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Durban Review Conference

ROUNDUP RELEASE

RC/09/14
24 April 2009

DURBAN REVIEW CONFERENCE CONCLUDES AFTER ADOPTING OUTCOME DOCUMENT WHICH CALLS ON STATES TO TAKE COMPREHENSIVE MEASURES AGAINST RACISM

The Durban Review Conference today concluded its five-day session, having adopted by acclamation an outcome document in which it emphasised the need 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 all those under foreign occupation. The document also called on States to take effective, tangible and comprehensive measures to prevent, combat and eradicate all forms and manifestations of racism, racial discrimination, xenophobia and related intolerance.

Secretary-General Ban Ki-Moon, addressing the Conference at its opening meeting, said there came a time in the affairs of humankind when all should stand firm on the fundamental principles that bound them. There came a time to re-affirm faith in fundamental human rights and the dignity and worth of all, a time to give the virtues of tolerance and respect for diversity their fullest due and look beyond a past that divided toward a future that united. That time was now. The Durban Declaration and the Programme of Action committed the international community to work together to combat racism in all its manifestations. Racism was a denial of human rights, pure and simple. Humanity's long march in its campaign against racism had never been easy. The international community needed to build on the progress already made and grow beyond the divisions that prevented it from moving ahead.

Navi Pillay, United Nations High Commissioner for Human Rights and Secretary-General of the Conference, also at the opening meeting, said racism and racial discrimination attacked the very foundations of a person's dignity, for they sought to divide the human family into categories of people, some of which were considered more worthy than others. Discrimination in all its aspects must be denounced and forcefully rejected every time it reared its odious head, whether in the guise of political opportunism, cultural *mores* or specious arguments presented as scientific evidence. History had proved time and again that, when allowed to take root, discrimination, racism and intolerance shattered the very foundations of societies and damaged them for generations. This week the international community had the opportunity to take a significant step forward in the fight against racism, a fight that served the interest of justice, dignity and equality everywhere.

The Conference also held a high-level segment, during which it was addressed by a wide range of dignitaries, including Mahmoud Ahmadinejad, President of Iran, who, in his statement, said it was regrettable that a number of Western Governments and the United States had committed themselves to defend the racist perpetrators of genocide, while the awakened conscience and free-minded people of the world condemned the Zionist crimes of aggression, carnage and other brutalities of bombardments of civilians in Gaza. Subsequent to his statement, a number of delegations walked out of the Conference.

The outcome document also acknowledged the need to enhance further the effectiveness of the mechanisms dealing with or addressing racism, racial discrimination, xenophobia and related intolerance, with a view to achieving better synergy, coordination, coherence and complementarity in their work; renewed its call to States that had not yet done so to consider ratifying or acceding to the International Convention on the Elimination of All Forms of Racial Discrimination; urged States to punish violent, racist and xenophobic activities by groups that were based on neo-Nazi, neo-Fascist and other violent national ideologies; and urged all States that had not developed and/or

implemented national action plans to combat racism, racial discrimination, xenophobia and related intolerance to elaborate such plans and monitor their implementation in consultation with relevant stakeholders, including in particular national human rights institutions and civil society.

After the adoption of the outcome document, Amos Wako, the President of the Durban Review Conference, said that the adoption of the document showed that boycotts did not help the process. It also showed that one could remain constructively engaged and reach a consensus. Provided that all moved forward in this journey, all could achieve their objective united in diversity, based on love and respect, and each member of the human race would enjoy his and her indivisible human rights.

In the general segment of the Conference, speakers underlined, among other things, that since 2001 progress had been achieved, but challenges still remained. Racism and racial discrimination were global scourges that still affected millions of people in all countries of the world. Racial prejudice, xenophobia, and intolerance persisted in many societies along with new and contemporary manifestations. Some also said it was not plausible or acceptable to witness the prevalence in many countries of the manifestations of racism and racial discrimination. The Review Conference was an opportunity of assessing failures in order to gain new victories in eliminating racism. Prejudice based on religion, culture, lack of knowledge, intolerance and discrimination based on religion or belief were detrimental to the enjoyment of human rights and fundamental freedoms as well as the promotion of peaceful culture. Commensurate remedies for the evils of racism, racial discrimination, xenophobia and related intolerance required that all United Nations Member States showed real political will to apply them fully. There was no contradiction in simultaneously protecting people against racial discourse and incitement to racial and religious hatred, and ensuring that freedom of expression remained one of the key pillars of society.

Under its agenda item on issues arising from the objectives of the Conference, the Conference heard from national delegations and other stakeholders including United Nations bodies and agencies as well as representatives of civil society, who raised issues concerning the need to ensure the implementation of the provisions of the Durban Declaration and Programme of Action. Speakers said, among other things, that the implementation of the Durban Declaration and Programme of Action was still not satisfactory. Racism was far from eradicated and new forms had appeared. Tolerance was one of the pillars of true democracy. And there was no democracy if part of the population was deprived of its rights on the basis of colour, race, origin, belief, religion or any other form of behaviour. Education was an essential tool to avoid racism and intolerance. The poorest communities in almost any region tended to be minority communities that had been targets of longstanding discrimination, violence or exclusion. The international community must do more to challenge the racism and discrimination faced by minorities and fully exploit the positive potential of minority rights to benefit societies as a whole.

A Presidential Statement was also issued on behalf of the Conference in the spirit of the fifteenth commemoration of the 1994 Genocide against the Tutsi in Rwanda, in which the Conference reaffirmed that genocide was a most serious manifestation of racism, racial discrimination, xenophobia and related intolerance. The 1994 genocide against the Tutsi in Rwanda claimed one million innocent lives as the entire world watched. It still haunted the collective conscience and should never be forgotten. Today, 15 years later, the Conference recognised that there were attempts to diminish the importance and gravity of this genocide, through its negation and trivialization. This was a serious impediment to efforts for the prevention of genocide and for bringing to justice to and fostering reconciliation for the people of Rwanda. The Conference therefore urged the international community to make all efforts to combat negation and trivialisation of the genocide committed against the Tutsi in Rwanda.

At the last meeting, the Conference also adopted the report of its credentials committee (A/CONF.211/7), and the final report of the Conference (A/CONF.211/L.1) ad referendum.

Outcome Document

The outcome document of the Durban Review Conference (A/CONF.211/PC.4/10), in its first section on review of progress and assessment of implementation of the Durban Declaration and Programme of Action by all stakeholders at the national, regional, and international levels, including the assessment of contemporary manifestations of racism, racial discrimination, xenophobia and related intolerance, among other things: takes note of the efforts undertaken at all levels and welcomes the progress achieved since the adoption of the Durban Declaration and Programme of Action to

implement its provisions; emphasises the need 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 all those under foreign occupation; reiterates that poverty, underdevelopment, marginalization, social exclusion and economic disparities are closely associated with racism, racial discrimination, xenophobia and related intolerance and contribute to the persistence of racist attitudes and practices which in turn generate more poverty; reaffirms the responsibility of Governments for safeguarding and protecting the rights of individuals within their jurisdiction against crimes perpetrated by racist or xenophobic individuals or groups or agents of the State; condemns legislation, policies and practices based on racism, racial discrimination, xenophobia and related intolerance which are incompatible with democracy, transparent and accountable governance; deplores the global rise and number of incidents of racial or religious intolerance and violence, including Islamophobia, anti-Semitism, Christianophobia and anti-Arabism manifested in particular by the derogatory stereotyping and stigmatization of persons based on their religion or belief; and in this regard urges all the UN Member States to implement paragraph 150 of the DDPA; stresses the need to increase appropriate preventive measures to eliminate all forms of racial discrimination, and emphasizes the important role that Governments, international and regional organizations, national human rights institutions, the media, non-governmental organizations and civil society can play in developing such measures; and reaffirms its call upon States to implement all commitments resulting from international and regional conferences in which they participated, and to formulate national policies and action plans to prevent, combat, and eradicate racism, racial discrimination, xenophobia and related intolerance.

In its second section on assessment of the existing Durban follow-up and other United Nations mechanisms dealing with the issue of racism, racial discrimination, xenophobia and related intolerance in order to enhance them, the Conference: acknowledges the need to enhance further the effectiveness of the mechanisms dealing with or addressing racism, racial discrimination, xenophobia and related intolerance, with a view to achieving better synergy, coordination, coherence and complementarity in their work; and reaffirms its support for the mandate of the Special Adviser of the Secretary-General on the Prevention of Genocide, who acts, inter alia, as an early warning mechanism to prevent potential situations that could result in genocide.

In its third section on promotion of the universal ratification and implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and proper consideration of the recommendations of the Committee on the Elimination of Racial Discrimination, the Conference: renews in this context its call to States that have not yet done so to consider ratifying or acceding to the Convention as a matter of high priority; urges States parties to the Convention to withdraw reservations contrary to the object and purpose of the Convention and to consider withdrawing other reservations; and emphasises the importance of setting up effective national monitoring and evaluation mechanisms to ensure that all appropriate steps are taken to follow up on the concluding observations and general recommendations of the Committee.

In its fourth section, on identification and sharing of best practices achieved at the national, regional and international levels in the fight against racism, racial discrimination, xenophobia and related intolerance, the Conference: recommends that examples of best practices provided for by Governments, regional and international organizations and other stakeholders be placed on the website of the OHCHR and linked to the section on the outcome of Durban Review Conference, with a view to their adaptation and replication.

In its fifth section, on identification of further concrete measures and initiatives at all levels for combating and eliminating all manifestations of racism, racial discrimination, xenophobia and related intolerance, in order to foster the implementation of the Durban Declaration and Programme of Action and to address challenges and impediments hereto, including in light of developments since its adoption in 2001, the Conference: calls on States to undertake effective media campaigns to enhance the struggle against all manifestations of racism, racial discrimination, xenophobia and related intolerance; calls on States to take effective, tangible and comprehensive measures to prevent, combat and eradicate all forms and manifestations of racism, racial discrimination, xenophobia and related intolerance; calls on States to combat impunity for acts of racism, racial discrimination, xenophobia and related intolerance, to secure expeditious access to justice, and to provide fair and adequate redress for victims; urges States to punish violent, racist and xenophobic activities by groups that are based on neo-Nazi, neo-Fascist and other violent national ideologies; urges States to combat impunity for crimes of genocide in accordance with international law, and in this context urges States to cooperate with international criminal; urges States to bolster measures to eliminate the

barriers and to broaden access to opportunities for greater and more meaningful participation by people of African and Asian descent, indigenous peoples and persons belonging to national or ethnic, religious and linguistic minorities in the political, economic, social and cultural spheres of society, and to grant special attention to the situation of women, in particular their practical incorporation into the labour market and in income and employment-generation programmes; urges States to prevent manifestations of racism, racial discrimination, xenophobia and related intolerance at country border entry areas, in particular vis-à-vis immigrants, refugees and asylum seekers, and in this context encourages States to formulate and implement training programmes for law enforcement, immigration and border officials, prosecutors and service providers, with a view to sensitizing them to racism, racial discrimination, xenophobia and related intolerance; urges States to take measures to combat the persistence of xenophobic attitudes towards and negative stereotyping of non-citizens, including by politicians, law enforcement and immigration officials and in the media, that have led to xenophobic violence, killings and the targeting of migrants, refugees and asylum-seekers; urges States to step up their efforts to combat racism, racial discrimination, xenophobia and related intolerance and to protect the human rights of internally displaced persons; urges States to enact and implement legislation, and to devise, enforce, and strengthen national, regional and global action plans that integrate a human rights perspective, in particular accounting for gender and age, to combat and eliminate all forms of trafficking in persons, particularly of women and children and other vulnerable groups; and urges all States that have not developed and/or implemented national action plans to combat racism, racial discrimination, xenophobia and related intolerance to elaborate such plans and monitor their implementation in consultation with relevant stakeholders, including in particular national human rights institutions and civil society.
