackle the problem and adopt legislation and promote policies for educational programmes that valued the differences of peoples.

LINDA ROOTS, of Aldet Centre - Saint Lucia, said that the organization appreciated the victory of retaining the language acknowledging the economic basis of racism in the outcome document, as well as the crime against humanity committed by the America-European slave trade, trans-atlantic slave trade and colonialism; and the entitlement of the descents of the victims to compensation for historic brutalities and deprivation and the on-going effects of the barbaric slave trades and colonialism. The organization urged States to adopt the United Nations Declaration on the Rights of the Indigenous Peoples as the minimum standard to the survival, dignity and well-being of indigenous peoples.

LES MALEZER, of Foundation for Aboriginal and Islander Research Action, said the Durban Programme of Action called for the adoption of the Declaration on the Rights of Indigenous Peoples, and this goal was finally achieved one and a half years ago. The adoption of this declaration – recognising the equality of 370 million indigenous people in every geographical region of the world – was the most significant outcome since Durban to combat racism. The Durban Review Conference outcome document now urged States to take all necessary measures to implement the rights of indigenous peoples. For those States that questioned whether to partake in this Conference, the speaker thanked them for taking a positive approach to address the scourge of racism.

CLAUDIA MORCOM, of International Association of Democratic Lawyers, said racial discrimination was deeply embedded in the economy. In Detroit Michigan allegedly the car capital of the world, executive leaders were paid three hundred times what the union labourers made. In February 2009, 584,000 were unemployed in Michigan, that was 12 per cent up from 8.9 per cent in September 2008. Some 14.3 per cent of Michigan's population was African American and 4 per cent were Latinos. The speaker said that the organization was very disappointed and ashamed for the United States for not taking part in this Conference. The issue of reparations and restitution to African descendents of slavery should not be ignored by the United Nations.

YONAS ENDRIAS, of Forum-Menschenrechte, said that the Durban follow-up process in Germany brought racism to the Government's agenda. This was a very positive change since the Government so far associated and defined racism only in the context of right wing extremism. Although the national action plan against racism produced by the Government was not satisfactory from the civil society perspective, yet it brought the Government to address some of the issues raised in Durban. The problem of racism was serious in Germany and in Europe as a whole and had to be tackled in the follow-up process.

LINDIWE NKUTHA, of Canadian HIV/Aids Legal Network, welcomed that the outcome document noted with concern the increased instances of discrimination on multiple or aggravated forms of discrimination and that such discrimination, as laid down in the Durban Declaration and Programme of Action, affected the enjoyment of human rights and could lead to particular targeting or vulnerability. The paragraph in the outcome document reaffirmed the importance of addressing multiple forms of racism. Sexual orientation and gender identity were examples of forms of discrimination that were inextricably linked with one's race. The Network welcomed the recent message from the High Commissioner in which she said that there were too many countries that criminalized sexual relations between consenting adults. Those were relics from a colonialist era and went against international law. Because of criminalization of homosexuality, individuals had to undergo violence and discrimination by their own Government's authorities.

LOURES BLELBECEM, of Congres Mondial Amazigh, said the Amazigh were first nations of Africa commonly called Berbers. They continued to suffer persecution and isolation in many parts of the continent. The Amazigh people were held in prisons in Morocco simply because they claimed their rights to their language and culture. Beyond the declaration made in Geneva at this Conference it was hoped that concrete measures could be taken to provide for real progress and action beginning with a immediate stop to discrimination against the Amazigh people. They believed that the United Nations should not remain an exclusive club, in order for all to be democratically represented.

AGNES CALLAMARD, of Article 19 - The International Centre against Censorship, welcomed the adoption by consensus of the final outcome document of the Durban Review Conference. Racism was a major threat to freedom of expression. It was within repressive climates, where citizens were not free to speak out, that the worst excesses of discrimination were experienced. Article 19, in its daily work, monitored and responded to cases in which human rights defenders and journalists were subjected to threats, arrests, torture or worse, when speaking out against discrimination, racism and intolerance. Freedom of expression was vital if one was to finally combat racism, racial discrimination, xenophobia and related forms of intolerance.

CONCHITA PONCINI, of International Federation of University Women, said that as one of the earliest advocates in the United Nations on women's human rights, the organization had observed over the years that the most important issues that had to be tackled were those based on multiple forms of discrimination that intersected with gender, such as race, ethnicity, culture and traditions that had led to stereotypes and customary laws, religious beliefs, moral values and inter-generational discrimination based on age. Women of all ages were particularly vulnerable because this discrimination was linked to patriarchal systems. The United Nations had an instrumental role in the monitoring of the implementation of the Durban Declaration and Programme of Action. No society could fully believe that mental attitude prevented women from fully participating in social life.

SONI PRADHAN, of Migrants Rights International, said that eight years after the Durban Conference, the organization was deeply concerned that since 2001 the gap had continued to widen between the rights of migrants and the actualization of their rights on the ground. Attacks on and scape-goating of migrants were ever salient, particularly in the context of the financial crisis. The resurgent discrimination was a clear manifestation of the stark warnings from Durban that were articulated by

those that gathered in 2001. They saw hate crimes, threats, deportation, crack-downs, assault and abuse directed at migrants.

NAVANEETHAN SHANMUGARAJAH, of Council of Agencies Serving South Asians, said it was a non-profit umbrella social justice organization. The Council was extremely concerned and saddened by the decision of the Government of Canada not to participate in this much needed process of engagement in eliminating racism. Canada was a multicultural country that welcomed immigrants from all over the world. Canada was also known as a place where very diverse communities co-existed in harmony. However, a significant amount of work needed to be done in Canada to create a society that was free from racial discrimination.

SAM COHEN, of Jewish Leadership Council, said some had suggested that this Conference had been dominated by a particular set of issues. She highlighted the positive contribution that international Jewish groups had made at this event. Jewish students working with Darfur Action highlighted the Darfur issue in a rally outside the Palais. The Swiss Jewish community hosted a historic Yom Hashoah ceremony at the United Nations. Jewish political activism surrounding the Review Conference was proudly and historically rooted in the Jewish values of the likes of Rene Cassin and Raphael Lemkin.

ROSALINA PRASHKER, of OBE-CST Protecting the Jewish Community, said that Jewish tradition taught them to fight for human rights and to pursue justice. It was because of these values that Rene Cassin drafted the Universal Declaration of Human Rights and the same tradition Raphael Lemkin defined the word genocide and drafted the United Nation's Genocide Convention. The story of the Jewish people was a constant struggle against persecution which could be racially, politically and religiously inspired. Because of that they had always striven to uphold the fundamental rights and principles of human dignity and equality that underpinned their faith and culture. The organizations were saddened that the noble objectives of this Conference were lost in the tirade of the President of Iran on Monday which had undermined the Conference's goal.

BARRISTER MAJID TRAMBOO, of International Council for Human Rights, said many of the problems that occurred during the Durban Conference had arisen once more and would slow the progress towards the elimination of all forms of racism, racial discrimination, xenophobia and related intolerance. Consensus could only be reached when all parties were present. People without nationalities and without States, and particularly those under occupation, suffered disproportionately, and this could not happen without tacit acceptance of racism by States and by the implementation of racist, xenophobic and intolerant policies. Any aim to eliminate racism, racial discrimination, xenophobia and related intolerance should include a stronger reference to the rights of those under occupation than made in the outcome document. Many peoples were no closer to realising their right to self-determination than they were during the original Durban Conference.

KHALLAD SWAID, of International Islamic Federation of Student Organizations, said since the Durban Declaration and Programme of Action, the situation of human rights had become worse. The fundamental right of the freedom of expression was one of the most important rights of human beings, but all over the world there was a different understanding of it and its limits, if any. The rise of Islamophobia all over the world was a matter of deep concern. The Conference should stand up in a minute of respect and silence for the children, women and elderly people who had been murdered in Palestine by the brutal and terrorist attacks of the Israeli Armed Forces and who were still dying because of the inhuman siege of the people of Gaza.

EVA MARTINA GAMBOA, of Chirapaq: Centro de Culturas Indias, said in theory laws protected all citizens equally, however in practice, there was a denial of this, in particular for women and children. These divergences were even greater when looking at compliance. The legal systems of the security forces were used in many Latin American countries to repress indigenous groups. There was very little progress made. States must implement effective mechanisms for the participation of women in the political process. States should recognize the historic debt they had to the indigenous peoples in Argentina, Peru, Colombia, Guatemala and Nicaragua, especially to the victims of political violence.

DERRICK JACKSON, of African Hebrew Development Agency, said there had never been an age where one's very existence had been threatened as it was today. With all of the technological advances, material abundance and industrial progress, the value of human life suffered from the debilitating concepts of racism, racial discrimination, xenophobia and related forms of intolerances. It was no longer possible to act as if these concepts were ghost-like spirits, having no physical, form or identity.

Who they were, where they were, how they operated and what their overall objectives were were known.

PATRICIA M. MUHAMMAD, of Bilal Justice International, said that human rights violations such as human trafficking had not dissipated. These people were smuggled into various countries, their bodies were their only regarded commodity, they were children, they were women and they were sometimes men. Their labor was exploited, they were raped and abused, they rarely spoke the language of their destination, which muted their voices. They were the victims of modern day trafficking. Regarding slavery, the international community had the ability to evolve legal precedent regarding restitution for slavery and the transatlantic slave trade, for it required only one courageous step to make amends.

### **Adoption of the Report of the Durban Review Conference**

JUAN ANTONIO FERNANDEZ PALACIOS (Cuba), introducing the final document and the report of the Durban Review Conference for adoption, said it was a great honour to present the final document and the report of the Durban Review Conference. The draft which was submitted was an unedited incomplete version as it did not include the procedures of this afternoon. All delegations would have up to 15 days to make any correction that they believed needed to be introduced into the report. The report would be reviewed by the Secretary-General of the Conference in order to ensure that it adequately reflected the proceedings. This had not been an easy process, it was a process that had come with tension at times; however, the commitment of participants had prevailed in their determination to combat the scourge of racism.

### **General Statements**

EDSON SANTOS (Brazil) said that Brazil was proud of the results they had achieved and the balanced yet strong document that had been drafted. It was balanced because it did not single out any particular country. It highlighted tragedies of the past. It condemned Islamophobia, anti-Semitism, and other forms of intolerance. It put the individual, the victims of racism and discrimination, at the centre, before politics, before religions. Yet, it was strong because it reaffirmed and strengthened the fight against racism, racial discrimination, xenophobia and related intolerance and Brazil would further build on its paragraphs. Those who were not here refused debate; refused dialogue; refused to strengthen the common cause of combating racism. Brazil had never and would never refuse to participate, contribute and add its voice to multilateral discussions and deliberations.

TAN YORK CHOR (Singapore) said when the Conference adopted the outcome document on Tuesday, it proved that it had the political will to prevail over popular politics. Had the Conference been unable to agree on such an outcome, it would have sent out a very bad signal on the fight against racism, racial discrimination, xenophobia and related intolerance, especially to the victims of such injustices. The text adopted, although imperfect, was shorn of extraneous political baggage and centred squarely on the important elements in the fight against racism, racial discrimination, xenophobia and related intolerance. By adopting this Document, the Conference had shown that it could be united, in words, against racism, racial discrimination, xenophobia and related intolerance. Going forward, all should work together to match their words with action.

PERLA BUSTAMANTE (Mexico) said Mexico had participated in 2001 in the World Conference against racism, racial discrimination, xenophobia and related forms of intolerance with the firm commitment to contribute to the fight to eliminate this scourge. In this vein, the Government of Mexico created a National Council to Prevent All Forms of Discrimination and drafted and implemented a number of laws to prevent it. The Mexican delegation that participated in the preparatory process of the Conference was made up of representatives of high level institutions in Mexico. A lot remained to be done. The Review Conference provided the necessary tools to redouble efforts at the national and the international levels. Mexico was very satisfied to be able to contribute to the satisfactory outcome of this process.

GUY BLAISE NAMBO-WEZET (Gabon) said today the Conference was sending a strong message to the international community. The issue of racism and discrimination in all its forms was a scourge which reached all of humanity - it was a recurrent world problem, which required solutions at the global level. The spirit of openness and solidarity, tinged with mutual understanding, which had prevailed

during the negotiations showed the seriousness with which this issue was viewed, both at State and international levels. Racism and racial discrimination intensified social conflict, which were themselves the source of political and economic instability. The movement towards solidarity of the international community could no longer be slowed or stopped - the credibility of the United Nations depended upon its moves to ensure the universal application of the Universal Declaration of Human Rights. The Durban Review Conference recognised that racism, racial discrimination, xenophobia and related intolerance continued - eight years after the Durban Conference, there had been much progress, but more remained to be done to eliminate racism and create a world without discrimination. The outcome document reaffirmed the unity of the human family, and all States should immediately implement the measures contained therein.

PETER GOODERHAM (United Kingdom) said that the United Kingdom was pleased to join the consensus on the adoption of the outcome document. The fight against racism, racial discrimination, xenophobia and related intolerance was a priority for the United Kingdom. Crimes motivated by racial, religious, or other forms of hatred were not just attacks on the individual, they were attacks on the whole of society. The United Kingdom had a long tradition of freedom of expression, which allowed individuals and organizations to hold and express views that may be offensive or distasteful to the majority. The United Kingdom believed that such people had their right to express those views, however abhorrent, so long as they were not expressed violently or incited violence or hatred.

### **Closing Statements by Regional Groups**

ZAMIR AKRAM (Pakistan), speaking on behalf of the Organization of the Islamic Conference, welcomed the consensus adoption of the outcome document of this Review Conference. Every single Member State present today deserved appreciation for their commitment to combat racism, racial discrimination, xenophobia and related forms of intolerance. The differences of opinion notwithstanding, the adoption by consensus of this document was reflective of the common desire to combat the scourge of racism.

This was a historic document which reflected the collective wisdom of the international community. It provided a valuable review of the collective efforts against racism, racial discrimination, xenophobia and related forms of intolerance since the Durban Review Conference in 2001. The flexibility that the Organization of the Islamic Conference had demonstrated did not mean that it had abandoned its principled positions and it would continue to pursue these objectives in all relevant international fora. The Organization of the Islamic Conference continued to remain concerned over the efforts by some quarters to stereotype, stigmatise and vilify Muslims. The defamation of Islam and its followers under the garb of freedom of expression was a new and contemporary form of discrimination, intolerance and xenophobia.

GLAUDINE J. MTSALI (South Africa), speaking on behalf of the African Group, said the Durban Review Conference had reaffirmed the continued validity of the Durban Declaration and Programme of Action as a platform to combat all scourges of racism, racial discrimination, xenophobia and related intolerance, and emphasised the need to ensure the continued implementation of the Durban Declaration and Programme of Action. The Conference had raised to prominence a number of issues, including contemporary manifestations of racism, racial discrimination, xenophobia and related intolerance, in particular incitement to religious hatred, the need to protect human rights when countering terrorism, and the importance of acknowledging the permissible limitations of the right to freedom of expression under international human rights law. The vision should be to make a tangible change in the lives of the victims of racism and intolerance.

The African Group remained ready to implement the outcome of the Conference with its partners, and was confident this could be achieved. Such an outcome, however, was only possible with the necessary political will and the widest possible participation from all stakeholders. All parties should commit to the spirit of multilateralism and to the centrality of the United Nations for addressing racism as one of the important priorities of the international system in a cooperative and concerned manner. The Conference was only one step of a continuing process in which all should join efforts to make this world a better place for all.

JUAN ANTONIO FERNANDEZ PALACIOS (Cuba), speaking on behalf of the Non-Aligned Movement, said that they were about to close the Durban Review Conference, and with that, they were also

about to close a chapter opened with the first General Assembly resolution that called for the celebration of this important event. Since the very beginning of this process they had witnessed opposition against it, division, contradictions and difficulties. It had not been easy to come along this long journey, but they had managed to do so thanks to their collective wisdom, and to the flexibility of many, including various members of the Non-Aligned Movement, who made important sacrifices to get to consensual outcome of this Review Conference. The Conference could in no way be shadowed by the regrettable decision of a small number of countries not to participate in it. The Non-Aligned Movement reaffirmed the Durban Declaration and Programme of Action as adopted in 2001. The Durban Declaration and Programme of Action continued to be the most far reaching and transcending document of the international community in the struggle against racism and racial discrimination. Its full implementation should be a priority for all.

CARLOS PORTALES (Chile), speaking on behalf of the Group of Latin American and Caribbean Countries, said that today ended the Durban Review Conference. It was a long and difficult path. The preparatory process was complex, and was not devoid of difficulties that put to the test multilateralism, an essential and indispensable tool for addressing challenges of this magnitude. The Group of Latin American and Caribbean Countries always maintained a constructive spirit, and at the end of the Conference, noted with satisfaction that, in general, the collective interest of protecting human rights had prevailed. The Group of Latin American and Caribbean Countries prepared its contributions to the Review Conference via the Santiago process.

The Group of Latin American and Caribbean Countries conveyed a message of hope to the victims of racism, racial discrimination, xenophobia and related forms of intolerance. This message was possible because a balanced outcome document was adopted. The outcome document could have perhaps had greater reach. This Review Conference showed that it was possible to reach constructive agreements collectively. This Conference was not the end of the road, but an important milestone that would culminate with the eradication of this scourge. There was a spirit of cooperation among all stakeholders who sought to reach consensus at the cost of overriding national preferences.

ACHAMKULANGARE GOPINATHAN, (India), speaking on behalf of the Asian Group, said the Asian Group wished to take this opportunity to congratulate and extend a warm note of appreciation to all whose efforts had culminated in the successful conclusion of the Conference. The constructive participation of all Member States who had remained committed to the Conference and its objectives to the very end were acknowledged. The Conference had been deeply enriched by the vibrant participation of civil society, ensuring the favourable outcome of the Durban Review Conference and the collective realisation of its objectives.

HANS DAHLGREN (Sweden), speaking on behalf of 22 countries, expressed its sincere appreciation for the work done by the High Commissioner for Human Rights as well as for the support and assistance provided to their deliberations by her Office. Their genuine gratitude went to the Russian facilitator Yuri Boichenko and those who had been assisting him for their patience and determination throughout the preparatory process. They regretted that some delegation had used the Conference as a platform to pursue agendas that were not in conformity with the spirit and objectives of the Conference. At the same time, they recognized that the fight against racism was too important a cause to be hijacked or derailed by a few extreme and unacceptable statements. They thanked delegations for their willingness to compromise, which had enabled them to find a consensual outcome on the concluding document to this Conference which constituted a positive evolution in the United Nations' work in the fight against racism and racial discrimination.

VALERY LOSHCHININ (Russian Federation), speaking as the Russian facilitator, said they were very pleased with the outcome of the Conference, which demonstrated the will of the vast majority of States to fight racism. A number of States for various reasons were not able to participate in the Conference, but the door remained open and it was their hope that in the future their voices would be able to join. The success of this forum would not have been possible without the active participation by other States. All the delegations who had shown a constructive attitude and had made compromises to ensure the success of the Conference were thanked.

The Russian Federation thanked the High Commissioner, Ms. Navi Pillay and her Office, the President of the Conference, Mr. Amos Wako, and the Chair of the PrepCom, Mrs. Najat Al-Hajaji, for their work. The responsible attitude of the Organization of the Islamic Conference countries was welcomed, and in particular, that of Algeria, Pakistan and Egypt. The Group of Latin American and

Caribbean Countries, in particular, Brazil and Chile's work, was appreciated as well as the work done by Norway and that of the host country - Switzerland. The contribution made by the delegation of Palestine was also welcomed. A warm thanks was extended to everyone involved who had not been mentioned.

DANTE MARTINELLI (Switzerland), speaking as the host country, said Switzerland hoped all would be satisfied with the results of the Conference, with a consensus text that would help in combating racism at the national and international levels. The outcome document was an advance over that of 2001, particularly in requiring that the fight against terrorism respect human rights, and that States protect migrants, and adopt criminal or civil provisions to eliminate multiple and aggravated forms of discrimination. It also upheld the essential role of the freedom of expression, democracy, human rights education, and a competent, independent and impartial judicial system. It was essential that the international community had been able to largely agree on how to tackle issues such as genocide, the Holocaust, tragedies of the past, colonialism, slavery, and discrimination against women. The conduct of the Conference showed to what extent emotions could take over when these issues were discussed. Civil society had played an important role during the Conference.

### **Closing Statements by Secretary-General of the Durban Review Conference and the President of the Conference**

NAVI PILLAY, High Commissioner for Human Rights and Secretary-General of the Durban Review Conference, congratulated all men and women who had worked so hard for the successful outcome of the Durban Review Conference. In particular, she thanked the President of the Conference for his able stewardship of the process and all groups, in particular the Organization of the Islamic Conference and the African regional group for their flexibility which had facilitated Member States consensus. She also thanked the Government of Switzerland for hosting this Conference. Despite the misgivings of some critics, it had proved to be what it was intended to be: a celebration of tolerance and dignity for all. Member States were fully aware that the towering challenges of racism, racial discrimination, xenophobia and related intolerance required the pooling together of political will, strengths and resources. This was why Member States had wisely and generously chosen to reject divisive stances.

As she had repeatedly noted over the last eight years, the implementation of the Durban Declaration and Programme of Action had been hampered by several challenges, old as well as new. Amidst the devastating consequences of the current financial crisis and economic recession, poverty and exclusion would continue to represent major challenges. The convergence of these crises and the effects of climate change had indeed affected disproportionately all vulnerable groups within societies. The document they had adopted this week was a carefully balanced and yet meaningful outcome enshrining a common aspiration: to defy racism in all its manifestations and work to stamp it out wherever it may occur. The document reaffirmed the centrality of freedom of expression and stressed its compatibility with the prohibition of incitement to hatred, thereby reconciling these two equally fundamental principles of international human rights law. Member States had succeeded in finding common ground. As High Commissioner for Human Rights, she urged all States, international organizations and civil society to build on this common ground an edifice of tolerance that they could proudly bequeath to their children and future generations.

AMOS WAKO, President of the Durban Review Conference, in his statement at the closing ceremony of the Conference, said that it was said in Africa, elders sat under a tree and discussed until they agreed. There was no reference to time. Alas this was a luxury one could not afford in modern times. Today would no doubt be remembered as a momentous week, a week during which the international community made another concrete and bold step in advancing the global struggle against racism, racial discrimination, xenophobia and related forms of intolerance, following the World Conference on Racism that took place in Durban in 2001.

Everyone assembled here last Monday to begin deliberations, where presented was a draft outcome document prepared by the Preparatory Committee of the Durban Review Conference, a draft which had been painstakingly negotiated by Member States for a long period, and which largely reflected the aspirations of peoples throughout the world who were committed to combating racism, racial discrimination, xenophobia and related forms of intolerance. In spite of a rather heated and controversial start, delegations were able to quickly recover and reconcile their differences in a calm and diplomatic manner, and this was done in the style and esteem befitting of the United Nations. In this spirit it was possible during the second day of the Conference to adopt by consensus a pivotal document that would guide all, together with the Durban Declaration and Programme of Action adopted in 2001, to better implement strategies aimed at protecting current and future victims of these scourges.

Adopting this outcome document well before the conclusion of the Conference sent a clear message to sceptics that the world remained united as it waged this struggle, a struggle that required the participation of all who cared about promoting the rights of all individuals and communities within their national jurisdictions. The adoption of this carefully balanced document showed the virtue of being constructively engaged in continuing the journey towards the total elimination of racism, racial discrimination, xenophobia and related forms of intolerance. Everyone here had ensured that the slogan of the Review Conference did not ring hollow when it stated: "united against racism: dignity and justice for all".

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