







**Question 3:** Brazil has several pieces of legislation that include measures against racist acts. These are the Constitution, the Torture Law, the Law of Qualified Injury for Prejudice, the Anti-discrimination Law and the Law on Afro-Brazilian and Indigenous History Education. The Brazilian State was the flagship in the organization of the Regional Conference of the Americas on Developments and Challenges for the Action Plan against Racism, Racial Discrimination, Xenophobia, and All Forms of Discrimination and Intolerance, as well as the Second Conference of Intellectuals from Africa and the Diaspora, both held in Brazil in July 2006.

**Question 4:** The international human rights protection system has not succeeded in establishing adequate protective parameters to face the new forms of racism and racial hate. The Brazilian State supports the extension of the international protection against discrimination to the other vulnerable groups. The Brazilian State considers relevant the enhancing of discussions related to traditional communities, such as the remaining *quilombos* and aborigines. Promotion strategies able to encourage the insertion and inclusion of socially vulnerable groups in the social world are essential.

**Question 5:**

Brazil signed the International Convention on the Elimination of All Forms of Racial Discrimination on 7 March 1966, and ratified it on 27 March 1968.

**Question 6:**

The response by Brazil notes its Programme for Quilombola Remainder Communities, its programmes pertaining to health, education, and development, labour and income

generation, as well as the Wood Communities (in) 0:295 mist Raci 2,1643649

General of the Government, has acquired more relevance and has been transformed into the Department of Diversity and Non-Discrimination. The Division of Social Organizations of the above-mentioned Ministry created a plan of action with the following components: (a) a plan of action against racism; (b) the promotion of civil initiatives; and (c) the spreading of initiatives on tolerance and no discrimination.

In 2004, the first national study on disability was carried out in Chile by the

**Question 6:** Currently, there are several initiatives to combat racial discrimination. For instance, there is a draft bill against any form or manifestation of discrimination currently before the Senate (which has been approved by the House of Representatives). Also, the inter-ministerial network and the multicultural citizen network, in the framework of Tolerance and Non-Discrimination Programme are important national initiatives.

### **Colombia**

**Question 1:** Colombia actively supported the Durban Conference a

culture), promoting the patrimony of indigenous peoples. Several other projects within

Several measures have been taken to combat racism and racial discrimination, among them:

- Promoting in Congress a legislative review towards abolishing laws or dispositions with discriminatory implications for indigenous peoples
- Creating judicial offices for the defence of indigenous rights providing free legal aid in the municipalities with greatest number of indigenous communities
- Establishment of a Public Policy on Tolerance and the Elimination of Racism and Racial Discrimination
- Classification of discrimination as a crime in the Penal Code
- The promulgation of a Law on Mayan Languages, and a law to recognize the right to use regional clothing in school
- The establishment of the CODISRA, which formulates public policy to eradicate racism and racial discrimination, as well as the Fund for Indigenous Development (FODIGUA), which supports social and economic development of indigenous communities
- The creation of a Commission of Indigenous Communities in Congress, and the creation of a National Commission on Reparations to carry out a compensation programme for victims of the 36-year internal armed conflict
- The creation of a Department on Indigenous Communities within the Ministry of Labour to oversee implementation of ILO Covenant 169, as well as an Indigenous Peoples Unit in the Ministry of Environment, to advise the Minister on environmental issues which affect indigenous communities
- The creation of a specialized Ombudsman for Indigenous Peoples within the national human rights institution, as well as the creation of the Academy for Mayan Languages (ALMG), which ensures application of the Law on Mayan languages, and promotes its use through a television channel.

**Question 4:** Guatemala has strengthened national institutions, ratified international



treatment before the law, and its commitment to follow recommendations made by the United Nations to Guatemala to eradicate racism and racial discrimination.

**Question 5:** Guatemala ratified the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) in 1983, and is considering recommendations made by special procedures and treaty bodies in the preparation of its 12th report.

**Question 6:**

The Public Policy for Tolerance and the Elimination of Racism involves all State institutions, in six areas: (a) social and economic; (b) political and judicial; (c) cultural; (d) civic education; (e) equality and access to State services, and (f) the environment. CODISRA is launching a National Campaign against Racism and Racial Discrimination, along with workshops to sensitize the public on the issue.

### **Ecuador**

**Question 1:** A systematic programme for the application of the Durban Declaration has not yet been implemented in Ecuador. However, through the Corporación de Desarrollo Afroecuatoriano (CODAE, or Afro-Ecuadorian Development Corporation) and the Ministry of Foreign Affairs, Ecuador participated in the Regional Conference of the Americas concerning the Advances and Challenges of the Programme of Action against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Brazil on 26 and 27 July 2006.

In 2004, the Government began a national survey concerning the perceptions concerning racism and discrimination in Ecuador.

**Question 2:** The National Constituent Assembly is currently in n

**Question 3:** In 2003, as part of the National Plan for Human Rights in Ecuador, the Operative Plan of Human Rights for Indigenous Communities and Afro-Ecuadorians was implemented.

Principles of non-discrimination and collective rights are enshrined within the Constitution of Ecuador. Article 1 of the Constitution clearly states that it is a multicultural nation. Articles 16 and 17 affirm that the State has the greatest responsibility to respect and ensure that human rights are guaranteed to all of its inhabitants (particularly, the collective rights of the Afro-Ecuadorians and Indigenous persons). Articles 23, 83, 84, 85 and 237 further recognize and affirm principles of non-discrimination and collective rights. The legislature declared a national day for the Afro-Ecuadorian communities and there is also a specific law relating to the collective rights for the Afro-Ecuadorian communities.

In 1998, the National Directorate for Intercultural Bilingual Education was established within the Ministry of Education and Culture, with particular emphasis on indigenous communities. In the same year, the Government also created the Council for the Development of the Indigenous Peoples and Nationalities of Ecuador.

**Question 4:**

The Government periodically reports on relevant information to the Committee on the Elimination of Racial Discrimination. Since 2006, Ecuador has established a dialogue with the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

**Question 5:**

Ecuador has ratified the International Convention on the Elimination of All Forms of Racial Discrimination.

**Question 6:** Ecuador has also committed itself, within the National Plan for Social Development and Productivity, to make Afro-Ecuadorian communities a priority in the political agenda.

**Question 1:**

On 14 April 2001, a constitutional reform modified article 1 of the Constitution of Mexico, with the overall aim of prohibiting any form of discrimination on any grounds. The National Council for the Prevention of Discrimination elaborated the National Programme for the Prevention and Elimination of Discrimination. In June 2006, a Law on the Administration of Indigenous Justice was introduced which recognizes the complete judicial validity of the resolutions of the indigenous persons.

**Question 2:**

On 11 June 2003, a law was introduced for the prevention and elimination of discrimination. As a consequence of this law, the National Council for the Prevention of Discrimination was created. In 2001, a law relating to the National Commission for the development of Indigenous Communities was introduced. In addition to this, the General Law on the Linguistic Rights of Indigenous Communities was introduced in 2003. This law then led to the creation of the National Institute of Indigenous Languages.

**Question 4:** The National Commission of Human Rights has the capacity to receive

In March 2006, a law was approved for the protection of migrants and their families and the protection of migrants and their families was reinforced. There is also a law relating specifically to equality between the sexes and a law governing access to women to a life free of violence. An intensive programme was implemented (from 2001 to May 2007) to educate civil servants and professionals in the spe

**Question 5:**

Regarding migrants, the laws conform to United Nations standards and norms.

Regarding refugees, asylum-seekers and displaced persons, anti-Semitism and anti-Arabism is not a practice in Panama and these two communities include the main investors in the country.

### **Uruguay**

**Question 1:** The Government of Uruguay notes the creation of the Human Rights

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education and employment. Scholarships should be created at all levels of education for the economically disadvantaged. Also, education should promote human rights and include in the curriculum the history of slavery of Afro-descendants forebears.

**Question 5:**

The Government of Uruguay states in its response that it ratified the International Convention on the Elimination of All Forms of Racial Discrimination in 1968 and that discrimination is criminalized in the Criminal Code. In compliance with recommendations made by the Committee on the Elimination of Racial Discrimination in 1999, the Government disaggregated information on Afro-descendants in its household survey.

**Question 6:**

The Government mentioned several initiatives to combat racial discrimination such as programmes to access education for disadvantaged sectors of society, official recognition of Afro-descendent women achievers and the participation of Montevideo in the Coalition of Cities Against Racism.

## **Venezuela**

1. In answer to the questions contained within the annex to the questionnaire, the V Government of Venezuela made reference to domestic legislation that protects human rights, particularly the Constitution; it gives pre-eminence within the national legal framework to international human rights treaties ratified by Venezuela. It also pointed out that the Constitution, in its article 19, guarantees the respect of human rights for all persons. The Defensoría del Pueblo is mentioned as the State body charged with defending human rights, and Venezuela's response describes the various functions attributed to this body to carry out its mandate. The rights to non-discrimination and equality are mentioned as important elements of the Defensoría's mandate.

2. The reply makes reference to several programmes and projects related to health issues, particularly those directed at addressing the needs of the most vulnerable sectors of society. Mention is made of the Presidential commission against discrimination that was

created in 2003 and a proposal to create a law against racial discrimination. Also, reference was made to broad policy lines designed to generate social inclusion and which foster non-discrimination and specific missions designed to benefit more vulnerable sectors of society, including victims of discrimination.

3. As regards the participation without discrimination of women in society, the response points to an ample participation of women in posts of significant responsibility in government and the State, and outlines the work and mandate of institutions charged with advancing the participation of women, as well as laws formulated with the same end. Similar measures have been adopted as regards Afro-descendants and the indigenous population.

4. Statistical information on Afro-descendants is gathered and analysed by a Sub-Committee of the National Statistical Committee for

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