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مؤتمر ديربان الاستعراضي
اللجنة التحضيرية
الدورة الموضوعية الثانية
البند ٣ من جدول الأعمال المؤقت

تقارير الاجتماعات والأنشطة التحضيرية على الصُّعد الدولي والإقليمي والوطني

مذكرة شفوية مؤرخة ٨ تشرين الأول/أكتوبر ٢٠٠٨ موجهة
من البعثة الدائمة لسري لانكا لدى مكتب الأمم المتحدة في
جنيف إلى مفوضية الأمم المتحدة السامية لحقوق الإنسان

تهدي البعثة الدائمة لجمهورية سري لانكا الديمقراطية الاشتراكية لدى مكتب الأمم المتحدة والمنظمات الدولية الأخرى في جنيف تحياتها إلى مفوضية الأمم المتحدة السامية لحقوق الإنسان وتشرف بأن تحيل رفقته* مساهمة المنطقة الآسيوية في مؤتمر ديربان الاستعراضي، التي أيدتها الممثلون الدائمون والسفراء للدول الأعضاء في المجموعة الآسيوية في اجتماعهم الذي عُقد في ٨ تشرين الأول/أكتوبر ٢٠٠٨ في جنيف، في إطار المساهمة في اللجنة التحضيرية لمؤتمر ديربان الاستعراضي.

وتقدم هذه المساهمة وفقاً للمقرر ل ت ١١/١، الذي ناشدت فيه اللجنة التحضيرية الدول والمنظمات الإقليمية عقد اجتماعات دولية وإقليمية ووطنية و/أو اتخاذ مبادرات أخرى في سياق التحضير لمؤتمر ديربان الاستعراضي تمشياً مع أهداف المؤتمر الاستعراضي، وأن تقدم إلى اللجنة التحضيرية، عبر المفوضية السامية، تقارير عن نتائج هذه الاجتماعات والمبادرات.

* استنسخت في المرفق كما وردت، باللغة التي قُدمت بها فقط.

Annex

**CONTRIBUTION OF THE ASIAN REGION TO THE
DURBAN REVIEW CONFERENCE**

Reaffirming the Durban Declaration and Programme of Action, adopted at the World Conference against Racism in 2001, as a landmark document in global efforts to eradicate racism, racial discrimination, xenophobia and related intolerance,

Recalling the 2001 Tehran Declaration and Programme of Action by the Asian Preparatory Meeting,

Reaffirming the values and principles of human dignity and equality enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights,

Recalling the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples of 1960,

Stressing the importance of the International Convention on the Elimination of All Forms of Racial Discrimination and other relevant international conventions and declarations which contribute to the fight against racism and racial discrimination,

Emphasizing the will and determination of all Governments of the region to combat racism, racial discrimination, xenophobia and related intolerance in all their forms and manifestations,

Reaffirming that genuine acceptance of cultural diversity, as a permanent feature of our societies, is a cherished asset for the advancement and welfare of humanity at large,

Reiterating the need to intensify the struggle to eliminate all Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance throughout the world including Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance, especially its most worst forms,

Recognizing that, while the significance of national and regional particularities and various historical, social and cultural particularities must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to adopt appropriate strategies and policies in combating all acts of racism, racial discrimination, xenophobia and related intolerance,

Recalling that the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights in June 1993 regards the elimination of racism and racial discrimination, in particular resulting from doctrines of racial superiority or exclusivity or contemporary forms and manifestations of racism, as a primary objective for the international community,

Emphasizing that racism, racial discrimination, xenophobia and related intolerance are affronts to the dignity of humankind and constitute a flagrant violation of human rights,

Stressing the importance of the promotion and protection of the human rights of ethnic, national, racial and cultural, religious, linguistic minorities, indigenous people and migrants, including their rights to maintain their cultural identity and observe their values and traditions,

Noting with concern that since the 2001 Durban World Conference, racism, racial discrimination, xenophobia and related intolerance have not abated, and even appear to be on the rise in certain parts of the world,

Expressing concern at the rise of political platforms that espouse racist and xenophobic ideologies and related intolerance,

Expressing concern at the high incidents of racially-motivated acts of violence and intolerance aimed at minorities, migrants, and other groups of Asian decent living in other continents,

Bearing in mind that the adequate and clear resolution of past problems caused by racially and ethnically discriminatory policies and practices could contribute to preventing the recurrence of such policies and practices and to friendship and peaceful relations among peoples and nations,

Alarmed by the emergence of racism, racial discrimination, xenophobia and related intolerance in its more subtle contemporary forms, and other ideologies and practices based on racial or ethnic discrimination or superiority,

Recalling opposition to all forms of racism, racial discrimination, xenophobia and related intolerance and expressing serious concern on the resurgence of contemporary forms of such abhorrent crimes in various parts of the world,

Condemning any kind of discrimination, exclusion or preference on the grounds of race, colour, descent, or national or ethnic origin as well as on the grounds of culture, religion and language which constitutes an offence to humanity and an obstacle to friendly and peaceful relations among peoples and nations,

Reaffirming our commitment to combat contemporary manifestations of racism, racial discrimination, xenophobia and related intolerance,

Recognizing that the historical, social and cultural contribution of all the people of Asia, which has always been characterized by respect, tolerance and mutual understanding, has enriched the civilizational and cultural diversity of the world and the common heritage of humanity,

Emphasizing the importance of the equitable participation of all peoples and nations, without any discrimination, in their domestic as well as global decision-making,

Recognizing the need to protect and promote the rights of ethnic, racial, cultural, national and linguistic minorities, as well as the need to counter the social exclusion and marginalization of such minorities,

Reaffirming the right of all peoples to live in a society free of racism, racial discrimination, xenophobia and related intolerance, as well as the duty of Governments to take prompt, decisive and appropriate measures to eliminate all forms of racial discrimination,

Reaffirming that colonization by settlers and foreign occupation constitute sources, causes and forms of racism, racial discrimination, xenophobia and related intolerance,

Expressing concern that racism, racial discrimination, xenophobia and related intolerance are among the root causes of many internal and international conflicts, including armed conflicts,

Taking note with appreciation of the ongoing progress made by States at the national, regional and international levels, focusing on the comprehensive follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action,

Confirming that all Governments should support the ongoing efforts to promote harmony and friendly relations amongst the various cultures, religions and civilizations,

Emphasizing that respect for religions and their protection from contempt is an essential element conducive for the exercise by all of the right to freedom of thought, conscience and religion,

Recognizing with deep concern the increase in anti-Semitism, Christianophobia and Islamophobia in various parts of the World, as well as the emergence of racial and violent movements based on racism and discriminatory ideas directed against Arab, Christian, Jewish and Muslim communities, as well as all religious communities, communities of people of African decent, communities of peoples of Asian decent, communities of indigenous people and other communities,

Recalling that such acts are inconsistent with the spirit of the UN Charter which seeks to promote peaceful co-existence amongst nations,

Emphasizing that the right to freedom of expression has responsibilities and limitations as prescribed by international law and stressing the need to further strengthen the process of global dialogue to promote a culture of tolerance and peace based on respect for human rights and cultural diversity,

Expressing concern at the use of counter-terrorism measures based on racial profiling,

Emphasizing that equating any religion with terrorism should be rejected and combated by all at all levels,

Affirming that the insidious penetration of racist and xenophobic platforms into the political agendas under the pretext of combating terrorism, defending national identity and the national interest, promoting national preference and combating irregular immigration- leads to a generalized application of racist and xenophobic rhetoric,

Reaffirming condemnation of all forms of racism, racial discrimination, xenophobia and related intolerance, including the platforms and activities related thereto, which constitute serious violations of human rights and fundamental freedoms as well as impede equal opportunity,

Welcoming the adoption of GA Resolutions 61/19 and 62/122 related to the abolition of the Trans-Atlantic slave trade and remembrance of its victims and, in particular, the designation of 25th March as an annual International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade, beginning in 2008,

Recalling paragraphs 98 to 106 of the Durban Declaration, and emphasizing, in particular, the importance of the “provision of effective remedies, recourse, redress, and compensatory and other measures at the national, regional and international levels”, aimed at countering the continued impact of slavery and the slave trade,

Reiterating that slavery and slave trade, including transatlantic slave trade, are crimes against humanity and that the consequences of slavery, slave trade, colonialism, foreign occupation, alien domination, genocide and other forms of servitude have manifested themselves in poverty, underdevelopment, marginalization, social exclusion and economic disparities for the developing world,

Expressing grave concern at the negative effects on human rights and development posed by contemporary forms of slavery and trafficking in persons, especially women and children and at the increasing vulnerability of States to such crimes and reaffirming the need to work collectively to combat contemporary forms of slavery and trafficking in persons,

Expressing dismay at instances of religious and cultural prejudices, misunderstanding, intolerance and discrimination on the basis of religion or beliefs or different systems, which undermine the enjoyment of all human rights and fundamental freedoms and hinder the promotion of the culture of peace,

Emphasizing that pluralism, tolerance, and understanding of religious and cultural diversity are essential elements for peace and harmony and acts of prejudice, discrimination, stereotyping, and racial, religious and sectarian profiling are affronts to human dignity and equality, and should not be condoned,

Recognizing that respect for democracy and human rights and the promotion of understanding and tolerance by governments as well as between and among minorities are central to the promotion and protection of human rights,

Expressing solidarity with the peoples of Africa in their continuing struggle against racism, racial discrimination, xenophobia and related intolerance and recognize the sacrifices made by them as well as their efforts in raising international public awareness of this inhuman tragedy,

Welcoming the UNGA resolution 61/295 of 13 September 2007 on the United Nations Declaration on the Rights of Indigenous Peoples and the HRC resolution 6/36 of 14 December 2007 on the creation of the Expert Mechanism on the Rights of Indigenous Peoples, as a subsidiary body of the Council,

Also welcoming the entry into force of the United Nations Convention on the Rights of Persons with Disabilities on 3 May 2008,

I. 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. *Reaffirm* that all human beings are born free and equal in dignity and rights, and that any doctrine of racial superiority is, therefore, scientifically false, morally condemnable, socially unjust and dangerous, and has no justification whatsoever;

2. *Recognize* that colonialism and slavery have been the prime sources and manifestation of racism, racial discrimination, xenophobia and related intolerance and the people of Asian decent were victims of colonialism and continue to be victims of its consequences;

3. *Stress* the need for all States which engaged in such practices to acknowledge the grave human suffering caused by colonialism and slavery and the heinous racist acts committed in the context of colonialism and the slave trade;

4. *Condemn* past and current policies, practices, propaganda and organizations based on ideas or theories of racial and national superiority, hatred, discrimination and xenophobia, which are massive and flagrant violations of all human rights and fundamental freedoms, comprising civil, political, economic, social and cultural rights and the right to development;

5. *Recognize* the economic, social and cultural injustice emanating from racism, racial discrimination, xenophobia and related intolerance, and call for concerted and continuous efforts to eradicate these evils;

6. *Recognize* that xenophobia against non-nationals, particularly migrants, refugees and asylum-seekers, constitutes one of the main sources of contemporary racism and that human rights violations against members of such groups occur widely in the context of discriminatory, xenophobic and racist practices;

7. *Stress* that policies towards migration should not be based on discrimination on racism, racial discrimination, xenophobia and related intolerance and should be consistent with international human rights standards;

8. *Express grave concern* at legislation called 'Return Directive' recently passed by some regional groups which is inconsistent with International Conventions on rights of the migrants;

9. *Condemn* manifestations and acts of racism, racial discrimination, xenophobia and related intolerance against migrants and stress the need for fair, just and equitable treatment of migrants in society and in the workplace;

10. *Emphasize* 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;

11. *Reaffirm* the need to continue preventing, combating and eliminating all forms of trafficking in persons, in particular women and children, since victims of trafficking are particularly exposed to racism, racial discrimination, xenophobia and related intolerance;

12. *Reaffirm* that dialogue among cultures and civilizations facilitates the promotion of a culture of tolerance and respect for diversity through cooperation and mutual enrichment in various fields of human endeavour and that the promotion of this dialogue serves as an advanced instrument for combating racism;

13. *Emphasize* that racist ideologies based on race, colour, descent, or national or ethnic origin as well as on culture, religion and language are responsible for fomenting, promoting and spreading racial discrimination, xenophobia and stereotyping;

14. *Confirm* that lack of respect for cultural diversity in most societies leads to racism and increased discrimination;

15. *Express deep concern* at the use of new information technologies, such as the Internet, to propagate racial hatred, xenophobia, racial discrimination and related intolerance and that children and youth have access to this material;

16. *Condemn* all political platforms and systems based on racism, xenophobia or doctrines of racial superiority and discrimination which are incompatible with democracy and transparent and accountable governance;

17. *Underline* that racial discrimination condoned by governmental policies violates human rights and may endanger friendly relations between peoples, cooperation among nations, and international peace and security;

18. *Recognize* Jerusalem as a city of reverence and religious sanctity for three major religions of the world and call for an international effort to bring foreign occupation, together with all its racial practices, to an end, especially in holy shrines dear to the three religions;

19. *Reaffirm* that a foreign occupation founded on settlements, its laws based on racial discrimination with the aim of continuing domination of the occupied territory, as well as its practices, which consist of reinforcing a total military blockade, isolating towns, cities and villages under occupation from each other, totally contradict the purposes and principles of the Charter of the United Nations and constitute a serious violation of international human rights and humanitarian law, a new kind of apartheid, a crime against humanity, a form of genocide and a serious threat to international peace and security;

B. Victims of racism, racial discrimination, xenophobia and related intolerance

20. *Renew* the call on all States to review and, where necessary, revise any immigration policies which are inconsistent with international human rights instruments, with a view to eliminating all discriminatory policies and practices against migrants, including Asians and people of Asian descent;

21. *Recognize* the individuals, groups and nations affected by policies and practices, such as colonialism, slavery and ethnic cleansing, that are based on theories of racial or national superiority, hatred and distinction as to race, colour, descent, or national or ethnic origin as well as culture, religion and language as victims of racism, racial discrimination, xenophobia and related intolerance;

22. *Emphasize* that States are not only under an obligation to ensure that legislation and policies are non-discriminatory, they are also under an obligation to protect migrants from racism, discrimination, xenophobia and related intolerance;

23. *Recommend* that further attention be given to the particular problems faced by women and children belonging to immigrant communities;

24. *Recognize* with concern that, despite efforts to combat racism, racial discrimination, xenophobia and related intolerance, instances of various forms of racism, racial discrimination, xenophobia and related intolerance against refugees, asylum-seekers and internally displaced persons, among others, continue;

25. *Reiterate* that the international response and policy, including financial assistance, towards refugee situations in different parts of the world should not be guided by considerations of race, colour, descent, or national or ethnic origin as well as on the grounds of culture, religion and language of the refugees concerned and, in this context, urge the international community to extend assistance as requested by concerned States towards resolving the refugees' situation, especially in the developing countries, through economic and financial assistance aimed at, inter alia, removing the root causes of the displacement of such people;

26. *Express deep concern* at the plight of Palestinian refugees and displaced persons who were forced to leave their homes because of war and racial policies of the occupying power and who are prevented from returning to their homes and properties because of a racially based law of return, and recognize the right of return of the Palestinian refugees as established by the General Assembly in its resolutions, particularly resolution 194 (III) of 11 December 1948, and call for their return to their homeland in accordance with and in implementation of this right;

27. *Re-emphasize* the responsibility of the international community to provide international protection for the Palestinian people under occupation against aggression, acts of racism, intimidation and denial of fundamental human rights, including the rights to life, liberty and self-determination;

28. *Reiterate* that special attention needs to be given to the elaboration of strategies, policies and programmes for persons subject to multiple discrimination which combines racism and racial discrimination, xenophobia and related intolerance with other forms of discrimination;

29. *Reiterate further* that racism, racial discrimination, xenophobia and related intolerance manifest themselves in an aggravated and differentiated manner for women and girls, causing their living standards to deteriorate, generating multiple forms of violence and limiting or denying them the benefit and the exercise of their human rights, and in this regard urge States to consider this phenomenon in formulating of strategies and programmes against racism, racial discrimination, xenophobia and related intolerance;

30. *Note with concern* that instances of racism, racial discrimination, xenophobia and related intolerance lead to trade in and/or sexual exploitation of women and children especially girl child;

31. *Express deep concern* at the persistence of manifestations of racism, racial discrimination, xenophobia and related intolerance, including violence, against Roma/Gypsies/Sinti/Travellers and emphasize the urgent need to develop effective policies and implementation mechanisms for their full achievement of equality;

32. *Call upon* States to adopt necessary measures, as provided by national law, to ensure the rights of victims to prompt, adequate and fair reparation and compensation for acts of racism and racial discrimination;

C. Measures of prevention, education and protection aimed at the eradication of racism, racial discrimination, xenophobia and related intolerance at all levels

33. *Affirm* that measures to eradicate racism must be multifaceted;

34. *Stress* the necessity of increasing appropriate preventive measures in order to eliminate all forms of racial discrimination, and the important role that Governments, international organizations, the media, non-governmental organizations and civil society can play in developing such measures and building confidence between different racial and ethnic groups;

35. *Reaffirm* that education is the key to the promotion of respect for the racial, ethnic, cultural and linguistic diversity of societies and for promotion and protection of democratic values which are essential to prevent the spread of racism, racial discrimination, xenophobia and related intolerance;

36. *Reaffirm also* that education is one of the principal means of preventing and eradicating racism and racial discrimination and of raising awareness of human rights, particularly among children and young people, and in this context stress the need to amend suitably the textbooks that perpetuate racial stereotypes or encourage xenophobia;

37. *Emphasize* that education and awareness-raising activities undertaken by States should aim to foster a spirit of tolerance and respect for people from different races, religions, cultures and nationalities from an early age;

38. *Re-emphasize* the importance and necessity of teaching about the past and recent history of colonialism, racism, racial discrimination, xenophobia and related intolerance in order to prevent the recurrence of such policies and practices;

39. *Reaffirm* 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;

40. *Note with deep concern* the widening use by some groups and organizations of the opportunities provided by print, audio-visual and electronic media as well as scientific and technological progress, such as the Internet, to promote racist and xenophobic propaganda aimed at inciting societies throughout the world to racial hatred and in this connection urge all Governments to take necessary measures against such incitement;

41. *Recognize* the important role played by civil society in the fight against racism, racial discrimination, xenophobia and related intolerance, including by proposing and assisting Governments in the promotion and the implementation of strategies against such forms of discrimination;

42. *Reiterate* that regional and international exchange and dialogue among youth is an important element in building intercultural understanding and respect and will contribute to the elimination of racism, racial discrimination, xenophobia and related intolerance;

43. *Resolutely condemn* any ideologies and practices based on racial discrimination or superiority which entail abuse of human rights and fundamental freedoms, and affirm that all States have the obligation to take all available measures to combat ideologies, activities and practices based on racial discrimination or superiority;

D. Provision of effective remedies, recourse, redress, and compensatory and other measures at all levels

44. *Recall* that:

(a) Slavery and slave trade are a crime against humanity and should always have been so, and are among the major sources and manifestations of racism, racial discrimination, xenophobia and related intolerance;

(b) Colonialism has led to racism, racial discrimination, xenophobia and related intolerance;

(c) Appreciate the few expressions of regret or remorse or apologies or payment of reparations or restitution of cultural artifacts that have been forthcoming in the past eight years since the adoption of the DDPA;

45. *Reiterate the call* to the remaining States to:

(a) Honour the memory of the victims of past tragedies;

(b) Apologize and pay reparations; and

(c) Restitute art objects, historical artifacts and documents to their countries of origin;

46. *Also recognize* the need to adopt, and implement strictly stringent laws, administrative measures and action plans aimed at countering all forms of racism, racial discrimination, xenophobia and related intolerance, to carry out exhaustive, timely and impartial investigations of all acts of racism and racial discrimination, to penalize those responsible according to the law and to secure prompt and fair reparation for the victims;

47. *Emphasize* the importance of national human rights institutions and other similar entities in the struggle against racism, racial discrimination, xenophobia and related intolerance and the need, as provided by law, for the authorities and society in general to cooperate with such institutions to the maximum extent in those countries where they do exist;

48. *Invite* the international community and its members to honour the memory of the victims of past tragedies and further note that some have taken the initiative of regretting or expressing remorse or presenting apologies, and call on all those who have not yet contributed to restoring the dignity of the victims to find appropriate ways to do so and, to this end, appreciate those countries that have done so;

49. *Reiterate* that historical injustices have undeniably contributed to the poverty, underdevelopment, marginalization, social exclusion, economic disparities, instability and insecurity that affect many people in different parts of the world, in particular in developing countries and emphasize the need to develop programmes for the social and economic development of these societies and the Diaspora, within the framework of a new partnership based on the spirit of solidarity and mutual respect, in the following areas:

Debt relief; Poverty eradication; Building or strengthening democratic institutions; Promotion of foreign direct investment; Market access; Intensifying efforts to meet the internationally agreed targets for official development assistance transfers to developing countries; New information and communication technologies bridging the digital divide; Agriculture and food security; Transfer of technology; Transparent and accountable governance; Investment in health infrastructure tackling HIV/AIDS, tuberculosis and malaria, including through the Global AIDS and Health Fund; Infrastructure development; Human resource development, including capacity-building; Education, training and cultural development; Mutual legal assistance in the repatriation of illegally obtained and illegally transferred (stashed) funds, in accordance with national and international instruments; Illicit traffic in small arms and light weapons; Restitution of art objects, historical artefacts and documents to their countries of origin, in accordance with bilateral agreements or international instruments; Trafficking in persons, particularly women and children; Facilitation of welcomed return and resettlement of the descendants of enslaved Africans;

50. *Reaffirm* that racism, racial discrimination, xenophobia and related intolerance need to be addressed both in times of peace and during armed conflict, and note that States and the international community should be especially vigilant during periods of armed conflict and continue to combat all forms of racial discrimination;

51. *Reiterate* that freedom from discrimination on the ground of race is a fundamental principle of international humanitarian law and urge all parties to armed conflicts to abide scrupulously by the rules laid down in this body of law prohibiting adverse distinction;

- E. Strategies to achieve full and effective equality, including international cooperation and enhancement of the United Nations and other international mechanisms in combating racism, racial discrimination, xenophobia and related intolerance

52. *Re-emphasize* the importance of international cooperation to promote (a) the achievement of the objectives of the fight against racism, racial discrimination, xenophobia and related intolerance; (b) the effective implementation of international treaties and instruments that forbid these practices; and (c) the implementation of the United Nations and of States' obligations in this regard;

53. *Stress* the need for the States to elaborate further global strategies to combat racism, racial discrimination, xenophobia and related intolerance, particularly to combat new manifestations of racism, racial discrimination, xenophobia and related intolerance in cooperation with the regional and international organizations, non-governmental organizations, individuals and communities;

54. *Re-emphasize* the necessity for special measures or positive actions for the victims of racism, racial discrimination, xenophobia and related intolerance in order to promote their full integration into society. Those measures should include measures to achieve appropriate representation in educational institutions, housing, political parties, parliaments and employment, especially in the judiciary, police, army and other civil services, which in some cases might involve electoral reforms, land reforms and campaigns for equal participation;

55. *Stress* the need of raising global awareness about the repercussions, manifestations and consequences of all the racist practices of the occupying powers and any of their acts that stem from racist ideology;

II. ASSESSMENT OF THE EFFECTIVENESS OF EXISTING DURBAN DECLARATION AND PROGRAMME OF ACTION FOLLOW-UP MECHANISMS AND OTHER UNITED NATIONS MECHANISMS DEALING WITH THE ISSUE OF RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE, IN ORDER TO ENHANCE THEM

56. *Express* appreciation for the contributions made by the mechanisms established by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to follow up on the Durban Declaration and Programme of Action, such as the Independent Eminent Experts' Group, the Working Group of Experts on People of African Descent and the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action and emphasize the need for creating necessary synergies between them;

57. *Emphasize* the need to guarantee the promotion and protection of the rights of the victims of racism, racial discrimination and xenophobia through the effective implementation of the DDPA as well as the agreed recommendations of its follow up mechanisms and suggest some of the ways which could help strengthen the follow up mechanisms as follows:

(a) Enhanced visibility to the message of Durban Declaration and Programme of Action and its follow up mechanisms through effective media campaigns by the United Nations Department of Public Information (UNDPI) as well as national governments;

(b) Effective coordination between various Durban mechanisms and their regular interaction with relevant special procedures, Committee on the Elimination of Racial Discrimination, Human Rights Council and General Assembly;

(c) Creating necessary reporting linkages to these mechanisms by the Member States on their recommendations as well as provision of information on the subjects of relevance;

(d) Follow up on the agreed recommendations of these mechanisms to be pursued by the Office of the High Commissioner for Human Rights;

(e) Relevant recommendations to be kept in mind by special rapporteurs while reporting on their respective themes /mandates. Resolutions on racism related subjects should also include and give prominence to the recommendations of these mechanisms;

(f) Relevant recommendations must also find place in the new international standards to be developed in the area of racism, racial discrimination, xenophobia and related intolerance as well as mainstreaming the subject of racism throughout the UN system; and

(g) Ensuring effective participation of civil society and victims of different forms of racism to ensure relevance as well as focused orientation;

58. *Stress* the importance of the mandate of the Special Rapporteur on contemporary forms of racism, racial discrimination and xenophobia and related intolerance, and express support for his future work while welcoming efforts undertaken so far in carrying out his mandate;

59. *Stresses* the importance of the work of the Ad Hoc Committee on the Elaboration of Complementary Standards to elaborate a basic document to fill the gaps in the existing international treaties about the elimination of all forms of racial discrimination;

III. 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

60. *Call upon* States parties to respect fully and comply with the International Convention on the Elimination of All Forms of Racial Discrimination;

61. *Encourage* all States that are not yet parties to the International Convention on the Elimination of All Forms of Racial Discrimination to consider acceding to this Convention as a matter of priority;

IV. 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

62. *Note with interest* of the numerous examples of good practices set in the large and diverse Asian region aiming at combating racism, racial discrimination, xenophobia and related intolerance;

63. *Recognize* that a broad, global exchange of “good practices” in combating racism could serve as examples and assist Governments, the judiciary, social partners and civil society to more effectively implement the provisions in the Durban Declaration and Programme of Action;

64. *Reiterate* that the Office of the High Commissioner for Human Rights to create a database containing information on practical means to address racism, racial discrimination, xenophobia and related intolerance, particularly international and regional instruments and national legislation, including anti-discrimination legislation, as well as legal means to combat racial discrimination; remedies available through international mechanisms to victims of racial discrimination, as well as national remedies;

65. *Identify* honouring the memory of the victims of past tragedies, issuing formal apologies to victims of colonialism and other historic injustices, paying reparations and restituting art objects, historical artifacts and documents to their countries of origin as means of achieving healing and redressing the impact of such injustices;

V. 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 THERETO, INCLUDING IN THE LIGHT OF
DEVELOPMENTS SINCE THE ADOPTION OF THE DECLARATION
AND PROGRAMME OF ACTION IN 2001

66. *Urge* States to continue implementing Durban Declaration and Programme of Action effectively and to adopt or strengthen as required, as a matter of high priority, laws, policies and measures aimed at countering and eradicating racism, racial discrimination, xenophobia and related intolerance;

67. *Call upon* States to continue to address the problems of racism, racial discrimination, xenophobia and related intolerance against people of Asian descent and urge States to take all necessary measures to eliminate the barriers that such persons face in participating in economic, social, cultural and political life;

68. *Express* deep regret the practices of racial discrimination against the Palestinians as well as other inhabitants of the Arab occupied territories which have an impact on all aspects of their daily existence such as to prevent the enjoyment of fundamental rights, express our deep concern about this situation and renew the call for the cessation of all the practices of racial discrimination to which the Palestinians and the other inhabitants of the Arab territories occupied by Israel are subjected;

69. *Reiterate* that the Palestinian people continue to be denied the fundamental right of self determination and urge Member States to look at the situation of Palestinian people during the Durban Review Conference and implement the provisions of DDPA with a view to bring lasting peace in the Middle East;

70. *Urge* States, regional and international organizations and civil society to continue promoting respect for multiracial, multicultural, and multi-ethnic aspects of societies and to spread human rights awareness, with a view to combating all forms of racism, racial discrimination, xenophobia and related intolerance;

71. *Urge* States to work to ensure that their political and legal systems reflect the multicultural diversity within their societies and, where necessary, to improve democratic institutions so that they are more fully participatory and avoid marginalization, exclusion and discrimination against specific sectors of society;

72. *Invite* States to consider affirmative action and other equity-oriented public policies which attempt to remedy and overcome historical exclusions;

73. *Urge* States that have not yet condemned, apologized and paid reparations for the grave and massive violations as well as the massive human suffering caused by slavery, the slave trade, the transatlantic slave trade, apartheid, colonialism and genocide, to do so at the earliest;

74. *Urge* States to initiate public information campaigns to promote respect for the values of diversity, pluralism, tolerance, mutual respect, cultural sensitivity, integration and inclusiveness;

75. *Renew* its call for international efforts to promote an understanding between different civilizations and cultures so as to counter attempts at cultural and civilizational domination and imposition motivated by racism, racial discrimination, xenophobia and related intolerance;

76. *Call upon* all Member States to continue international efforts to enhance dialogue and broaden understanding among civilizations, in an effort to prevent the discriminatory targeting of different religions and cultures;

77. *Urge* States to take serious steps to address the contemporary forms of racism, racial discrimination, xenophobia and related intolerance and in this context to take firm action against negative stereotyping of religions and defamation of religious personalities, holy books, scriptures and symbols;

78. *Invite* States to promote intercultural and inter-religious dialogue and cooperation at all levels, especially the local and grass-roots levels;

79. *Call upon* States to promote and protect the exercise of the rights set out in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, proclaimed by the General Assembly in its resolution 36/55 of 25 November 1981, in order to obviate religious discrimination which, when combined with certain other forms of discrimination, constitutes a form of multiple discrimination;

80. *Call upon* the Durban Review Conference to provide guidelines for States taking into account the assessment of various Durban follow up mechanisms as well as the recommendations of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on the issue of defamation or negative stereotyping of religions;

81. *Encourage* States to promote at the national level strategies, programmes and policies, including affirmative action, for the full realization of the civil and political rights of victims of racism, racial discrimination, xenophobia and related intolerance, including through more effective access to political, judicial and administrative institutions, as well as the need to promote access to justice free from racial discrimination of any kind;

82. *Encourage* States to promote at the national level strategies, policies and programmes, including affirmative action, for the promotion and protection of the economic, social and cultural rights of all victims of racism, racial discrimination, xenophobia and related intolerance and for affording greater opportunities to them to share in the prosperity and wealth of the societies they live in, as well as for guaranteeing that the benefits of development, science and technology contribute effectively to the improvement of the quality of life of such victims;

83. *Resolve* to extend international cooperation to maximize the benefits of globalization with a view to the realization of economic, social and cultural rights and the right to development as a major contribution to the fight against racism, racial discrimination, xenophobia and related intolerance;

84. *Urge* States to amend, rescind or nullify, as required, laws and regulations which create, perpetuate or contribute to racism, racial discrimination, xenophobia and related intolerance;

85. *Urge* States to adopt, and implement strictly, stringent laws against political platforms and ideologies based on racism, racial discrimination, xenophobia and related intolerance or doctrines of racial or national superiority;

86. *Urge* States to adopt and enforce legal and administrative measures at the national and local levels with the aim of preventing, investigating and bringing to trial and punishing any acts prompted by contemporary forms of racism, racial discrimination, xenophobia and related intolerance by any law-enforcement officials;

87. *Call* on States to ensure that any measures taken in the fight against terrorism do not discriminate, in purpose or effect, on the grounds of race, colour, descent, or national or ethnic origin as well as on the grounds of culture, religion and language and that non-citizens are not subjected to racial or ethnic profiling or stereotyping;

88. *Encourage* States to establish and strengthen, where required, national human rights institutions, and other similar entities to address problems connected to endemic racism, racial discrimination, xenophobia and related intolerance and to assist victims of such discrimination in areas of their jurisdiction;

89. *Urge* States to take necessary measures to denounce, actively discourage and prohibit the transmission of racist and xenophobic messages through all communications media, including new communications technologies such as the Internet;

90. *Recommend* that the use of the new information technologies, including the Internet, should contribute to combating racism, racial discrimination, xenophobia and related intolerance and that they should also be used to promote tolerance and respect for diversity;

91. *Call upon* the world media to establish and disseminate through their relevant associations and organizations a code of ethical conduct with a view to prohibiting the proliferation of ideas of superiority and the justification of racial or religious hatred and discrimination in any form, and promoting mutual respect and tolerance among all peoples;

92. *Urge* States to establish national programmes to promote the access, without any discrimination, of migrants and other racial, ethnic, national, cultural, religious and linguistic groups or minorities and indigenous populations, where they exist, to basic social services, including primary education and basic health care;

93. *Urge* States to provide protection to and address the situation of women and children who suffer from racial discrimination in the formulation of national programmes of action against racism, racial discrimination, xenophobia and related intolerance;

94. *Urge* international organizations, within their mandates, to contribute to the fight against racism, racial discrimination, xenophobia and related intolerance by way of elaborating short-, medium- and long-term proposals, designing special projects, liaising with financial and developmental institutional and operational programmes and specialized agencies of the United Nations;

95. *Call upon* States to prevent, through all appropriate means, stereotyping of any ethnic, racial, national, cultural, religious and linguistic group, and encourage objective and balanced portrayals of people, events and history, especially in the media, recognizing the profound influence that such portrayals have on societal perceptions of groups whose members are frequently victims of racism, racial discrimination, xenophobia and related intolerance;

96. *Urge* States to prevent, and eliminate where they exist, racially discriminatory policies and practices in access to employment and occupation;

97. *Encourage* States to formulate policies, where necessary, to promote and protect the human rights of ethnic, national, racial as well as cultural, religious and linguistic minorities, indigenous people and migrants, including their rights to maintain their cultural identity and observe their values and traditions;

98. *Call upon* States to develop social policies, as appropriate, in order to encourage stable and harmonious relationships between different nations, peoples and groups, fostering mutual understanding, solidarity, tolerance and the development of a culture of peace;

99. *Request* States, wherever appropriate through cooperation with intergovernmental organizations and national institutions, to organize and facilitate training courses or seminars on racism, racial discrimination, xenophobia and related intolerance for prosecutors, law enforcement officials, members of the judiciary and other public employees;

100. *Encourage* 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 amongst various cultures and civilizations;

101. *Urge* States to disseminate information, through appropriate means, including the use of the media and school curricula, to promote a spirit of respect for diversity and inclusiveness amongst the various racial, ethnic, national, linguistic and cultural groups;

102. *Recommend* that the Office of the High Commissioner for Human Rights, within its mandate and in consultation with States, specialized agencies, regional and intergovernmental organizations and non-governmental organizations, propose a creative and efficient information strategy to increase the level of awareness about the goals and objectives of the World Conference;

103. *Request* the Office of the High Commissioner for Human Rights to create a database on its Web site which would contain information on the struggle against racism, racial discrimination, xenophobia and related intolerance, particularly in relation to international and regional instruments and national legislation, educational and preventive programmes implemented in various countries and regions, opportunities for technical cooperation, academic studies and specialized documents;

104. *Invite* the Inter-Parliamentary Union to contribute to the efforts in combating against racism, racial discrimination, xenophobia and related intolerance by way of encouraging debates, enacting legislations in national parliaments and implementing policies on the objectives of the World Conference on Racism, Racial Discrimination, Xenophobia and Related Intolerance;

105. *Encourage* States to adopt policies to address the issue of social violence emanating from racism, racial discrimination, xenophobia and related intolerance;

106. *Encourage* civil society stakeholders, the private sector, and the media to actively engage in fighting racism and promoting greater intercultural understanding and tolerance within and among societies;

107. *Call upon* all States to take specific measures for the promotion and protection of the fundamental rights and freedoms of victims of racism, racial discrimination, xenophobia and related intolerance who also belong to vulnerable groups, especially children, youth, the disabled, people with HIV/AIDS, migrants, refugees and indigenous populations;

108. *Call* on States to ensure that law enforcement and immigration officials and personnel conduct their work in a manner in which the respect for the human rights of non-citizens and migrants shall be fully respected;

109. *Encourage* States that are not yet parties to the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families to consider doing so as a matter of priority in order to promote a more open and fair international environment in which the rights of migrants can be fully ensured and respected;

110. *Encourage* also States that are not yet parties to the International Convention on the Rights of Persons with Disabilities to consider doing so in order to ensure an effective promotion and protection of the rights of persons with disabilities.

111. *Request* the Office of the High Commissioner for Human Rights to provide specific technical cooperation and capacity building assistance, upon requests of States, to the projects aimed at combating racism, racial discrimination, xenophobia and related intolerance;

112. *Renew* the call on the High Commissioner for Human Rights to consider the inclusion in the mandate of Anti-discrimination Unit, inter alia, of the compilation of information on racial discrimination and its development, and on legal and administrative support and advice to victims of racial discrimination and the collection of background materials;

113. *Urge* States to include information with regard to the measures being taken to combat racism, racial discrimination, xenophobia and related intolerance and progress achieved in their national reports to the Universal Periodic Report of the Human Rights Council;

114. *Calls* on the Human Rights Council to suitably observe annually the UN General Assembly designated International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade (25th March) and to consider, inter alia, building on the efforts of the Slave Route Project of UNESCO.
