

General Assembly

Distr.
GENERAL

A/CONF.211/PC.2/8
18 April 2008

ENGLISH ONLY

DURBAN REVIEW CONFERENCE

QUESTIONNAIRE

Replies received from the Special Rapporteur on the right to education

1. A questionnaire was submitted to the specialized agencies of the United Nations system and relevant United Nations bodies, regional organizations, governmental organizations, national human rights institutions and non-governmental organizations, the Committee on the Elimination of Racial Discrimination, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the Special Rapporteur on freedom of religion or belief, the Five Independent Eminent Experts to follow up on the implementation of the Durban Declaration and Programme of Action, the Five Experts on Complementary International Standards, the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent and other relevant human rights mechanisms including other special procedures, prepared by the Office of the United Nations High Commissioner for Human Rights, pursuant to decision PC.1/10 of the Preparatory Committee of the Durban Review Conference at its first session (A/62/375).

2. See below the replies received from the Special Rapporteur on the right to education, Vernor Munoz.

Question 1

Please assess the implementation of the Durban Declaration and Programme of Action, paragraph 4.6(n).6(c)4.6r(6,1-3.9(s)The

3. There is sufficient historical basis to understand that most education exclusion is rooted in the structure of the traditional school. The need for uniformity and for increasing efficiency in the outcomes of “production factors” was the reason that motivated the concept of a school based on the elimination of differences among people. In this sense, much more concrete reflection and work has to take place at the level of education systems, inquiring into these issues and drawing concrete policies and programmes that guarantee the recognition and valuing of differences. In terms of point (b) above, statistics show that historically discriminated-against groups are still at an enormous disadvantage in terms of access, completion and success in learning experiences, showing that the very notion of universality of education has still a long way to go. The obligation of States to offer universal, compulsory and free education is still not being met by the great majority of them. The lack of opportunities for victims of discrimination is easily converted into factual evidence of their supposed inferiority, perpetuating discrimination and its perverse consequences.

4. In terms of point (c), a good indicator for assessing progress is to analyse the number of States that have ratified International Labour Organization (ILO) Convention No. 169 concerning Indigenous and Tribal Peoples. To date, only 19 States have ratified the Convention, most of them from Latin America. Finally, in terms of point (d), the very notion of human rights education is still a challenge for many States and all efforts and initiatives currently under way by UNESCO are very important.

Question 2

On the basis of your experience, please assess contemporary manifestations of racism, racial discrimination, xenophobia and related intolerance, as well as initiatives in this regard with a view to eliminating them.

Reply

1. The Durban Declaration gives special emphasis to: Africans and Afro-descendants; indigenous populations; migrants; and refugees. It also mentions poverty as a key element of discrimination and gender as a deep-rooted cross-cutting issue that severely aggravates all forms of discrimination. AIDS is also mentioned as a factor of discrimination.

2. Contemporary forms of racism, racial discrimination, xenophobia and related intolerance include religion-based discrimination and consequently discrimination against the Arab, Muslim and Jewish communities, among others. Furthermore, other forms of discrimination relate to the fact that the issue of terrorism has gained centrality. In this sense it is crucial that States and international organizations take on the responsibility of making sure that measures adopted in the fight against terrorism do not foster discrimination due to race, colour, descent or nationality.

Question 3

Please identify concrete measures and initiatives for combating and eliminating all manifestations of racism, racial discrimination, xenophobia and related intolerance in order to foster the effective implementation of the Durban Declaration and Programme of Action.

Reply

1. A first key step in overcoming racism, racial discrimination, xenophobia and related intolerance is recognizing its existence. More often than not, recognizing the existence of racism is a tense process that requires objectively looking at historical injustices. This recognition is crucial because it sets the stage for any other action to take place, creating the necessary conditions to spell out the discriminatory contexts and its various manifestations.
2. A second important measure is to set out curricular and pedagogical changes based on the notion of “re-education of social relations”, fostering new forms of relationships among people, by which differences are not only recognized but also valued. I have frequently pointed out in all my reports that access to school, on its own, does not represent a guarantee that the right to education is being met. There is an urgent need to foster quality education based on the teaching and the living of human rights. This is a prerequisite for developing resistance against all forms of exclusion and discrimination.
3. Pursuant to this, initiatives and school processes that help to institutionalize human rights education are a must if we want to see the Durban Declaration effectively implemented. The United Nations Decade for Human Rights Education (1994-2005) was an important initiative

public debate, strengthening the possibility of different stakeholders putting in place in-country mechanism of pressure and accountability. Civil society actors must be recognized as important allies in the implementation of the Durban Declaration and the International Convention and

and Afro-Brazilian history and culture. In 2004 the National Education Council approved curriculum guidelines for the teaching of African and Afro-Brazilian history and culture. The guidelines are based on the need for an education of ethnic-racial relations, having as its goal the “dissemination and production of knowledge, as well as attitudes, positions and values that educate citizens in relation to ethnic-racial plurality, making them capable of interacting and negotiating common objectives that guarantee, to all, respect to legal rights and to the valuing of identity”. This year, the law was amended to include, apart from African and Afro-Brazilian history and culture, that of the indigenous population. The challenge in Brazil is now to see the full implementation of the law, but it certainly offers a concrete and sound platform from which to act. It has also put at the forefront of the public agenda the recognition of racism and discrimination in the society, and consequently, of ways to overcome this historic problem.

2. Considering “education of ethnic-racial rela