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Annex

SECTION 1

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

A. Sources, causes, forms, and contemporary manifestations of racism, racial discrimination, xenophobia and related intolerance

1. *Reaffirms* the Durban Declaration and Programme of Action, as it was adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in 2001;[*]

2. *Welcomes* the efforts undertaken at all levels since the adoption of the Durban Declaration and Programme of Action to implement its provisions;

3. *Expresses concern* that the obstacles identified in the Durban Declaration and Programme of Action remain to be overcome in order to eradicate, prevent and combat effectively racism, racial discrimination, xenophobia and related intolerance and that there are still many areas where achievements have not been gained or further improvements have to be attained;

4. *Emphasizes* the need to continue addressing with even more resolve all forms and manifestations of racism, racial discrimination, xenophobia and related intolerance in all parts of the world and in all spheres of life;

5. *Reaffirms* that all peoples and individuals constitute one human family, rich in diversity, and that all human beings are born free and equal in dignity and rights; and strongly rejects any doctrine of racial superiority along with theories which attempt to determine the existence of so-called distinct human races;[*]

[*] Adopted ad referendum during the first session of the intersessional open-ended intergovernmental working group (ISWG) to continue and finalize the process of negotiations on and drafting for the outcome document, 19-23 January 2009;

[**] Adopted ad referendum during the informal open-ended consultations convened by the Chairperson-Rapporteur of the ISWG, 16-19 and 26 February 2009;

[***] Adopted ad referendum during the first session of the ISWG or during the informal open-ended consultations, and subsequently revised by the Chairperson-Rapporteur of the ISWG.

6. *Reiterates* that poverty, underdevelopment, marg

30. *Takes note with appreciation* that the Ad Hoc Committee on the Elaboration of International Complementary Standards convened its first session and agreed upon a road map, with a view to achieving full implementation of paragraph 199 of the Durban Programme of Action;

31. *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;

SECTION 3

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

General

32. *Reaffirms* that the International Convention on the Elimination of All Forms of Racial Discrimination is the principal international instrument to prevent, combat and eradicate racism, racial discrimination, xenophobia and related intolerance, including their contemporary forms;

33. *Affirms* that full implementation of the Convention is fundamental for the global fight against racism and racial discrimination;

34. *Welcomes* the interpretation given by the Committee on the Elimination of Racial Discrimination to the definition of the concept of racial discrimination as contained in the Convention, so as to address multiple or aggravated forms of discrimination;

Ratification

35. *Welcomes* the ratification of the International Convention on the Elimination of All Forms of Racial Discrimination by a number of countries since the 2001 World Conference, while regretting that the goal of universal ratification by 2005 was not achieved;[***]

36. *Renews in this context its call* to States that have not yet done so to ratify or to accede to the Convention as a matter of high priority;

37. *Reiterates its call* to States parties to the Convention to consider making the declaration under its article 14 to enable victims to resort to the envisaged remedy, and requests States parties that made the declaration under article 14 to increas

SECTION 4

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

47. *Takes note with interest* of examples of best practices at all levels provided by Governments, regional and international organizations and other stakeholders, including, inter alia, institutions, provisions and legislation to prevent, combat and eradicate racism, racial discrimination, xe

Action at the national level

53. *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 as a matter of priority;

54. *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;

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

56. *Stresses* that the right to freedom of opinion and expression constitutes one of the essential foundations of a democratic, pluralistic society, since it ensures access to a multitude of ideas and views;

57. *Invites* Governments and their law enforcement agencies to collect reliable information on hate crimes in order to strengthen their efforts to combat racism, racial discrimination, xenophobia and related intolerance;[*]

58. *Urges* States to punish violent, racist and xenophobic activities by groups that are based on neo-Nazi, neo-Fascist and other violent national ideologies;

59. *Reiterates its call* on domestic, national and international law enforcement agencies, as well as international financial institutions, to honour the commitments contained in paragraphs 157, 158 and 159 of the Durban Declaration and Programme of Action;

60. *Welcomes* actions undertaken to honour the memory of the victims of slavery and the slave trades, in particular those relating to intolerance; [D-71 as well as a(c)2.4(ul)-3.6(ar)-8 rades, iirela

75. *Urges* States to adopt a comprehensive and balanced approach to migration, including by strengthening the international dialogue on migration, by developing real partnerships between countries of origin, transit and destination, and by exploring all possible synergies between the management of migration and the promotion of development;

76. *Renews the call* on all States to review and, if necessary, to revise immigration policies inconsistent with international human rights obligations, with a view to eliminating all discriminatory policies and practices;

77. *Urges* States that have not yet done so to adopt and enforce new legislation to protect migrant domestic workers, regardless of their immigration status, in particular women, and to grant migrant workers in domestic service access to transparent mechanisms for bringing complaints against employers, while stressing that such instruments should not punish migrant workers, and calls on States to promptly investigate and punish all abuses, including ill-treatment;

78. *Reiterates* that the national, regional and international response and policies, including financial assistance, towards refugee and internal displacement situations in different parts of the world, should not be guided by any form of discrimination prohibited by international law and urges the international community to take concrete action to meet the protection and assistance needs of refugees, and to contribute generously to projects and programmes aimed at alleviating their

or vulnerability, in particular of women and girls, and urges States to adopt or strengthen programmes or measures to eradicate multiple and aggravated forms of discrimination, in particular by adopting or improving penal or civil legislation to address these phenomena;

84. *Expresses concern* at the persistence of discrimination against women and girls on the grounds of race, racial discrimination, xenophobia and related intolerance and stresses the urgent need to combat such discrimination by prioritizing the development of a systematic and consistent approach to evaluating, monitoring and eliminating such discrimination against women and girls, in accordance with the Durban Declaration and Programme of Action;

85. *Stresses*, in the context of multiple discrimination, the need to treat all forms of violence against women and violence against children as a criminal offence, punishable by law, as well as the duty to provide relief to victims of multiple discrimination;

99. *Calls on* States to ensure that investigations of all acts of racism and racial discrimination, in particular those committed by law enforcement officials, are carried out in an impartial, timely and exhaustive manner, that those responsible are brought to justice in accordance with the law, and that victims receive prompt and fair satisfaction for any damage;

100. *Calls upon* States to refrain from profiling on racial, ethnic, religious and/or other grounds prohibited by international law, and to prohibit such profiling in its national legislation;

101. *Recommends* that States that have not yet done so establish mechanisms to collect, compile, analyse, disseminate and publish reliable and disaggregated statistical data, and undertake all other related measures necessary to regularly assess the situation of individuals and groups of individuals who are victims of racism, racial discrimination, xenophobia and related intolerance, in accordance with the Durban Declaration and Programme of Action;

102. *Requests* States, with the assistance of OHCHR, to develop a system of data collection, including equal-opportunity and non-discrimination indicators that, upholding the right to privacy and the principle of self-identification, makes it possible to assess and guide the formulation of policies and actions to eradicate racism, racial discrimination, xenophobia and related intolerance;

103. *Urges* States to establish national programmes that facilitate the access of all to basic social services without discrimination;

104. *Reaffirms* that the eradication of racism, racial prejudice and xenophobia should aim not only at promoting equality and eliminating discrimination but also at promoting interaction among ethnic, cultural and religious communities;[**]

105. *Encourages* States to develop national capacity for human rights education, training activities and public information, by involving national human rights institutions, non-governmental organizations and other relevant stakeholders in order to combat racism, racial discrimination, xenophobia and related intolerance, in line with the Plan of Action of the World Programme for Human Rights Education;[**]

106. *Encourages* all States and relevant international organizations to initiate and develop cultural and educational programmes aimed at countering racism, racial discrimination, xenophobia and related intolerance and enhancing mutual understanding among various cultures and civilizations;[**]

107. *Calls upon* States to implement cultural rights through the promotion of intercultural and inter-religious dialogue and cooperation at all levels, especially at the local and grass-roots levels;

108. *Urges* States to encourage political parties to work towards fair representation of national or ethnic, religious and linguistic minorities within and at all levels of their party system, to ensure that their political and legal systems reflect the multicultural diversity of their societies, and to develop more participatory democratic institutions in order to avoid the discrimination, marginalization and exclusion of specific sectors of society;

109. *Urges* States to improve democratic institutions, to increase participation, and to avoid marginalization, exclusion of and discrimination against specific sectors of society, for

118. *Recommends* that States, regional and international organizations establish independent bodies, where they do not already exist, to receive complaints from victims of racism, racial discrimination, xenophobia and related intolerance regarding discrimination in housing, education, health, employment, or access hereto, as well as other human rights;

119. *Commends* media organizations that have elaborated voluntary ethical codes of conduct aimed at, inter alia, meeting the goals defined in paragraph 144 of the Durban Programme of Action, and encourages consultations among media professionals through relevant associations and organizations at the national, regional and international levels, with the assistance of OHCHR, with a view to exchanging views on this subject and sharing best practices, taking into account the independence of the media and international human rights standards and norms;

Action at the international level

120. *Re-emphasizes the importance* of enhancing international cooperation to achieve the goals identified in the Durban Declaration and Programme of Action with a view to combating, preventing and eradicating racism, racial discrimination, xenophobia and related intolerance;

121. *Encourages* States to include in their national reports to the universal periodic review mechanism of the Human Rights Council information on measures to prevent and combat racism, racial discrimination, xenophobia and related intolerance;[**]

122. *Invites* the Human Rights Council, its special procedures and mechanisms, as well as relevant treaty bodies, within their respective mandates, to take into account the Durban Declaration and Programme of Action and the outcome of the Review Conference;

123. *Recommends* that the Human Rights Council ensure synergy in the work of the follow-up mechanisms established by the Declaration and Programme of Action under the auspices of the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action, with a view to improving the effectiveness of the follow-up mechanisms; and, in connection herewith recommends that the Working Group of Experts on People of African Descent focus on undertaking field visits and report to the Intergovernmental Working Group, and that the Independent Eminent Experts provide their individual expert advice upon request of the Intergovernmental Working Group or the High Commissioner for Human Rights;

124. *Requests* the Human Rights Council to continue promoting intercultural and inter-religious dialogue with enhanced participation of all stakeholders, including from the grass-roots level;

125. *Invites* all international sporting bodies to promote, through their national, regional and international federations, a world of sports free from racism and racial discrimination;[**]

126. *Invites* the Fédération Internationale de Football Association, in connection with the 2010 football World Cup tournament to be held in South Africa, to introduce a visible theme on non-racism in football and requests the High Commissioner for Human Rights in her capacity as

Secretary-General of the Durban Review Conference to bring this invitation to the attention of the Fédération and to bring the issue of racism in sport to the attention of other relevant international sporting bodies;[**]

Action by the Office of the High Commissioner for Human Rights and the United Nations system

127. *Invites* the High Commissioner for Human Rights to further increase awareness of the struggle against racism, racial discrimination, xenophobia and related intolerance, including the awareness of the relevant mechanisms and bodies, through the appropriate activities and programmes of her Office;

128. *Reiterates its call* on OHCHR to continue its efforts to increase awareness and support for the work of the Committee on the Elimination of Racial Discrimination, as part of the overall endeavour to strengthen the work of the treaty bodies;

129. *Encourages* OHCHR to continue to provide guidance and support to the mechanisms of the Human Rights Council to monitor the implementation of the Durban Declaration and Programme of Action;[***]

130. *Invites* the High Commissioner for Human Rights to fully implement the mandate given to OHCHR in the Durban Declaration and Programme of Action, and in particular to collect and disseminate data and best practices from around the world, including national action plans and legislation to combat racism, racial discrimination, xenophobia and related intolerance;[***]

131. *Welcomes* the proposal of the High Commissioner for Human Rights and recommends the establishment of a United Nations

the working level by an inter-agency task force, working in collaboration with the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action;

135. *Emphasizes the need* for the relevant United Nations bodies and specialized agencies to provide, within the mainstreaming of the implementation of the Declaration and Programme of Action, targeted technical cooperation to enhance its effective implementation, and in this context encourages States to seek assistance to establish or improve national policy frameworks, administrative structures and practical measures to give effect to the Durban Programme of Action;

136. *Requests* the Secretary-General to provide OHC