

World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

“As we see all around us, racism and racial discrimination continue unabated. Although we refer to our world as a global village, it is a world sadly lacking in the sense of closeness towards neighbour and community, which the world village implies. In each region, and within all countries, there are problems stemming from either lack of respect for, or lack of acceptance of, the inherent dignity and quality of all human beings. Our world is witness to serious ethnic conflicts; to discrimination against minorities, indigenous peoples and migrants workers; the accusation of institutionalised racism in police forces; harsh immigration and asylum policies; hate sites on the Internet and youth groups promoting intolerance and xenophobia.”

Mary Robinson, United Nations
High Commissioner for Human Rights,
24 March 1999

One of the guiding principles of the United Nations, created in 1945 at the end of the World War II, is the **principle of non-discrimination of the groups of race**. This principle is clearly stated in the preamble of the **Charter of the United Nations**, which reaffirms “faith in fundamental human rights, in dignity and worth of the human person”. Subsequently, the 1948 **Universal Declaration of Human Rights** and other international human rights instruments which specifically refer to this principle have been adopted by the United Nations.

Despite continuing efforts by the international community, **racial discrimination, ethnic conflicts and widespread violence** persists in various parts of the world. In recent years, the world has witnessed campaigns of “ethnic cleansing”. Racial minorities, migrants, asylum seekers and indigenous peoples are persistent targets of intolerance. Millions of human beings continue to encounter discrimination solely due to the colour of their skin or other factors that indicate

the race to which they belong. Effective and early action, as well as early warning measures, is required to prevent the growth of ethnic hatred and potential violent conflicts.

In 1997, the United Nations General Assembly, in its resolution 52/111 of 12 December, decided to convene a **World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance** no later than 2001. This decision reflects growing international concern for the rise in the incidents of racism, racial discrimination, xenophobia and related intolerance, and recognition of the challenges and opportunities in combating these phenomena in an increasingly globalised world.

The Conference is intended to be action-oriented and focus on practical steps to eradicate racism, including measures of prevention, education and protection. It will also endeavour to provide effective remedies for the victims of racism and racial discrimination. The United Nations has repeatedly affirmed its “special responsibility” for victims of racism and oppression.

The objectives of the World Conference, as set forth by the General Assembly resolution 52/111 of 12 December 1997, are:

- (a) To review progress made in the fight against racism and racial discrimination, in particular since the adoption of the Universal Declaration of Human Rights, and to reappraise the obstacles to progress in the field and to identify ways to overcome them;
- (b) To consider ways and means to better ensure the application of existing standards and their implementation to combat racism and racial discrimination;
- (c) To increase the level of awareness about the scourge of racism and racial discrimination;

- (d) To formulate concrete recommendations on ways to increase the effectiveness of the activities and mechanisms of the United Nations through programmes aimed at combating racism and racial discrimination;
- (e) To draw up concrete recommendations to ensure that the United Nations has the necessary resources for its activities to combat racism and racial discrimination.

The United Nations Commission on Human Rights is acting as the preparatory committee for the World Conference. Prior to the Conference, two preparatory intergovernmental meetings took place. The first was held in Geneva from 1 to 5 May 2000, and the second from 21 May to 1 June 2001, also in Geneva. At the first meeting, governments took a number of organisational decisions, including the adoption of the provisional agenda for the Conference and its draft rules of procedure. Member States also held informal consultations in January where they took stock of the recommendations of six experts seminars that took place in the last two years. They also discussed the draft declaration and programme of action, to be adopted by the Conference.

During 1999 and 2000 **six regional experts' seminars** were held in: Geneva, Warsaw, Bangkok, Addis Ababa and Santiago de Chile. The objectives of each seminar was to discuss the issues of priority concern for that region, to advance the regional dialogue on racism, raise awareness, share information on the issues of racism and intolerance and to share "best practices".

The first experts seminar was held in **Geneva from 6 to 8 December 1999** and focused on refugees and multiethnic States. The first problem concerned ratifying the Rome Statute of the International Criminal Court. It was stated on the seminar that states ratify this Rome Statute in order to help to prevent genocide and facilitate the trial of perpetrators of genocide, crimes against humanity (including murder, extermination, enslavement, deportation, imprisonment, torture, rape, persecution on political, racial and religious grounds)

and other inhumane acts directed against any civilian population, and grave breaches of the Geneva Conventions of 1949 and the Additional Protocols thereto of 1977.

It was stressed that discontinuation of the proliferation of arms in regions of concern is the very important issue in ethnic conflict prevention.

It is extremely important to elaborate an international instrument of a binding character defining the rights and obligations of persons belonging to minorities, and must clarify its position on the understanding of the right to self-determination of peoples.

The next agreed issue was a global strategy, which contains some of the following points:

- (a) Identify and monitoring ethnic conflicts and other sources of ethnic violence, elaborating measures to contain them, and searching for peaceful solutions with direct participation by host States and parties to the conflicts, and with the active cooperation of regional and international mechanisms;
- (b) Assisting States in establishing national institutions for the promotion and protection of human rights;
- (c) Encouraging States to continue reviewing national legislation concerning racial discrimination;
- (d) Encouraging States to carry out law enforcement training with special emphasis on racial and ethnic groups; and
- (e) Encouraging States to review school curricula and other educational and training programs, and to adjust them to the requirements for the elimination of racial discrimination and ethnic conflict and violence prevention.

The seminar agreed that a rapid reaction force should be established that shall have an enforcement mandate under Chapter VII of the Charter of the United Nations, and which shall not be a substitute for the normal range of United Nations peacekeeping operations set up under Chapter VI of the Charter. The

Secretary-General of the United Nations must be given wider powers in enhancing the United Nations rapid reaction capability, and in integrating humanitarian assistance with other preventive measures such as early-warning and human rights monitoring.

The special effort should be taken to encourage all States Members of the United Nations to become parties to the International Convention on the Elimination of All Forms of Racial Discrimination in order to make it universal. Reservations weaken its nature.

The seminar put special pressure on the globalization issue. Globalization risks causing exclusion and increased inequality, often along ethnic or racial lines. States should define and promote legitimate measures of welfare, employment and equal opportunities for those left behind by globalization.

The second experts' seminar was held from **16 to 18 February, 2000, also in Geneva**. This time the discussions focused on remedies available to the victims of acts of racism, racial discrimination, xenophobia and related intolerance and on good national practises in this field.

There has been an agreement that education was an essential tool in combating racism and hate activities transmitted on the Internet and by other means.

The seminar of experts noted that racial discrimination in economic, social and cultural life is often practised by private institutions, groups and individuals, particularly with regard to the enjoyment of such rights as the right to work and access to employment, the right to housing, the right to health, the right to social security, the right to education and the right to access to places and services intended for the use of the general public. It is therefore essential that States bring to an end racial discrimination by any person, group or organisation.

The seminar stressed that the assurance of economic, social, cultural, civil and political rights in law and in practice is essential for persons belonging to vulnerable groups. Furthermore, countries that take measures to improve the lives of such vulnerable groups should be provided financial and technical assistance so that they can continue their efforts.

States should undertake to provide refuge and protection for victims of sexual exploitation, including prostitution and trafficking, and to repatriate those who desire to be repatriated. Remedies need to be developed so that such persons will be able to reveal and bring to light without any risk to themselves, the exploitative circumstances behind their situation. Special attention should be given to violations of refugees in refugee camps and detention centres. In these places, women and girls who are bereft of effective remedies for their protection often face particular problems. Under these circumstances, women and girls are often subjected to sexual or other assaults.

Special pressure should be put on establishing effective remedies for the protection of non-national residents, who often suffer discrimination in obtaining access to citizenship.

One of the most important agreements of the conference was that victims of racial discrimination are entitled to reparation in its different forms, such as restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition. Monetary and non-monetary forms of reparation are equally important in rendering justice to victims of racial discrimination. Non-monetary forms of reparation include measures such as verification of the facts and their public disclosure; official declarations or judicial decisions that restore dignity and rebuild reputation; acknowledgement of the facts and acceptance of responsibility; and the commemoration and the payment of tribute to the victims.

The third regional seminar took place **from 5 to 7 July 2000 in Warsaw** under the theme “Protection of minorities and other vulnerable groups and strengthening human rights capacity at the national level”.

The seminar concluded that the World Conference should consider the general policy recommendations adopted by the European Commission against Racism and Intolerance (ECRI) of the Council of Europe, and especially general policy recommendation No. 1 on “Combating racism, xenophobia, anti-Semitism and intolerance”. It recommends to the Governments of Member States, to adopt laws enforce them and offer judicial remedies, and to adopt policies and take measures in order to strengthen the fight against racism, xenophobia, anti-Semitism and intolerance. The role of the conference is also to underline the many-faceted nature of racism (anti-Rome, anti-Jewish, anti-Black, anti-Muslims) and note that racial discrimination in Central and Eastern Europe often affects national minorities. It should emphasise that special care should be taken to protect national minorities whose self-identification occurred in the post-communist transition period.

Governments should demonstrate their willingness to counter racism and discrimination by ratifying and fully implementing available regional instruments aimed at eliminating racial discrimination, including the Race Discrimination Directive of the European Union, adopted by the Council of Ministers on 29 June 2000, and Protocol No. 12 to the European Convention on Human Rights, adopted on 26 June 2000. The conference should encourage the conclusion of intergovernmental agreements to help curb the illegal migration and trafficking in women and girl children, which are the causes of many human rights violations, including racial and ethnic discrimination. The Seminar encouraged the establishment of and support for regional bodies specialised in combating racism and intolerance, such as the European Commission against Racism and Intolerance of the Council of Europe. The Seminar urges the World Conference

to consider the issue of increased co-ordination among the various intergovernmental organisations concerned with minority rights.

The fourth seminar was held from 5 to 7 September, 2000 in Bangkok. The discussions focused on the theme “Migrants and trafficking in persons with particular reference to women and children”. The seminar noted that people migrated inter alia because of poverty, “perceived deprivation”, racial discrimination, internal conflicts, lack of opportunity, discrimination against women and to reunite separated families. Trafficking was also a major concern to the Asia-Pacific region. There was considerable trafficking in children in the countries of the region for sexual abuse, pornography, domestic work, and use for specific sports. This might be largely based on, and involve, racism and racial discrimination.

The seminar noted that there was no country in the region, which was free from racism and racial discrimination. The participants mentioned a new subgroup of migrant children whose numbers were increasing namely the children of migrant women who had been raped, children of mixed parentage and children of migrants born in the destination/host country. These were subjected to racial discrimination and were often stigmatised not only in host countries but also in their home communities and countries.

The World Conference should recommend that the General Assembly declare a United Nations Year or Decade against Trafficking in Persons, especially in Women and Children. States in the region should promote bilateral, regional and international cooperation using existing and pertinent mechanisms and frameworks. They were recommended to establish support structures for survivors of exploitative migration and trafficking both in the country of destination as well as the country of origin. The seminar urged States that hadn't yet done so, to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990).

The problem of preventing ethnic and racial conflicts was discussed during the **fifth seminar of experts in Addis-Ababa, Ethiopia (4 – 6 October 2000)**. The seminar recognised that historical factors are breeding grounds for ethnic and racial conflicts in Africa. Such conflicts originate, among other causes, from systematic and widespread violations of human rights, the absence of democracy, the politization of race and ethnicity, discrimination against certain members of society, and interference by foreign interests linked to the exploitation of mineral resources and the arms trade.

The seminar noted that there was a correlation between racism and the practises and policies of States that create a minority with privileges, which exacerbates racial and ethnic conflicts within society and among nations. African States should prevent conflicts by establishing non-aggression agreements. Special priority must be assigned to negotiating arms limitations. The seminar stressed that women play an important role in prevention and resolving conflicts so their participation in peace-keeping should be increased.

The seminar also urged States in the region to ratify the statutes establishing an African Court of Human and Peoples' Rights and the International Criminal Court. It called for debt remission to enable and empower African States and people to undertake the necessary transition to development and prosperity. The seminar also recommended that the World Conference adopt as a theme of its agenda "Measures for reparation, restoration and compensation for nations, groups and individuals affected by slavery and the slave trade, colonialism, and economic and political exclusion". Finally, the role of religion and its potential as a catalyst for conflict was stressed.

Regional intergovernmental meetings were also held. During the year 2000, European countries met in Strasbourg in October, the meeting for the Americas was held in Santiago de Chile in December, the African regional preparatory

meeting took place in Dakar in January 2001; and the meeting of the Asian group was held in Teheran in February 2001.

The European Conference against Racism wound up its deliberations in **Strasbourg on 13 October 2000**, with a reaffirmation of Europe's cultural diversity and a call for increased action to combat racism and related discrimination at national and subnational levels on the continent. In a strongly worded declaration, the Conference expressed alarm at the continuing violence and occurrence of racism, including contemporary forms of slavery, ethnic cleansing and the support for political parties and organisations disseminating racist and xenophobic ideology in Europe.

The United Nations High Commissioner for Human Rights and Secretary-General of the World Conference against Racism, Mary Robinson, told the European Conference against Racism that Western Europe must be aware of what she described as "the Fortress Europe" mentality and urged that national governments effect change in the face of increasing acts of racism on the continent. She saw a larger scope for improvement if politicians were to lead by example and take a strong stance against racism. The "Fortress" mentality was not economically sustainable in the long term, as the population of Europe was ageing fast. Morally, she said, it cannot be right that millions go hungry, live without clean water or even basic medicines, and die of AIDS, at the same time when people in developed countries enjoy unparalleled prosperity and access to the most sophisticated technology.

The High Commissioner said a serious impediment to tackling the problem of racism in Europe was the broad denial that racism and xenophobia exists at all, and called on Europeans to face up to this reality and make use of the wide range of legislative instruments that were available. She also called for more strategic prioritising and resourcing of institutions for combating racism.

In this connection, the High Commissioner paid tribute to the Council of Europe for the contribution it had made and continues to make, particularly the country reports issued by the European Commission against Racism and Intolerance that monitor racism and intolerance in Member States. She also welcomed the steps taken by the European Union to establish the European Monitoring Centre on Racism and Xenophobia and commended the European Youth Campaign against Racism and the European Year against Racism as these engaged young people's attention to issues of racism.

The three-day **African regional** preparatory meeting for the World Conference wound up its deliberations **in Dakar, Senegal, in January 2001**, adopting a draft declaration focussing, among other things, on the impact of slavery and colonialism.

The draft declaration of the Dakar African Regional Conference against Racism also looked into education, ethnic conflicts, human rights abuses, gender injustices and warned that recognition would be meaningless without explicit apology by ex-colonial Powers or their successors for those violations . The conference recommended the setting up of international mechanism to deal with the follow-up and monitoring of racism-related issues.

The African NGO forum that took place in Dakar prior to the regional conference had adopted its own declaration and program of action and decided to establish a network of African NGOs to carry forward the program of action of the World Conference.

Over 40 government delegations, 10 national institutions, 16 special rapporteurs and treaty bodies representatives as well as observers from the Asian Group, European Union, United States, and the group of the Latin American and Caribbean countries attended the regional conference.

The regional preparatory meeting for **Asia** of the World Conference was held **from 19 to 21 February 2001 in Teheran.**

Mrs. Mary Robinson said that the recommendations adopted by the various preparatory meetings already showed a high degree of consensus. This was reflected in the agreement on the need for legislative and regulatory measures to prevent racism and protect victims, for the promotion and strengthening of national institutions devoted to the elimination of racism, for training and education and for special attention to the youth and women, as well as various vulnerable groups such as migrants and minorities. A number of issues still remained on the agenda that would require political leadership.

The declaration and plan of action adopted by the Asia regional preparatory meeting in Teheran expressed solidarity with the peoples of Africa in their struggle against racism. In the context of globalisation, the meeting also drew attention to the growing plight of migrants, particularly women, and trafficking in persons.

As in the previous regional meetings held in Strasbourg, Santiago de Chile and Dakar, the Teheran meeting also called upon States to address the root causes, such as inter-ethnic strife, poverty and armed which gave rise to or exacerbated racism, racial discrimination, xenophobia and related intolerance.

Member States, observers from other regions, representatives of 150 non-governmental organisations, civil society, international agencies and institutions attended the Teheran meeting.

Based on DPI information materials