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Durban Review Conference
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DURBAN REVIEW CONFERENCE DISCUSSES ISSUES ARISING FROM THE OBJECTIVES OF THE CONFERENCE

Conference Urges International Community to Make All Efforts to Combat Negation and Trivialisation of Genocide Against the Tutsi in Rwanda

The Durban Review Conference this afternoon discussed issues arising from the objectives of the Conference, hearing from national delegations and other stakeholders who raised issues concerning the need to ensure the implementation of the provisions of the Durban Declaration and Programme of Action.

At the end of the meeting, the President of the Conference, Amos Wako, read out a Presidential Statement 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.

In the discussion on issues arising from the objectives of the Conference, speakers said 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.

Speaking in the discussion were China, Sri Lanka, Sweden on behalf of the European Union, Brazil, Russian Federation, Bulgaria, Japan, Nepal, Argentina and Ecuador.

Also speaking was the representative of the Centre for Human Rights and Cultural Diversity of the Non-Aligned Movement. Githu Muigai, Special Rapporteur on racism, racial discrimination, xenophobia and related intolerance; Gay McDougall, Independent Expert on minority issues; Frank L Rue, Special Rapporteur on freedom of expression; Jorge Bustamante, Special Rapporteur on the human rights of migrants; Gulnara Shahinian, Special Rapporteur on contemporary forms of slavery, including its causes and consequences; and Asma Jahangir, Special Rapporteur on freedom of religion or belief, also took the floor.

Representatives of the Egyptian National Council for Human Rights, National Human Rights Commission of India, New Zealand Human Rights Commission, National Institution of Azerbaijan, and German Institute for Human Rights took the floor.

The following non-governmental organizations also made statements: Mouvement contre le racisme et pour l'amitié entre les peuples, Arab Commission for Human Rights, Human Rights Watch, Bahai International Community, Organization for Communication in Africa and the Promotion of International Economic Cooperation, Tiye International, Mouvement International pour les Reparations, Iranian Elite Research center, Women Association Follower of Ahlul-Baiti, Al-Hakim Foundation, Rencontre Africaine pour la Defense des Droits de l'Homme, United Nations Watch, Asian Forum for Human Rights and Development, Hudson Institute, Centre Europe-Tiers Monde, Commission to Study the Organization of Peace, International Federation of Human Rights Leagues, Canadian Labour Congress, Public Commercial Services Union, National Campaign of Dalit Human Rights, and the European Network Against Racism.

Iran exercised its right of reply.

The Durban Review Conference will resume its work at 10 a.m. on Friday, 24 April, to finish hearing statements under its agenda item on issues arising from the objectives of the Conference, before concluding its work.

Discussion on Issues Arising from the Objectives of the Conference

QIAN BO (China) said that since the 2001 Durban Conference, the international community had made positive efforts in the fight against racism. But the implementation of the Durban Declaration and Programme of Action was still not satisfactory. Racism was far from eradicated and new forms had appeared. China expressed concern regarding the withdrawal of some parties from this Conference. China had given autonomy to all ethnic regions and made special efforts to protect ethnic minorities. The Chinese Government had made a special effort to teach Chinese and ethnic languages in schools, and it also made efforts in the promotion of ethnic cultures. In the recently published national plan, China made it a priority to actively protect and promote the rights of the minorities. In the coming years, China would continue guaranteeing the rights of its ethnic minorities.

RAVIJA WIJESINHA (Sri Lanka) said he would not use the term international community, for that too had become a victim of racism, inasmuch as it was used to define a rag tag and bobtail of a few countries, the non-governmental organizations they funded and the press that privileged them. Indeed the reactions to what might be termed the keynote speech of this Conference, the address of the President of Iran, exemplified this blinkered view. What some might have described as petulance was characterized elsewhere as chaos, and in the process one lost sight of some significant conceptual insights. As with any such address, there were points some would agree with and others not, but the important thing was to remain engaged, and build on what was useful. In this context the world needed to note the President of Iran's remarks on the world order that had been imposed following the two World Wars, impositions that today would be seen as racist but then passed muster because the view that winners take all was then endemic. It was no coincidence that the most extreme reactions in Europe, not just to that address but to the lead up to it, came from those countries with the worst records of racism during the Second World War.

HANS DAHLGREN (Sweden), speaking on behalf of the European Union, said that the Review Conference was meant to assess the progress achieved in the fight against racism, racial discrimination, xenophobia and related intolerance over the past eight years. In this respect, the European Union was convinced that it had been quite active during the said period of time. The European Union had adopted legislation prohibiting direct and indirect discrimination on the basis of racial or ethnic origin at work, education and with regard to access of goods and services. It had also prohibited discrimination on other grounds, such as religion, age and sexual orientation, particularly in the workplace. Furthermore, the European Union had adopted legislation to ban hate speech from television channels. It had also adopted legislation to criminalize publicly inciting to violence or hatred. The same piece of legislation made it a crime to publicly condone, deny or grossly trivialise crimes or genocide. In 2007, the European Union Agency for Fundamental Rights had been set up to provide assistance and expertise to the relevant institutions and authorities of the community and its Member States. The fight against racism was of central importance to the Agency's activities. There were numerous other examples of legislation, programmes and policies that had been taken at the national level by Member States. But the European Union also realized that, sadly, racist incidents continued to occur.

MARIA NAZARETH FARANI AZEVEDO (Brazil) said that the fight against racism was a joint endeavour of humanity. It was no fight to be absent from. On the other hand, a Conference about tolerance must not be a stage to foster intolerance, neither to lessen the sufferings of the past. Whatever had been said in this Conference or about this Conference would not belittle the extraordinary achievements reflected in their consensual outcome. Because of their political will; because of their responsible engagement; and because of the sacrifices that many delegations had made; they had been able to approve a document that further strengthened the fight against racism. It urged measures, especially affirmative action, to guarantee the effective enjoyment of all human rights by people of African descent, indigenous peoples, gypsies and other vulnerable groups. 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. Brazil would continue to pursue their collective responsibility to effectively implement and bolster the commitments it had reaffirmed and further strengthened at this Conference.

VAKHTANG KIPSHIDZE (Russian Federation) said that racism, racial discrimination, xenophobia and related forms of intolerance were among the important tasks to be addressed among societies around the world. In combating racism and its manifestations there was already an international strategy - the Durban Declaration and Programme of Action. The Review Conference aimed to help strengthen its implementation, but to what extent would depend on the political will of States. The Russian Federation believed that stressing moral values in the context of combating racism might prove to be decisive in teaching young people and furthering the understanding that it was imperative to respect human dignity in doing so. Human dignity and morality were intertwined and should be viewed as indivisible concepts. Human dignity precluded the phenomenon of racism, racial discrimination, xenophobia and related forms of intolerance. An equitable dialogue among civilizations and cultures could be a good basis for this work. Another important factor in the consolidation of the international community's efforts was conducting inter-religious dialogue. In 2007 the Russian Federation convened an Advisory Council bringing together members of different religions from around the world. The Russian Federation had already started discussions on the indivisible link between human dignity and human rights.

ANDREY TEHOV (Bulgaria) said that throughout Bulgaria's sometimes difficult history, tolerance and non-discrimination had always prevailed in Bulgarian society. These fundamental principles were fully reflected in its legislation and practice. The Constitution of Bulgaria explicitly prohibited racial discrimination. Bulgaria was one of the first countries to become State party to the International Convention on the Elimination of All Forms of Racial Discrimination in 1969. Since 2001 Bulgaria had continued to pursue a consistent policy aimed at preventing and eliminating racial discrimination in all its forms and manifestations in the light of the recommendations contained in the Durban Declaration and Programme of Action. A major development in this respect was the adoption by the National Assembly in 2003 of the Law on Protection against Discrimination, which entered into force on 1 January 2004. The law provided comprehensive protection against all forms of discrimination, and contributed to its prevention. Its aim was to ensure in practice that every person received equal treatment before the law and that effective protection against discrimination was provided to everybody in all cases and circumstances. The law explicitly prohibited both direct and indirect discrimination on grounds of sex, race, nationality, human genome, citizenship, origin, religion or belief, education, convictions, political affiliation, personal or public status, disability, age, sexual orientation, marital status, property status or any other grounds.

MIRAI MARUO (Japan) said that, on the relationship or balance between respect for freedom of expression and the need to protect against the incitement of hatred, the delegation noted that the Japanese Constitution guaranteed the right to freedom of expression. It did not however mean that the right to freedom of expression could be exercised without any restriction whatsoever. Based on the belief that everyone should enjoy human rights and fundamental rights, Japan attached great importance to human rights education and had for this reason established an Act for the promotion of human rights education. Eight years had passed since the Durban Conference and since then, various mechanisms had been put in place in order to implement the Durban Declaration and Programme of Action. At the same time, they saw a need to rationalize these existing mechanisms in order to ensure more effective implementation of the Durban Declaration. Further, it was most essential that the International Covenant on the Eradication of Racial Discrimination, being the central instrument addressing racism, racial discrimination, xenophobia and related intolerance, should be universally acceded to and implemented throughout the world, in order for the world to be free from racism.

PEDRO MOURATIAN (Argentina) said that there should be a careful analysis that took into account the specificities of each country with respect to combating racism, racial discrimination, xenophobia and related forms of intolerance. Argentina at the national level recently approved its National Plan against Discrimination and appointed the National Institution for Racism, Racial Discrimination, Xenophobia and Related Forms of Intolerance which was the follow-up body to the National Plan. A cross-cutting three-pronged approach was being applied involving the Government, civil society and local communities including, organizations of Afro-descendants, indigenous communities, lesbians, gays, bisexuals and transsexuals, migrants, refugees and the elderly, among others. Additionally, a Civil Society Forum was established to bring together local communities through dialogue. The Government also developed a programme on cities free of discrimination and adjusted the national budget to apply this plan and set up an observatory on radio and television media in connection with the National Council of Women. With respect to legislation, a number of laws were passed on the protection of rights for migrants, refugees and indigenous peoples. These measures were the beginning of a public policy on discrimination and the Government was aware that the country still had discrimination which needed to be eradicated.

PADAM LAL BISHWAKARMA (Nepal) said that in 2001, Nepal had endorsed the Durban Declaration and Programme of Action as the most comprehensive framework to combat racism, racial discrimination, xenophobia and related intolerance in all its forms and manifestations. Nepal was currently making a democratic transition. The interim Constitution of Nepal recognized a comprehensive set of fundamental rights and freedoms of the people including protection against any kind of discrimination based on grounds of religion, race, gender, caste, tribe, origin, language or conviction. The Government declared Nepal as a State free of untouchability in 2006. The Constitution also guaranteed fundamental rights against the practice of untouchability and racism, violation of which constituted a serious criminal offence punishable by law. Laws prohibiting caste-based discrimination had been strengthened. The National Dalit Commission had been working to ensure active participation of Dalit people in all spheres of national life. It was mandated to work in areas of addressing problems of discrimination against the Dalits and initiating legal and institutional reforms. Despite being a least developed country with limited resources and capacity, Nepal's leadership was committed to take the peace process to a logical conclusion, write a democratic constitution in time, and speed up the process of the socio-economic transformation in the country.

ALI BAHREINI, of the Center for Human Rights and Cultural Diversity of the Non-Aligned Movement, said that the Durban World Conference had been a unique opportunity which had enabled the international community to assess and identify all dimensions of the devastating evils of racism and racial discrimination. Today the world was witnessing alarming phenomenon like racist and xenophobic acts, crimes against migrants, refugees and asylum seekers, among others. These forms of racism, which were disseminated in large proportion in the media, including the Internet and were encouraged by some policies, targeted vulnerable groups. Acts of prejudice, discrimination, stereotyping, and racial, religious and sectarian profiling were affronts to human dignity, equality and justice and should be condoned. International organizations should conduct studies on how to raise understanding of cultural differences and to foster respect among communities.

GITHU MUIGAI, Special Rapporteur on racism, racial discrimination, xenophobia and related intolerance, said the outcome document was robust and had been adopted by consensus thanks to a cooperative spirit and hard concessions that had been made. Eight years ago the international community created an ambitious framework to fight racism, racial discrimination, xenophobia and related intolerance. The Durban Declaration and Programme of Action identified international, national and regional priorities that needed to be addressed in order to fight these scourges, and had affected in a lasting and positive way international human rights mechanisms, and provided a robust blueprint for their work. The Durban Review Conference came at a timely juncture, at a moment when it was clear what was needed to fulfil the Durban Declaration and Programme of Action. Racism was alive throughout the world, and would only be fixed through concerted effort by the international community, which should recognise it had not succeeded in making the Durban Declaration and Programme of Action fully effective, and if it were to make it a reality for those who suffered the consequences of racism on a daily basis, further efforts were needed. This should be a new era in the mobilisation of world efforts to fight racism, a global problem which required global solutions. Primary responsibility for the implementation of the Durban Declaration and Programme of Action lay with Governments. The Durban Review Conference was the beginning of the international mobilisation against racism.

GAY MCDUGALL, United Nations Independent Expert on minority issues, said that national, ethnic, religious and linguistic minorities in all regions of the world continued to be frequent targets of racism, racial discrimination, xenophobia and related intolerance. In all too many cases, racism and discrimination could turn to physical abuse and violence. As history demonstrated, minorities were made uniquely vulnerable by discrimination and were the most frequent victims of genocide. In the course of her work as an Independent Expert on minority issues, she had sought to raise attention to the situations of minorities globally, and to the many challenges and threats which they faced. She highlighted that minority groups that faced widespread discrimination or exclusion were much more likely than other groups to be impoverished. The facts were both obvious and overwhelming. 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.

FRANK LA RUE LEWY, Special Rapporteur on freedom of expression, congratulated Member States on the adoption of the final outcome document with consensus, this decision sent a message to the world that Member States of the United Nations worked together, and that consensus could be achieved. Additionally, Mr. La Rue was particularly happy with paragraph 58 of the final outcome document which emphasized that freedom of expression was one of the fundamental principles of all democratic societies. He said that freedom of expression should be used to enhance efforts in the field of human rights and especially in combating racism and racial discrimination. It was crucial that the element of the defamation of religion did not appear in the final outcome document. The exercise of freedom of expression was a crucial element in exercising the right to equality. There should be a broader understanding of cultures and communities around the world to respect one another. Giving equal access to all groups to freedom of expression exercised the right to equality in the world.

JORGE BUSTAMANTE, Special Rapporteur on the human rights of migrants, said he wished to draw the Conference's attention to the impossibility of addressing the question of migrants' human rights without referring to the vicious circle: migration-racism-xenophobia. The abuses being committed with increasing frequency in transit countries and countries of destination, most of which had well-established democratic traditions, were not perceived by their institutions as warnings that xenophobic outbreaks were on the rise. These attacks on migrants were definitely connected with their non-national status, and the problem of discrimination also arose when conditions of labour migration involved situations of abuse. The criminalisation of undocumented migrants made them vulnerable to potential racist or xenophobic acts in the societies of the countries involved. For all these reasons, it was of critical importance to make societies aware of the real causes of migration, which affected all. The need for equality and justice in working conditions should be borne in mind by all countries requiring migrant labour today. Finally, Mr. Bustamante wished to draw the attention of the Conference to the need for a serious and in-depth approach to this question. There had been progress in the attitude of States in recognising the inevitable link between migration, racial discrimination, xenophobia and intolerance, however, much remained to be done to combat intolerance and discrimination that were negatively affecting the main urban centres.

GULNARA SHAHINIAN, Special Rapporteur on contemporary forms of slavery, including its causes and consequences, said that contemporary forms were prevalent today around the world. Slavery practices occurred where racism and racial discrimination took place. Nationalism and racism had been used to create slavery. Discrimination had been an instrument in long-term wars. Discrimination forced people to the margins of society. Racism was also used as an effective tool in gender discrimination. Ms. Shahinian welcomed the reference made to child labour in the Durban Declaration. All States should sign and ratify all relevant treaties concerning racism, but also concerning women, children and migrants. Private actors also had a role to play in ensuring that their profits were not based on exploitation. By working together, governments could break the shackles of slavery and let the victims enjoy freedom and human rights.

ASMA JAHANGIR, Special Rapporteur on freedom of religion or belief, said that the 2001 Durban Declaration and Programme of Action expressly called upon States to promote and protect the exercise of the rights set out in the 1981 Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. However, it was regrettable that eight years after Durban, she continued to receive frequent and worrisome reports of religious intolerance and acts of violence against members of virtually all religious minorities to worship and carry out other religious activities without State registration or approval and attacks on places of worship. In her reports, she also criticized counter-terrorism measures based on discriminatory profiling based on perceived

religious affiliation. Numerous issues obviously would deserve mention, but due to time constraints, she referred to the joint contribution submitted last year by Special Procedures to the second substantive session of the Preparatory Committee (A/CONF.211/PC/WG.1/5). Much remained to be done in order to eradicate racism, racial discrimination, xenophobia and related forms of intolerance. It was her dearest hope that the outcome of this Review Conference would help build more tolerant and respectful societies, allowing all communities to live in a world free from racism, racial discrimination, xenophobia and related forms of intolerance.

JOSE CHALA CRUZ (Ecuador) said the voluntary absence from the Review Conference of various countries threatened to cause its failure, and this was contrary to the principles the same countries claimed to uphold. However, the countries were not thus exempt from their duties with regards to the prevention of racism, racial discrimination, xenophobia and related intolerance, and they should come back to the international community to achieve these noble aims. While the outcome document was far from being perfect, it was fairly well balanced, as it eliminated various polemical matters and retained those that were agreed upon at the Durban Conference. It was now possible to identify new forms of intolerance or racism, as well as more vulnerable groups. By adopting the outcome document, the international community had accepted the need to protect these groups, and incorporate them in its dialogue. Combating racism, racial discrimination, xenophobia and related intolerance responded to challenges that had led to structural racism, encroaching on the rights of the socially-vulnerable sectors. Ecuador appealed to all States who had come to the Conference to tackle head-on racism, racial discrimination, xenophobia and related intolerance.

MOHAMED FAYEK, of Egyptian National Council for Human Rights, said that Arab societies suffered under the yoke of racism and racial discrimination compared to other regions in the world. Despite the efforts exerted to promote gender equality, the gap was still wide in the public and private domains. Ethnic groups still suffered from unjustified discrimination that created social tensions, a menace to social peace in numerous Arab countries.

JUSTICE B.C. PATEL, of the National Human Rights Commission of India, said the National Human Rights Commission of India was firmly committed to the elimination of racism in all its forms and manifestations. In pursuance of constitutional provisions, a number of legislative measures had been enacted by parliament in India to protect the rights of women, children, scheduled tribes and persons with disabilities. The National Human Rights Commission of India was deeply concerned about issues relating to discrimination and inequality and had been addressing them since 1993 which evolved a number of best practices. One recommendation was made concerning the steps required to address atrocities against scheduled castes and established a focal point.

JORIS DE BRES, of the New Zealand Human Rights Commission, said that the negative mythology that had developed around the Durban process should be dispelled by the consensus adoption of the outcome document, and all States should re-engage in the Durban process from now on in. National human rights institutions welcomed the adoption of the outcome document and called on all countries to adhere to it - it was a sign of great hope that consensus had been reached on so many issues, and it was a good basis for combating racism and discrimination, promoting cultural diversity in a framework of universal and indivisible human rights. Its adoption was an important milestone in the Durban process. Governments should adequately resource national human rights institutions so that they could carry out their task effectively.

AYDIN SAFIKHANLI, of the National Institution of Azerbaijan, said that Azerbaijan as a multi-ethnic and poly-confessional State supported the principle of unity and diversity. Azerbaijan was proud that there were no cases of intolerance and discrimination on the grounds of ethnic belonging, religion, language and culture at any stage of the century-old history of Azerbaijan. The rights and freedoms of all nations were regulated by the Constitution and adopted normative legal acts. Seven years had passed since the establishment of the Ombudsman institution, one of the main mechanisms in the protection of human rights and freedoms in Azerbaijan. The Ombudsmen held regular meetings with the representatives of the Tatar, Georgians, Russian, and other communities in Azerbaijan on her own initiative or on their invitation.

PETRA FOLLMAR-OTTO, of the German Institute for Human Rights, welcomed the adoption of the final outcome document of the Review Conference. The outcome document provided an excellent basis for bringing forth the objectives of the Durban Declaration and Programme of Action on a human rights platform. However, it was regrettable that Germany did not participate in the Conference. The work of the German Institute for Human Rights in combating racism was guided by the Holocaust,

colonialism and the slave trade. Special attention must be paid to discrimination based on gender, sexuality and identity, among others. Despite efforts already made, addressing direct and indirect challenges of racism remained. The German Institute for Human Rights would continue to work closely with other national human rights institutions in this context.

GIANFRANCO FATTORINI, of Movement against Racism and for Friendship among Peoples, said today it was legitimate to consider the motives of those States who removed themselves from the consensus on the outcome document. There could be no hierarchisation of victims - no competition of memories. In the implementation of the commitments made in Durban, it should be remembered that Jews and Roma were exterminated by the same killers in the Holocaust. The adoption of the outcome document was an additional positive step in the fight against racism. The spirit of solidarity shown by the Palestinian people was admired. Minorities and indigenous peoples should be allowed to exercise their rights, both individually and collectively.

VIOLETTE DAGUERRE, of Arab Commission for Human Rights, said that the Arab Commission for Human Rights had extreme difficulties with the fact that civil society was denied participation in the discussions. How could they forego to talk about essential issues? How could they ignore the suffering of Palestinian people over decades? How could this Conference pretend that the situation was better, while it was worse? Did they not think that the Palestinian people did not suffer from the racism this Conference was about? Could they keep silent while the Holy City of Jerusalem was undergoing ethnic cleansing? Resistance to oppression was the only way of survival.

JULIE DE RIVERO, of Human Rights Watch, said that racism had been a stain on human history, from slavery to the Holocaust to the genocide in Rwanda, yet it continued all over the world, from the silencing of religious minorities and indigenous peoples, to ethnic war, discrimination and xenophobia against migrants. Racism prohibited, inhibited and stifled diversity and voices. It was too important to ignore or to overlook. Human Rights Watch believed the international community had an obligation to ensure that the United Nations advanced in the fight against racism by reinforcing the precious right to freedom of opinion and expression.

SARAH VADER, of Baha'i International Community, said racism originated in the human mind, and to remedy racial prejudice, xenophobia and related intolerance, the illusions that generated false concepts of superiority and inferiority among human beings should be addressed. The reality was that there was only one human race - recognition of this truth was the antidote to racism, xenophobia, and related intolerance. Governments, international organizations and civil society should address all forms of injustice - economic, social, civil and political - because justice should be the governing principle of all social organizations.

MICHELINE MAKOU DJOUMA, of Organisation pour la communication en Afrique et de promotion de la coopération économique internationale (Ocaproce International), said the primary objective of the Review Conference was and had to remain the evaluation of the results of the implementation of the Durban Declaration and Programme of Action. The 2001 Durban Conference had left the international community with foundations that it should build on in order to protect future generations: a civilization free from racial hatred, free from hatred of the other, hatred that was unfounded and cause for the worst crimes against humanity.

BARRYL A. BIELIMAN, of Tiye International, in a joint statement with several NGOs¹, congratulated Member States for their decision to reaffirm the Durban Declaration and Programme of Action. As members of civil society, Tiye International was deeply disappointed that its Government, the Netherlands, was not part of the negotiations for this Conference. Efforts were made to convince the Dutch Government that it would be a tragic historical failure not to be an active and progressive part of this salient Conference, especially given the fact that the Netherlands was a multicultural society and a former colonial State with a large number of African, Asian, Surinamese and Turkish people.

CLAUDETTE DUHAMEL, of Movement International pour les Réparations, said that eight years after the Durban Conference, it was clear that the Durban Declaration and Programme of Action had been unequally applied and that for some communities of victims, the situation, far from improving, had become worse. In such a context, it was vital for the members of civil society to build a framework to mobilise energies and create synergies in order to implement the Programme of Action. For the victims, it was urgent that the key texts produced at the beginning of the third millennium under the aegis of the United Nations be given effect.

OMEH LEILA ENEYATI, of Iranian Elite Research Centre, said that the increasingly negative political and media discourse in the Western World targeting Muslims and Islam was a matter of grave concern for the world. Over the years, the growing intolerance and discrimination against Muslims, and insults against Islam had become pervasive and were often condoned in certain Western countries and communities. The Iranian Elite Research Centre believed that the freedom of expression carried with it special duties and responsibilities and did not provide a license to insult and hurt the sentiments and beliefs of others. It was particularly and deeply alarmed by the intensification of the campaign of defamation against Islam.

NADER GANJI, of Women Association Follower of Ahlul-Baitii, said at the beginning of the third millennium, there was a resurgence and growing trend of racism, racial discrimination and xenophobia in new forms and manifestations, and this was a serious concern for the international community. These concerns showed the importance of holding the Durban Review Conference, which brought about a great opportunity to address the issue of racism. With the new forms and manifestations of racism and with the emergence of the phenomenon of Islamophobia, Muslims were suffering from racism.

ABDUL AMIER HASHOM, of Al-Hakim Foundation, said unity and cohesion were becoming established in Iraq. Since the fall of Saddam, many non-governmental organizations had been established in the country, and Al-Hakim had succeeded in nominating many women to political posts. It was hoped that efforts would continue in order to ensure that women could exercise their rights in Iraq.

KADY NDJAYE, of Rencontre africaine pour la défense des droits de l'homme, noted the weakness of the implementation of the Durban Declaration and Programme of Action after the first Durban Conference. Slavery was still visible. Street children begged to survive. There was violence against women and children. Most African States had ratified the Convention on the Elimination of Discrimination Against Women but still had to find ways to implement it.

HILLEL NEUER, of United Nations Watch, said that the objective the Durban Review Conference was to review progress in countries with respect to combating racism, racial discrimination, xenophobia and related forms of intolerance and to help those victims worldwide. Did this Conference really help victims worldwide? Why did the Conference fail to review a single country, a single abuser? Was the truth that the Durban Review Conference had failed to do so?

BERNICE AGUTNO SEE, of Asian Forum for Human Rights and Development (Forum-Asia), said that it was regrettable that many of the prevalent issues such as discrimination based on work and descent, intersection of sexual orientation and racism were dropped from the outcome document in order to achieve consensus. Poverty and social exclusion leading to different forms of discrimination and racism should have been given more emphasis, particularly in the context of the current global financial crisis. The manifestations of racial discrimination in situations of natural or human-instigated disasters should have found expression in the outcome document as well. Those States that had not yet done so should ratify the core international human rights treaties as a matter of high priority.

ANNE BAYEFSKY, of Hudson Institute, said that when all left the halls of the Palais, the contribution of the Durban Review Conference would be remembered for its human face, the Iranian President Ahmadinejad who had denied the Holocaust in his statement. His words were not an accident nor were they an afterthought. United Nations Member States had heard him deliver the same message in the General Assembly. And yet the United Nations had handed him a megaphone. The Durban Review Conference would not only be remembered for the words of the country whose name could not be mentioned, but also for the United Nations-enablers. This Conference would be remembered for poisoning the well of human rights.

MIREILLE FANON, of the Centre Europe – Tiers Monde, said that the empty seat of some countries at this Conference was a sad spectacle. Since Durban 2001, western countries had repeatedly erased any real progress. It was unacceptable to label the issue concerning the Middle East as not a serious one and as a boycott and overshadow to all other situations relating to racism. States had the obligation to ensure that massive human rights violations were sanctioned. The Durban Declaration and Programme of Action needed to be implemented. On 10 November 1979, the United Nations General Assembly adopted resolution 3379 which recognized that Zionism was a form of racism and racial discrimination, then there was the reversal of that in 1991 by the same body. The international community should shoulder its responsibilities in evoking its mechanisms to impose sanctions against the State of Israel.

STEPHAN CICCOLI, of Commission to Study the Organization of Peace, said the practice of discrimination based on race, gender, religion or any other factor was a consequence of attitudes and mindsets that were created by the environment in which people were nurtured. Nation States had a definitive role to play in shaping societal behaviour by ensuring that the structures of society and governance provided an environment that encouraged notions of equality of all human beings and the need for human beings to let each other live with dignity and respect. Contemporary terrorism was fuelled by an ideology of intolerance and discrimination - the international community would fail if it sought to tackle terrorism in isolation. The effort had to be to reform the environment that bred terrorism.

ALICE MOGUE, of International Federation of Human Rights Leagues, in a joint statement, recognized that the outcome document of the Durban Review Conference did not place different values on the experiences and the suffering of victims. Instead, it reflected common agreement on the unacceptability of racism, racial discrimination, xenophobia and related intolerance. Consequently, the International Federation regretted the absence of several Western States from this Conference. In doing so, they curtailed the global impact of this important consensus. It particularly deplored the departure of some of these States, after they had engaged in negotiations which had satisfied a number of their demands.

HASSAN YUSSUFF, of Canadian Labour Congress, in a joint statement with International Trade Unions Confederation; Education International; and Public Services International, said that the Secretary-General welcomed the Conference with an important message about the significance of this Review Conference. He made clear that now was the moment when all must stand firm on the fundamental principles which bound everyone. There was no choice but to act in ways that demonstrated human rights and dignity for all. The Secretary-General appeared to be talking to his country's empty seat - Canada - when he said, "Some nations, who by rights should be helping to forge a path to a better future, are not here." The international trade union movement knew that leaving the table was not an option.

MOHAMMED SHAFIQ, of Public Commercial Services Union, said as the Conference gathered, there were victims of racism around the globe who waited for their justice from oppression, racism, occupation and xenophobia for eight years. There were many who did not participate in the Conference - they had used non-participation as an excuse to not address the real issues of racism in their countries. A lot of rhetoric had been heard from Governments, but there had been no serious consideration of monitoring mechanisms so that Member States could be measured to see what parts of the Durban Declaration and Programme of Action had been implemented and those that had not. Now was the time for the rhetoric to stop and action to begin.

PAUL DIVAKAR, of National Campaign on Dalit Human Rights, in a joint statement with Lutheran World Federation, said that discrimination based on work and descent was one of the largest and most serious human rights violations affecting 260 million people worldwide, especially in South Asia. It subjected millions of Dalits to a life without de facto equal rights and opportunities. While constitutional measures and affirmative action programmes had been enacted in some affected countries, the organizations regretted the situation of impunity and lack of political will to effectively eliminate this form of discrimination. The organizations strongly rejected the argument that caste-based discrimination was an internal affair which should not be addressed by relevant United Nations mechanisms, including this Durban Review Conference.

CHIBO ONYEJI, of the European Network Against Racism, said that nobody would deny that this had been a long and difficult process. The subject matter was one that the world simply could not afford to be divided over. For a united approach, all stakeholders must remain focused on the vision, the principles and the high level strategy to fight racism, racial discrimination, xenophobia and related forms of intolerance. They urged all countries to recognize the universality and indivisibility of the fundamental human rights for all, and called for the immediate adoption and or implementation of the National Action Plans Against Racism by all States. All States were urged to ratify and implement key human rights instruments, including the International Convention on the Elimination of All Forms of Racial Discrimination.

Right of Reply

SEYED HOSSEIN REZVANI (Iran), speaking in a right of reply, said Iran wished to respond again to the irrelevant and politically motivated references made in the statements of the Belgian Foreign Minister as well as those of representatives of Slovenia, Portugal, Luxemburg and Denmark. Iran strongly rejected the unwarranted and irresponsible references made in those statements and considered them as without merit, unacceptable and counter productive. Certain parts of the President's statement which probably served as a pretext for the previously mentioned countries to utter superfluous remarks were as a matter of fact his genuine attempt to describe historical events and realities on the ground about the formation of the illegitimate regime and massacres and atrocities it had committed in more than six decades of occupation. It was alarming and ironic as to how the members of the European Union and some other countries which constantly claimed to be at the forefront of protection of human rights could afford to be quiet as to the indiscriminate and deliberate targeting of civilians by the occupying regime in Palestine. The boycotting of the meeting, as well as the walk-out by some, was not only highly regrettable, but would have long-term ramifications on all those individuals who were presently the victims of racism, and would be held accountable by future generations who would never understand their unproductive attitude.

Presidential Statement on Behalf of the Durban Review Conference in Spirit of the Fifteenth Commemoration of the 1994 Genocide in Rwanda

AMOS WAKO, President of the Conference, said in the spirit of the fifteenth commemoration of the 1994 Genocide against the Tutsi in Rwanda, the Conference recalled the General Assembly resolution 58/314 of 23 December 2003 and resolution 59/137 of 10 December 2004 and resolution 60/225 of 22 March 2006. 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. The International Criminal Tribunal for Rwanda and the 1948 Convention on the Prevention of the Crime of Genocide sent an unequivocal message that the world would not tolerate impunity for genocide. 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 hereby urged the international community to make all efforts to combat negation and trivialisation of the genocide committed against the Tutsi in Rwanda.

¹Joint statement on behalf of: Tiye International; African European Women's Movement Sophiedela; STAWSI; AAD Network Nederland; E-Quality; Dyadyaman; and Stg Mohamaad Movement Dutch Slavery Past.