

Distr.
GENERAL

A/CONF.211/PC.3/1/Add.1
16 September 2008

Original: ENGLISH

DURBAN REVIEW CONFERENCE
Preparatory Committee
Second substantive session
Geneva, 6-17 October 2008

ANNOTATIONS TO THE PROVISIONAL AGENDA

Prepared by the Secretary-General

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Opening of the session

1. The second substantive session of the Preparatory Committee for the Durban Review Conference will be held at the United Nations Office at Geneva from 6 to 17 October 2008. The session will be opened by the Chairperson of the Preparatory Committee.

Item 1. Adoption of the agenda

2. During its organizational session, the Preparatory Committee, in its decision PC.1/14, adopted a provisional agenda for its first substantive session which was then adopted by the Preparatory Committee in its decision PC.2/11 (A/63/112, annex II). At the present session, the Preparatory Committee will have before it the provisional agenda prepared by the Secretary-General (A/CONF.211/PC.3/1) which is based on the agenda of its first substantive session. The following changes have been made: (a) former agenda item 4 relating to the provisional agenda of the Durban Review Conference was deleted since action on that item had been completed at the first substantive session of the Preparatory Committee (see decision PC.2/11 in para. 21 below) and (b) new item 5 entitled "Report of the intersessional open-ended intergovernmental working group to follow up the work of the Preparatory Committee" was added to the agenda pursuant to Preparatory Committee decision PC.2/4.

Item 2. Organization of work

3. At its present session, the Preparatory Committee will have before it a draft programme of work proposed by the Bureau.

4. In its decision PC.1/1 of 27 August 2007, the Preparatory Committee decided to use as its rules of procedure the rules of procedure of the General Assembly, section XIII, insofar as applicable.

5. In its decision PC.1/2 on participation of observers at the sessions of the Preparatory Committee, the Preparatory Committee decided that the mechanism established by the Economic and Social Council in its resolution 1996/31 and the practices observed by the Commission on Human Rights, shall be the framework for participation and accreditation of non-governmental organizations. In the same decision, the Preparatory Committee established a procedure for accreditation of non-governmental organizations. This decision, inter alia, provides that in the event that a Government raises questions concerning the accreditation of a non-governmental organization, the final decision on those cases shall be taken by the Preparatory Committee, in accordance with the standard process set out in Economic and Social Council resolution 1996/31.

6. As a follow-up to its decisions PC.2/2, PC.2/5 and PC.2/6 on matters relating to the accreditation of non-governmental organizations, the Preparatory Committee will have before it a note by the secretariat (A/CONF.211/PC.3/7).

7. The Preparatory Committee will also have before it a document containing draft decisions that will be proposed by the Bureau of the Preparatory Committee (A/CONF.211/PC.3/8).

Item 3. Reports of preparatory meetings and activities at the international, regional and national levels

8. In its decision PC.1/11, the Preparatory Committee called upon States and regional organizations to hold international, regional and national meetings and/or to undertake other initiatives in preparation for the Durban Review Conference in line with the objectives of the Review Conference. Furthermore, the General Assembly in its resolution 62/220 called upon Member States that are in a position to do so to offer to host the regional preparatory conferences in their regions, consistent with the objectives of the Durban Review Conference, and to ensure the widest possible participation in those conferences, whose outcome will contribute to the deliberations of the Preparatory Committee.

9. At the present session, the Preparatory Committee will have before it the report of the Regional Conference for Latin America and the Caribbean Preparatory to the Durban Review Conference (A/CONF.211/PC.3/3), the report of the Regional Preparatory Meeting for Africa for the Durban Review Conference (A/CONF.211/PC.3/4), a written contribution to be submitted by the Asian group of States (A/CONF.211/PC.3/5), and a written contribution to be submitted by the European States (A/CONF.211/PC.3/6).

Item 4. Review of reports, studies and other documentation for the Preparatory Committee and the Durban Review Conference and contributions of human rights bodies and mechanisms

10. Pursuant to its decision PC.1/10, the Preparatory Committee at its first substantive session had before it the following documents containing replies to the questionnaire prepared by the Office of the United Nations High Commissioner for Human Rights (A/CONF.211/PC.2/2) and specific contributions to the review process:

- Compilation of contributions submitted by specialized agencies of the United Nations system, United Nations bodies, regional and other intergovernmental organizations and non-governmental organizations (A/CONF.211/PC.2/CRP.2);
- Contribution by the Special Rapporteur on the right to education (A/CONF.211/PC.2/8);
- Compilation of conclusions and recommendations adopted by the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action (A/CONF.211/PC.2/CRP.4);
- Replies to the questionnaire submitted by the Committee on the Elimination of Racial Discrimination (A/CONF.211/PC.2/CRP.5);
- Replies to the questionnaire by States (A/CONF.211/PC.2/CRP.6).

11. All additional contributions received by the secretariat after the circulation of the above documents have been posted on the website of the Office of the United Nations High

Commissioner for Human Rights.¹ A summary of all new contributions from States received as at 31 July 2008 have been circulated, in document A/CONF.211/PC/WG.1/CRP.1 and Add.1, at the second session of the intersessional open-ended intergovernmental working group to follow up the work of the Preparatory Committee (see paras. 12-13 below). This working group had also before it a joint contribution submitted by several special procedures mandate-holders (A/CONF.211/PC/WG.1/5).

Item 5. Report of the intersessional open-ended intergovernmental working group to follow up the work of the Preparatory Committee

12. In its decision PC.2/4, the Preparatory Committee decided to establish an intersessional open-ended intergovernmental working group with a mandate to follow up the work of the Preparatory Committee, including through reviewing contributions and commencing negotiations on the draft outcome document, and to report thereon to the Preparatory Committee. The Preparatory Committee designated Mr. Zohrab Mnatsakanian, Ambassador of Armenia and Vice-Chairman of the Preparatory Committee, as Chairperson of this intergovernmental working group.

13. The working group held two sessions. The first session was convened from 26 to 28 May 2008 and the second session was held on 5 and 29 September 2008.

14. The report of the intersessional open-ended intergovernmental working group will be issued as A/CONF.211/PC.3/2.

Item 6. Draft outcome document of the Durban Review Conference

15. The General Assembly, in its resolution 61/149, decided to convene in 2009 a review conference on the implementation of the Durban Declaration and Programme of Action. The Human Rights Council in its resolution 3/2 of 8 December 2006 reaffirmed that the Durban Review Conference will be undertaken on the basis of and with full respect for the Durban Declaration and Programme of Action and that there will be no renegotiation of the existing agreements contained therein. The Council also decided that it will concentrate on their implementation, including further actions, initiatives and practical solutions for combating all the contemporary scourges of racism.

16. The Preparatory Committee, in its decision PC.1/13 of 31 August 2007, decided that, on the basis of the Durban Declaration and Programme of Action, General Assembly resolution 61/149 and Human Rights Council resolution 3/2, the objectives of the Durban Review Conference will read as follows:

¹ Available at <http://www2.ohchr.org/english/issues/racism/DurbanReview/session1-repliesfromMemberStates.htm>.

1. To review progress and assess implementation of the Durban Declaration and Programme of Action by all stakeholders at the national, regional and international levels, including assessing contemporary manifestations of racism, racial discrimination, xenophobia and related intolerance, through an inclusive, transparent and collaborative process and identify concrete measures and initiatives 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;

2. To assess the effectiveness of the existing Durban follow-up mechanisms and other relevant United Nations mechanisms dealing with the issue of racism, racial discrimination, xenophobia and related intolerance in order to enhance them;

3. To promote 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;

4. To identify and share good practices achieved in the fight against racism, racial discrimination, xenophobia and related intolerance.

17. In its decision PC.2/8 of 30 April 2008 entitled "Structure of the draft outcome document of the Durban Review Conference", the Preparatory Committee decided that the outcome, consisting of a declaratory part and an action-oriented part containing further actions and initiatives, will be based on contributions submitted in conformity with its decision PC.1/10 and the outcomes of the preparatory meetings and activities at the international, regional and national levels, and shall be drawn up in accordance with the following structure:

1. Review of progress and assessment of implementation of the Durban Declaration and Programme of Action by all stakeholders at the national, regional and international levels, including the assessment of contemporary manifestations of racism, racial discrimination, xenophobia and related intolerance:

- Sources, causes, forms and contemporary manifestations of racism, racial discrimination, xenophobia and related intolerance
- Victims of racism, racial discrimination, xenophobia and related intolerance
- Measures of prevention, education and protection aimed at the eradication of racism, racial discrimination, xenophobia and related intolerance at all levels
- Provision of effective remedies, recourse, redress, and compensatory and other measures at all levels
- 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

2. Assessment of the effectiveness of the existing Durban 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.

3. Promotion of the universal ratification and implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and proper consideration of the recommendations of the Committee on the Elimination of Racial Discrimination.

4. Identification and sharing of best practices achieved at the national, regional and international levels in the fight against racism, racial discrimination, xenophobia and related intolerance.

5. 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 its adoption in 2001.

Item 7. Organization of the work of the Durban Review Conference and other matters

18. In its decision PC.2/13 on the venue, timing and duration of the Durban Review Conference, the Preparatory Committee decided that the Durban Review Conference, which will include a high-level segment, shall be convened in Geneva from 20 to 24 April 2009.

19. In its decision PC.1/4 on the level of participation, the Preparatory Committee decided that participation in the Review Conference should be at the highest possible level.

20. Pursuant to Preparatory Committee decision PC.1/5, the Secretary-General of the United Nations designated, on 7 January 2008, the United Nations High Commissioner for Human Rights as the Secretary-General of the Durban Review Conference.

21. By its decision PC.2/11, the Preparatory Committee adopted the provisional agenda of the Durban Review Conference, as follows:

1. Opening of the Conference
2. Election of the President
3. High-level segment
4. Adoption of the rules of procedure
5. Election of other officers of the Conference
6. Credentials of representatives to the Conference
7. Adoption of the agenda

8. Organization of work
9. Issues arising from the objectives of the Conference

(a) To review progress and assess implementation of the Durban Declaration and Programme of Action by all stakeholders at the national, regional and international levels, including assessing contemporary manifestations of racism, racial discrimination, xenophobia and related intolerance, through an inclusive, transparent and collaborative process and identify concrete measures and initiatives 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;

(b) To assess the effectiveness of the existing Durban follow-up mechanisms and other relevant United Nations mechanisms dealing with the issue of racism, racial discrimination, xenophobia and related intolerance in order to enhance them;

(c) To promote 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;

(d) To identify and share good practices achieved in the fight against racism, racial discrimination, xenophobia and related intolerance.

10. Adoption of the final document and the report of the Durban Review Conference.

22. In its decision PC.1/9, the Preparatory Committee recommended the provisional rules of procedure for the Durban Review Conference which are contained in the appendix to that decision (see A/62/375, annex I).

23. In its decision PC.2/14, the Preparatory Committee decided that the slogan of the Durban Review Conference shall be: "United against Racism: Dignity and Justice for All".

24. In its decision PC.2/15, the Preparatory Committee decided that the logo for the Durban Review Conference shall be the same as that of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban in 2001. The Preparatory Committee also decided that the following additional elements shall be part of the logo: "Durban Review Conference" and "2001-2009", and delegated to the Bureau to agree on the technicalities of the logo in consultation with the Secretariat.

25. In its decision PC.2/9 entitled "Information strategy for the Durban Review Conference", the Preparatory Committee requested the High Commissioner, in her capacity as Secretary-General of the Durban Review Conference, to prepare and carry out, in close cooperation with the Department of Public Information, a worldwide information campaign with a view to mobilizing support for the objectives of the Durban Review Conference by all sectors of political, economic, social and cultural life, as well as other interested sectors.

26. In its decision PC.2/12, the Preparatory Committee, recalling its decision PC.1/2 on the participation of, and consultation with, observers at the sessions of the Preparatory Committee, decided that the same criteria, practices and arrangements should also apply to the participation of all observers in the Durban Review Conference.

27. Draft decisions to be proposed by the Bureau of the Preparatory Committee will be issued in document A/CONF.211/PC.3/8.

Item 8. Adoption of the report of the Preparatory Committee

28. At the conclusion of its session the Preparatory Committee will adopt a report for submission to the Durban Review Conference.
