

Following-up to the Madrid Final Document, the Office for Democratic Institutions and Human Rights (ODIHR-OSCE) Advisory Council of Experts on Freedom of Religion or Belief developed in 2007 the *Toledo guiding principles on teaching about religions and beliefs in public schools* which offers practical guidance for preparing curricula for teaching about religions and beliefs, preferred procedures for assuring fairness in the development of curricula and standards for how they could be implemented.

#### Measures at the national level

39. **Recognition of the link between racism and poverty:** one of the central points made in the DPA is the consideration that “inequitable political, economic, cultural and social conditions can breed and foster racism, racial discrimination, xenophobia and related intolerance, which in turn exacerbate the inequity”. Many countries have been marked by the reality of social and economic marginalization of members of racial and ethnic minorities. After the 2001 adoption of the DPA, there has been a gradual recognition among States that the disproportionate impact of poverty on minorities is a key component of structural racism and that racially-conscious measures need to be adopted to tackle this problem.

40. **Promoting human rights education:** the DPA reaffirms that “education at all levels and all ages, [...] in particular human rights education, is a key to changing attitudes and behaviour based on racism, racial discrimination, xenophobia and related intolerance and to promoting tolerance and respect for diversity in societies”. National legislation promoting human rights education has been approved in many countries after the 2001 adoption of the DPA, particularly in order to sensitize the public at large concerning the cultural identity of traditional minorities. In Latin America, many countries have focused on promoting diversity education that centered on the teaching of indigenous and Afro-Brazilian culture and history in schools, including by a redrafting of textbooks and other educational material. In Africa, progress has been made in some contexts where human rights education was promoted as an explicit tool to foster post-conflict understanding and conflict prevention. In the Asia and Pacific region, as reported in the 13<sup>th</sup> Annual Workshop on Regional Cooperation for the Promotion and Protection of Human Rights, a number of States have engaged in drafting national human rights and human rights education plans of action. In Europe, intercultural education has increasingly become a central element of national policy and educational plans. This has focused particularly on the notion of cultural diversity, which has been incorporated into teacher training programmes and teaching materials.

41. **Information, communication and media, including new technologies :** While the DPA “welcomes the positive contribution made by the new information and communications technologies, including the Internet, in combating racism through rapid and wide-reaching communication”, it also “urges States to encourage the media to avoid stereotyping based on racism, racial discrimination, xenophobia and related intolerance”. While much progress is still needed, particularly in the area of self-regulation and diversity training of media professionals, important actions have taken

place since the 2001. Diversity training for journalists has been promoted as a key preventive measure against negative stereotyping and discrimination. Independent media councils composed of media professionals assessing issues related to racism in the media have also been formed in many countries. In some cases, these councils have been mandated to receive complaints of racism in the media and to advise editors and publishers accordingly. The media has also been effectively used as a means to promote more balanced representation of members of minorities, who have increasing access to high visibility functions in many countries.

- *Obstacles and challenges*

42. While numerous measures of prevention, education and protection were put forward by the DPA in order to eradicate racism, racial discrimination, xenophobia and related intolerance, several obstacles and challenges have prevented their full implementation.

Legislative, judicial, regulatory, administrative and other measures

43. **De jure or de facto profiling** continues to exist in many parts of the world, although there have been some commendable efforts to stamp it out. Misconduct by law enforcement personnel vis-à-vis non citizens and immigrants seems to have risen since 2001. Emphasis has been put on the need for the composition of security corps to reflect the multicultural nature of the society and on the necessity to improve the response of the internal and external control mechanisms to complaints of racist or racially-discriminatory behaviour on the part of the police. Initiatives aimed at training the police forces on tolerance and anti-discrimination have been made in some countries together with activities aimed at encouraging members of national or ethnic, religious and linguistic minorities to participate in the recruitment procedures for law enforcement positions so as to overcome those barriers which might prevent members of minorities from applying or succeeding in police recruitment.

44. The **over-representation of certain racial groups among the prison population and among the persons facing execution** in some countries continues to constitute a concern. Such over-representation can be the result of profiling, racial discrimination in the administration of justice, or of the past or present marginalization of a racial group in the enjoyment of economic and social rights. If there remain concern on this issue, there must also be highlighted that positive measures have been taken by some governments to counteract over-representation of a racial group among the prison population. Finally, concern was expressed on racial inequalities in the imposition of the death sentence.

45. Violations of the 1981 Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief still continue. There remain concern about **religious intolerance and acts of violence against members of certain religious or belief communities**. These include violations of the right of members of religious minorities to worship and carry out other religious activities without State registration or approval, attacks on places of worship, killings, as well

as prosecution and conviction on the grounds of religion or belief leading to arbitrary deprivation of liberty. Women, individuals deprived of liberty, asylum seekers, refugees, children, minorities and migrant workers are being particularly vulnerable to violations of their right to freedom of religion or belief.

46. [Impunity for perpetrators of racist acts]

47. [Lack of progress in establishing national institutions mandated to fight racism and in drafting and implementing national action plans against racism]

#### Policies and practices

48. [Lack of disaggregated data on racial groups]

49. Poorest communities in almost any region tend to be minority communities that have been the targets of longstanding discrimination, violence or exclusion. Poverty within minority communities is both a cause and a manifestation of the depletion of rights suffered by members of minority communities. Poverty in this context involves more than just a lack of income or a daily struggle for basic sustenance. Members of poor communities are generally less able to participate effectively in political decision-making or to access mechanisms of justice. Furthermore, they suffer from unequal access to land, education, employment and health care. Efforts to reduce poverty are essential to larger efforts to promote the full range of civil, political, social, economic and cultural rights for minority communities.

50. There remain concern about the high incidence of **political programmes** based on ideas of racism, racial discrimination, xenophobia and related intolerance. Political platforms and organizations based on racism, xenophobia or doctrines of racial superiority and related discrimination shall be condemned. Racism and xenophobia based ideas are gaining ground in the political arena and are found in the platforms of political parties in all regions of the world. In some countries, parties are gaining increasing access to mainstream politics by dressing up policies, which are essentially based on racist and xenophobic prejudices, in the less controversial and less direct language of cultural difference. Some of these parties are gaining access to government by acting as junior members of governing coalitions together with traditional mainstream parties. The impact these parties are having on the overall political agenda is also alarming, and an increasing number of parties are now resorting to policies that negatively target immigrants, minorities, asylum seekers and refugees.

#### Education and awareness-raising measures

51. There continue to be flaws relating to human rights education, including on the issue of continued prejudices carried in textbooks.

Information, communication and the media, including new technologies

52. **The role of the media in the fight against racism:** While the media reports on racist incidents in public life, it has to do it in a balanced manner, so as to avoid negative stereotyping of specific groups and avoid contributing to the increase of tensions in inter-community relations. Hence, it should be ensured that in the media racist terms or derogatory stereotypes are not used and that there are no unnecessary references to a person's race, religion or related attributes. Media professionals, as well as the public at large, should be conscious of the potential impact that the ideas they express may have in raising cultural and religious sensitivities. The dissemination of intolerant and discriminatory opinions ultimately promotes discord and conflict and is not conducive to the promotion of human rights.

53. **Racism and the internet:** The emergence of international communication networks (i.e. Internet) provide certain persons with modern and powerful means to support racism and xenophobia and enables them to disseminate easily and widely expressions containing such ideas. Its potential for use by people with racist motives is significantly high. As a consequence, the DPA "urges States to implement legal sanctions, in accordance with relevant international human rights law, in respect of incitement to racial hatred through new information and communication technologies, including the Internet". Relevant international human rights law include article 19 (3) and 20 of the ICCPR. According to article 19 (3), freedom of expression may be subject to restrictions provided by law and necessary for respect of the rights or reputations of others, the promotion of national security or public order, or of public health or morals. Further to article 20 (2) of the ICCPR, any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law. The Human Rights Committee confirms that the measures contemplated by article 20 (2) of the ICCPR constitute important safeguards against infringement on the right of religious minorities and of other religious groups. It has been emphasized that legal restrictions on freedom of expression alone have historically proved ineffective to bring about real changes in mindsets, perceptions and discourse. To tackle the root causes of racism, further efforts are required, for example in terms of intercultural dialogue or education for tolerance and diversity.

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

- *Language of DPA*

54. The DPA urges States to ensure that victims of racism have full access to information, support, effective protection and national, administrative and judicial remedies, including the right to seek from competent national tribunals and other national institutions just and adequate reparation or satisfaction for damage from acts of racism, as well as legal assistance. States are also urged to ensure the protection against victimization of complainants and witnesses of acts of racism.

- *Progress and achievements*

55. [Legal Assistance]National legislation and programmes

56. Of those States who responded to the questionnaire concerning the Durban review process, most of them reported on the existence of legal provisions addressing the issue of discrimination on the grounds of race or ethnic origin and punishing racist acts. Some regional organizations also informed of the adoption of common standards across their member States (i.e. for the European Union, the *Racial Equality Directive and Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law*).

57. [Remedies, reparations, compensation]

- *Obstacles and challenges*

58. [Legal Assistance]National legislation and programmes

59. CERD considers that the risks of discrimination in the administration and functioning of the criminal justice system have increased in recent years, partly as a result of the rise in immigration and population movements, which have prompted prejudice and feelings of xenophobia or intolerance among certain sections of the population and certain law enforcement officials, and partly as a result of the security policies and anti-terrorism measures adopted by many States.

60. With regard to the issue of difficulties encountered in accessing to justice, including specific barriers related to discriminative practices, it is useful to recall that the concept of access to justice does not only refer to the possibility of defending a case before a tribunal, but also includes the analysis of the whole system of administration of justice and the factors that impinge its functioning. It has been observed that the obstacles that impede access the justice system are often connected to discriminative practices affecting specific vulnerable groups, such as indigenous

peoples, refugees, migrants, and stateless persons. These groups face difficulties in accessing justice because of different kinds of barriers, in particular cultural barriers. These groups have difficulties in understanding their rights and what is at stake in a judicial proceeding. Systems of justice are not prepared to overcome these difficulties.

61. [Remedies, reparations, compensation]

*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*

International legal framework

62. *See section 3. on Promotion of the universal ratification and implementation of the ICERD and proper consideration of the recommendations of the CERD.*

General international instruments

63. A Convention on the Rights of Persons with Disabilities and its Optional Protocol have been adopted by the General Assembly and entered into force on 3 May 2008.

Regional/International cooperation

64. [Role of national Parliaments, IPU]

65. [Migrants, Refugees, Victims of Trafficking]

66. [Regional bodies or centres which combat racism, racial discrimination xenophobia and related intolerance / International organizations, financial and development institutions and operational programmes and specialized agencies of the UN]

67. Further to the DPA, a **Group of five independent eminent experts** has been established following the adoption of the DPA and an Anti-Discrimination Unit has also been established within the OHCHR.

Office of the High Commissioner for Human Rights

68. [Goodwill Ambassadors]

69. [Technical cooperation]

70. In 2008, the Human Rights Council reviewed, rationalised and improved the mandate of the **Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance**. The mandate was extended for

a period of three years and expanded to include, among other things, follow-up to the implementation of all relevant paragraphs of the DDPA and the promotion of the establishment of national, regional and international mechanisms to combat racism, racial discrimination, xenophobia and related intolerance.

71. The Human Rights Council decided in 2006 to create the **Ad Hoc committee on the elaboration of complementary international standards**, an intergovernmental body whose mandate is to elaborate, as a matter of priority and necessity, complementary standards in the form of either a convention or additional protocol(s) to the ICERD, filling the existing gaps in the Convention, and also providing new normative standards aimed at combating all forms of contemporary racism, including incitement to racial and religious hatred.

72. [Decades]

### Indigenous Peoples

73. As mentioned above, progress and achievements have taken place with regard to indigenous peoples issues. Both the **Permanent Forum** on indigenous issues and the **Special Rapporteur** on the situation of the human rights and fundamental freedoms of indigenous people pursue their work on indigenous issues. In addition, States have concluded the negotiations on a draft declaration on the rights of indigenous peoples. The **United Nations Declaration on the Rights of Indigenous Peoples** was adopted in 2007 by the General Assembly.

74. [Civil society, including leaders of religious communities, Non-Governmental Organizations, Private sector, Youth]

**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**

- *Language of DPA*

75. Certain paragraphs of the DPA requested the establishment of follow-up mechanisms, such as the Working Group of Experts on People of African descent and the Group of Independent Eminent Experts. Further, the DPA invited the Commission on Human Rights to consider any other appropriate means to follow up on the outcome on the Conference and recommended the preparation of complementary international standards to strengthen and update international instruments against racism, racial discrimination, xenophobia and related intolerance in all their aspects.

- *Progress and achievements*

76. Three distinct mechanisms came out of the Durban Conference in 2001 with the aim of ensuring the effective implementation of the DDPA, while a fourth was added in 2006 to complement the other three.

**77. Intergovernmental Working Group (IGWG) on the Effective Implementation of the DDPA:** As the first mechanism established, it addressed over the years themes including racism and the internet; racism and poverty; the role of civil society and national human rights institutions in eradicating racism; and existing gaps in the international protection system on racism.

**78. Working Group of Experts on People of African Descent (WGPAD):** As the second mechanism, it has also been very active discussing a range of human rights challenges affecting people of African descent across the world and making recommendations for follow-up action by the Human Rights Council.

**79. Five Independent Eminent Experts:** The third mechanism comprises five eminent persons appointed by the Secretary-General, each representing a world region, which has recommended the development of a racial equality index as a way of assessing the extent to which racism poses a challenge of development in the different countries of the world, among other things.

**80. Ad Hoc Committee on the Elaboration of Complementary International Standards:** In 2006, the Human Rights Council created an intergovernmental body whose role is to “elaborate, as a matter of priority and necessity, complementary standards in the form of either a convention or additional protocol(s) to the ICERD, filling the existing gaps in the Convention and also providing new normative standards aimed at combating all forms of contemporary racism, including incitement to racial and religious hatred”. The Ad Hoc Committee has taken over the mandate of the development of the complementary standards from the IGWG, leaving the latter to focus on other aspects of its general mandate of ensuring the effective implementation of the DDPA.

81. In general, the Durban follow-up mechanisms made a valuable contribution to the implementation of the DDPA and to the preparations for the review process. A number of States have been of the view that the post-Durban mechanisms are functioning well and should be supported in the form they are for the effective implementation of the DDPA. The Durban follow-up mechanisms have provided the necessary framework for monitoring the problem of overcoming racism and for refining recommendations in an ever-changing context.



82. Since 2001, **CERD** has developed further its monitoring procedures in order to enhance its effectiveness. In particular, it has adopted new procedures to ensure adequate follow-up to its opinions adopted under article 14 of the Convention as well as to its concluding observations. In 2007, it has also revised its reporting guidelines so as to facilitate the drafting of initial and periodic reports by States parties to the Convention. CERD has been encouraged by the response of most States parties to the review procedure during the past years which has resulted in the submission of many overdue reports for consideration by the Committee. This review procedure has allowed CERD to take more effective control of the reporting process and has encouraged States parties to resume a fruitful dialogue. At its 71<sup>st</sup> session held in August 2007, CERD revised its early warning and urgent action procedure guidelines so as to enhance the effectiveness of this procedure, which has allowed the Committee to adopt numerous decisions and recommendations for action to prevent serious violations of the Convention, in particular those that could lead to ethnic conflict and violence. In 2005, and as a follow-up to its declaration on the prevention of genocide, CERD developed a special set of indicators of patterns of systematic and massive racial discrimination so as to strengthen its capacity to detect and prevent at the earliest possible stage developments in racial discrimination that may lead to violent conflict and genocide.

- *Obstacles and challenges*

83. Some assert that the multiplication of mechanisms since the Durban Conference risks to undermine the effectiveness of anti-discrimination strategies by dissipating energies, diluting the attention that fight against racism deserves and making it harder for the mechanisms to be used by outsiders. The proliferation of mechanisms can therefore be detrimental and it should be avoided. In addition, some believe that there is lack of clarity in the mandates and objectives of the existing mechanisms, with a risk of overlapping and duplication. Finally, there is also a feeling that not enough attention is paid to the implementation of the DDPA at that national level and that States should be encouraged to report on the national implementation within the Durban follow-up mechanisms. Tools such as questionnaires are important developments in that regard.

84. The **Group of Five Independent Eminent Experts** has not met regularly due to scheduling problems of its high-profile members and therefore this to some extent lessened its effectiveness. In addition, one of its members ceased to be part of the group when he was appointed to another post within the United Nations System, and his replacement is yet to be effected.

**3. Promotion of the universal ratification and implementation  
of the ICERD and proper consideration of the recommendations of the  
Committee on the Elimination of Racial Discrimination**

- *Language of DPA*

85. The DPA urges States that had not yet done so to consider ratifying or acceding to the international human rights instruments which combat racism, racial discrimination, xenophobia and related intolerance. In addition, the DPA urges States and OHCHR to cooperate and give due consideration to the observations and recommendations of the CERD and to provide adequate resources for the CERD.

- *Progress and Achievements*

86. While the goal of **universal ratification** of ICERD by 31 December 2005 has not been achieved, the number of States parties to the Convention has gone from 158 to 173 between August 2001 and March 2008.

87. Since 2001, CERD has established a **new follow up procedure**, requesting States to provide within one year information on the implementation of priority recommendations formulated in its concluding observations. CERD appointed a follow-up coordinator for recommendations made in its concluding observations as well as a rapporteur to follow up on recommendations made in opinions on individual communications. In 2006, the coordinator on follow-up of CERD was invited by one State party to conduct a visit in order to discuss and assess the measures taken in order to follow-up on CERD's recommendations.

- *Obstacles and challenges*

88. The IGWG considers it appropriate to recall that the obstacles to overcoming racism, racial discrimination, xenophobia and related intolerance and achieving racial equality lie mainly in the **lack of political will, weak legislation, and lack of implementation strategies and concrete action by States**.

89. Though a few States have informed CERD that they are in the process of reviewing their **reservations to ICERD** insufficient progress has been made in

relation to the DPA's call for States to consider withdrawing reservations contrary to the object and purpose of ICERD

90. **Delays in reporting** remain a major obstacle to the Committee's work and the effective implementation of the Convention. As at 27 March 2008, 84 out of 173 States parties were late in the submission of two or more reports. As of July 2008, 28 following States parties were at least 10 years late in the submission of their reports, whereas 28 were at least five years late.

91. Despite the encouragements of the Intergovernmental Working Group and calls to States made by CERD in its concluding observations, only 52 States have made the **declaration under article 14** of the Convention.<sup>1</sup> Owing to the relatively small number of declarations made under article 14 ICERD, coupled with a lack of awareness of the mechanism in those States which have made the declaration, the potential of this procedure has not been fully exploited and has impeded the development of CERD jurisprudence.

92. While welcoming the information provided by some States in their periodic reports on the progress made in following up on its recommendations, CERD regrets the continuing **failure of a large number of States to act upon its concluding observations**. The observation that "the obstacles to overcoming racial discrimination and achieving racial equality mainly lie in the lack of political will, weak legislation, and lack of implementation strategies and concrete action by States" is still valid and illustrates that where the ICERD has failed to improve the situation, it may be because the necessary political will is lacking in the States concerned.

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<sup>1</sup> The number of States which have made the declaration under article 14 of ICERD has gone from 34 in 2001 to 52 in 2008

#### **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**

*This section intends to give examples of good practices relating to the fight against racism at the institutional, legislative and policy levels. The examples are based on the contributions received in relation to the questionnaire sent out by OHCHR in accordance with decision PC.1/10 adopted on 31 August 2007 by the Preparatory Committee of the Durban Review Conference. Additional practices will be identified by WG members.*

#### **Institutional**

##### General

- Democratic and inclusive processes to overcome centuries old racism and racial discrimination, including the establishment of truth and reconciliation mechanisms and schemes aimed at empowering the victims affected by such discrimination
- Setting-up governmental, as well as independent, institutions and agencies at the national and regional levels to combat racism and monitor racist acts and phenomena and the implementation of relevant national legislation
- Giving independent national institutions the competence to deal with individual cases and bring them to the courts and to act as mediators
- Establishing official ministries and institutions with the mandate to promote tolerance and intercultural dialogue
- Follow-up visits by the CERD Coordinator at the invitation of a State party in order to discuss and assess the measures taken by the State party in order to follow up on the Committee's conclusions and recommendations. CERD is of the view that follow-up visits, together with the follow-up reports submitted for consideration, provide the Coordinator with an optimum overview of the steps taken towards the implementation of the recommendations addressed by the Committee to the State party concerned one year earlier.

##### Regional examples

- Establishment of the EU Fundamental Rights Agency.
- Establishment of an ASEAN human rights body in the ASEAN Charter (2007)
- Establishment of *rapporteurships* in the Americas to focus on issues facing particularly vulnerable social groups

##### National examples

- Establishing a human rights section within the Directorate of the Internal Police Force (Lebanon)

- Creating an Office for relations with indigenous communities and an Office for relations with afro-descendent communities (Venezuela)

## **Legislative**

### General

- Developing comprehensive legal frameworks to combat racism, racial discrimination, xenophobia and related intolerance in all spheres, such as equality or equal treatment acts.
- Legislation reforms aimed at strengthening punishments for crimes of racist nature; Devising legislations and policies which are specific to combating racism, racial discrimination, xenophobia and related intolerance at the national level, to complement the more general provisions enshrined in national constitutions
- Devising specific laws for confronting the ideologies and practices of extreme right wing groups.

### Regional examples

- European Union: Racial Equality Directive (June 2000), Employment Equality Directive (November 2000), Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law (April 2007)
- Council of Europe Additional Protocol to the Convention on Cybercrime *concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems* (into force March 2006). The purpose of this Protocol is twofold: firstly, harmonising substantive criminal law in the fight against racism and xenophobia on the Internet and, secondly, improving international co-operation in this area.
- OSCE Decision No. 566, of 27 November 2003, adopted on the *Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area*. The Action Plan is intended to reinforce the efforts of the participating States and relevant OSCE institutions and structures aimed at ensuring that Roma and Sinti people are able to play a full and equal part in our societies, and at eradicating discrimination against them.
- Continued recognition of the rights of Afro-descendants through new legislation by states and by regional organizations such as the Organization of American States.

### National examples

- Obligatory teaching on African and Afro-Brazilian history and culture, as well as on indigenous peoples (Brazil)

## **Policy**

### General

- Issuing formal apologies to victims of historic injustices as a means of achieving healing and reconciliation as well as devising means for collective

- compensation. Also commemorating within the UN and beyond the plight of the victims of historic injustices
- Developing affirmative action programmes, including with respect to recruitment for various public/official posts at all levels
  - Ensuring public reporting on the implementation of public policies
  - Creating funds to support civil society projects to combat racism and racial discrimination, including through training, education and assistance to the victims
  - Devising national policies to combat racism, racial discrimination, xenophobia and related intolerance, including through the participatory development of national action plans that should promote cross-sectoral cooperation and coordination
  - Promoting increased vigilance by the judiciary of the implementation of existing legal frameworks, including through adequate training
  - Investing in education and awareness raising at an early age, including through leisure activities (sport games, youth camps, multicultural festivals) and undertaking a revision of curricula to raise awareness of different cultures and civilizations and in fair and objective perspectives and to promote a culture of human rights and respect for diversity
  - Investing in training and education of all public officials
  - Disseminating a culture of equality and non-discrimination, including through awareness raising and education at all levels and through the media
  - Compiling and developing studies on racial discrimination to generate adequate diagnosis, in close cooperation with civil society and relevant international organizations/agencies
  - Developing indicators to measure discrimination, with the assistance of the UN
  - Organizing national and regional meetings on issues related to racism, racial discrimination, xenophobia and related intolerance
  - Ensuring the possibility of exchanging good practices on a regular basis at the regional level, through meetings or other institutional arrangements
  - Conducting broad consultations at the national level, including with civil society, in the implementation of the DPA
  - Devising special policies for confronting the ideologies and practices of extreme right wing groups

#### Regional examples

- From June 2006 to September 2007, the Council of Europe ran a Campaign for Diversity, Human Rights and Participation, based upon the slogan "All Different – All Equal". Various meetings, events, training courses and symposia were organized, concerning issues related to three pillars of the campaign: diversity, participation and human rights. Among the various events which took place all over Europe, five "thematic" weeks were organized in different European cities in order to raise public awareness and to stimulate reflection on issues closely related to the themes of the campaign.

#### National examples

- National education campaigns to combat racism

- Manual on teaching of human rights in several languages
- Involving leaders of youth organizations in the elaboration of youth policies
- Anti-racism initiatives in the context of sports events
- Workshops and similar events in educational institutions on the issue of racial discrimination against Roma and Sinti
- Policies of hiring immigrants in public and private spheres
- Establishment of a Roma People's Fund aimed at improving opportunities for cultural activities and discontinuing the policy of assimilation towards the Romani people
- Having relevant projects scrutinized by indigenous peoples
  
- Panafrican Festival of Cinema and Television (FESPACO) and the international book festival (Burkina Faso)
- Socio-cultural mediators (Portugal)
- Roma Communities Support Cabinet (Portugal)
- « My school against discrimination » (Portugal)
- Preparation of a "White paper on intercultural dialogue" and reports on "Hate speech" and "Wearing of religious symbols in public areas" by the Committee of Experts for the Development of Human Rights (Council of Europe framework) (Sweden)
- Manual on teaching of human rights in several languages (Armenia)
- Involving leaders of youth organizations in the elaboration of youth policies (Armenia)
- Anti-racism initiatives in the context of sports events (Italy)
- Workshops and similar events in educational institutions on for instance the issue of racial discrimination against Roma and Sinti (Italy)
- Policies of hiring immigrants in public and private spheres (Norway)
- Establishment of a Roma People's Fund which is aimed at improving opportunities for cultural activities and discontinuing the policy of assimilation towards the Romani people (Norway)
- Having relevant projects scrutinized by indigenous peoples (IFAD)
- Comprehensive and systematic policies for foreigners who reside in the Republic of Korea through the enactment of the Basic Act on the Treatment of Foreigners in Korea and establishing periodic five-year 'Basis Plans for Policies Regarding Foreigners' (Reply to Q by Republic of Korea)

**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 DDPA and to address challenges and impediments thereto, including in the light of developments since the adoption of the DDPA in 2001**



**Annex V****RECOMMENDATIONS OF THE INTERSESSIONAL OPEN-ENDED INTERGOVERNMENTAL WORKING GROUP WITH REGARD TO MODALITIES OF ORGANIZATION OF WORK AND NEGOTIATIONS ON THE DRAFT OUTCOME DOCUMENT DURING THE SECOND SUBSTANTIVE SESSION OF THE PREPARATORY COMMITTEE**

With the available results of the work of the intersessional working group which was mandated to review contributions and commence negotiations, the working group recommends the following modalities for the continuation of negotiations on the outcome document:

1. Following the opening of the second substantive session of the Preparatory Committee on 6 October 2008 and adoption of its agenda, the Preparatory Committee may wish to immediately commence the process of negotiations on and drafting of the outcome document of the Durban Review Conference, and for that purpose may transform itself into a Drafting Committee.
2. The process of negotiations may be organized through the establishment of two, three or five sub-groups of the Preparatory Committee corresponding respectively to the five elements of the structure of the draft outcome document of the Review Conference as contained in decision PC.2/8 of the Preparatory Committee.
3. Each such sub-group shall be chaired by a facilitator [by one of the Bureau members] to be appointed by the Chairperson of the Preparatory Committee who will lead the discussion and coordinate the work of the sub-group.
4. The meetings of the sub-groups shall be public although the process of negotiations will remain an intergovernmental one.
5. Each of the sub-groups shall be mandated (a) to consider the relevant section(s) of the document submitted by the intersessional open-ended intergovernmental working group entitled "Certain indicative elements in relation to the outcome document" as well as all other pertinent contributions and proposals submitted by regional preparatory meetings, regional groups and other stakeholders, and (b) to produce on this basis a text that would constitute one of the five elements of the action-oriented part of the future draft outcome document.
6. The work of the sub-groups shall be organized in such a way as to avoid, to the extent possible, the holding of parallel meetings that may pose problems for small delegations. To achieve this, the Preparatory Committee shall

allocate two or more half-day meetings to each of the sub-groups to hold their sessions during the period from 7 to 15 October.

7. The results of the work of each negotiating sub-group shall be reported to the plenary of the Preparatory Committee not later than on 16 October 2008.
  
8. The drafting of the declaratory part of the outcome document may take place in parallel to other sections of the document, both as separate negotiating sub-group or within one of the sub-groups, possibly the one that deals with section five. Alternatively, its drafting may be undertaken after the first reading of the five sections of the action-oriented part of the draft outcome document by the Preparatory Committee is completed.

## Annex VI

**OUTCOME DOCUMENT OF THE REGIONAL CONFERENCE FOR  
LATIN AMERICA AND THE CARIBBEAN PREPARATORY TO THE  
DURBAN REVIEW CONFERENCE****Outcome document of the Regional Conference for Latin  
America and the Caribbean Preparatory to the Durban  
Review Conference****(Brasilia, 17–19 June 2008)**

[Translated from Spanish]

*The Conference for Latin America and the Caribbean Preparatory  
to the Durban Review Conference,*

1. *Having met* in Brasilia from 17 to 19 June 2008, on the occasion of the celebration of the Ibero-American Year against All Forms of Discrimination and the sixtieth anniversary of the Universal Declaration of Human Rights and the American Declaration of the Rights and Duties of Man,
2. *Expressing its gratitude* to the Government of Brazil for hosting this regional conference,
3. *Reaffirming* the principles of equality and non-discrimination,
4. *Acknowledging* that discrimination is a phenomenon affecting various groups in our society, such as people of African descent, indigenous peoples, migrants, persons with disabilities, women, older people, refugees, stateless persons, internally displaced persons, children, young people, Gypsies, Roma and groups facing discrimination on the grounds of religion, sexual orientation, gender identity or expression, together with victims of aggravated or multiple discrimination and persons living with infectious and contagious diseases, among others,
5. *Welcoming* the contributions of States to the preparatory process for the Regional Conference for Latin America and the Caribbean Preparatory to the Durban Review Conference of the Durban Declaration and Programme of Action under decision PC.1/10 of the Preparatory Committee of the Durban Review Conference,
6. *Taking note* of the contributions by non-governmental organizations, particularly the outcome document of the Civil Society Forum held in Brasilia from 13 to 15 June 2008,

7. *Welcoming* the efforts of the Caribbean Community to keep alive and present in the conscience of the international community the spirit of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and, in this respect, welcoming the historic resolution 61/19 of the General Assembly, adopted unanimously on 28 November 2006, in which the Assembly decided to designate 25 March 2007 as the International Day for the Commemoration of the Two-hundredth Anniversary of the Abolition of the Transatlantic Slave Trade,

8. *Taking note* of resolution 61/295 of 13 September 2007, by which the General Assembly adopted the United Nations Declaration on the Rights of Indigenous Peoples,

9. *Welcoming* the entry into force on 3 May 2008 of the United Nations Convention on the Rights of Persons with Disabilities,

10. *Also welcoming* the measures taken by various Governments of the region to implement fully the Durban Declaration and Programme of Action and holding up this trend as an expression of commitment to eradicating the evils of racism, racial discrimination, xenophobia and related intolerance at the national level,

11. *Acknowledging* the efforts of national human rights institutions as independent stakeholders in efforts to combat racism, racial discrimination, xenophobia and related intolerance by promoting and protecting human rights,

12. *Also acknowledging* the all-important role of civil society in steps to counter racism, racial discrimination, xenophobia and related intolerance, in particular, by its contribution to the development of national regulations and strategies, the adoption of measures and actions against such forms of discrimination and the monitoring of implementation thereof,

13. *Expressing its appreciation* for the efforts to eradicate racism, racial discrimination, xenophobia and related intolerance made by the Committee on the Elimination of Racial Discrimination, the Special Rapporteur on contemporary forms of racism, racial discrimination and xenophobia and related intolerance and, in general, the special procedures of the United Nations Human Rights Council, in particular, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, the Special Rapporteur on violence against women, its causes and consequences, the Independent Expert on minority issues, the United Nations Forum on Minority Issues, the Special Rapporteur on the human rights of migrants and the Special Rapporteur on freedom of religion or belief, together with the United Nations Permanent Forum on Indigenous Issues and the efforts of the Office of the United Nations High Commissioner for Human Rights, including the Anti-Discrimination Unit and the former Sub-Commission