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**REVIEW OF REPORTS, STUDIES AND OTHER DOCUMENTATION FOR
THE PREPARATORY COMMITTEE AND THE DURBAN REVIEW
CONFERENCE AND CONTRIBUTIONS OF HUMAN RIGHTS
BODIES AND MECHANISMS**

Contribution to the Durban Review Conference:

**Compilation of conclusions and recommendations adopted by the
Intergovernmental Working Group on the Effective Implementation
of the Durban Declaration and Programme of Action from 2002 to 2007**

Chairperson-Rapporteur: Dayan Jayatilleka (Sri Lanka)

Conclusions and recommendations adopted by consensus as contained in the reports of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action

Introduction

1. The contribution of the Intergovernmental Working Group was undertaken on the basis of the document entitled "Compilations of conclusions and recommendations", containing the recommendations and conclusions adopted by consensus through the five sessions of the Working Group.
2. The Intergovernmental Working Group agreed not to engage in a process of renegotiation of the conclusions and recommendations. The recommendations and conclusions have been either updated or deleted, or italicized notes have been inserted to indicate their non-relevance.
3. The Intergovernmental Working Group decided that references to complementary standards will be removed from the final document of conclusions and recommendations, as the Intergovernmental Working Group's mandate to prepare complementary standards concluded at its fifth session in accordance with Human Rights Council decision 3/103. The review of previous recommendations begins with the recommendations adopted at the first session of the Intergovernmental Working Group in 2003 through those adopted at its fifth session in 2007.

**I. RECOMMENDATIONS ADOPTED AT ITS FIRST SESSION,
GENEVA, 21-31 JANUARY 2003**

4. At its first session, the Intergovernmental Working Group adopted the following recommendations (see para. 33, E/CN.4/2003/20):

"1. The Intergovernmental Working Group emphasizes that the basic responsibility for effectively combating racism, racial discrimination, xenophobia and related intolerance lies with States, and to this end stresses that States have the primary responsibility to ensure full and effective implementation of all commitments and recommendations contained in the Durban Declaration and Programme of Action;

“2. The Working Group emphasizes also, in that context, the fundamental and complementary role of the national human rights institutions, regional bodies or centres and civil society, working jointly with States towards the achievement of the objectives of the Durban Declaration and Programme of Action;

“3. The Working Group recommends that all States formulate and implement without delay at the national, regional and international levels policies and plans of action to combat racism, racial discrimination, xenophobia and related intolerance, including their gender-based manifestations;

“4. The Working Group requests that States support the activities of regional bodies or centres that combat racism, racial discrimination, xenophobia and related intolerance where they exist in their region, and recommends the establishment of such bodies or centres in all regions where they do not exist;

“5. The Working Group reaffirms and emphasizes the importance of the effective implementation of and follow-up to all paragraphs of the Durban Declaration and Programme of Action, including those concerning the situation in the Middle East;

“6. The Working Group urges all stakeholders to provide the Office of the High Commissioner for Human Rights with detailed information on the follow-up to and the implementation of the Durban Declaration and Programme of Action, particularly on the issues chosen for the programme of the Intergovernmental Working Group for each session, so that the reports that the High Commissioner is required to submit to the Commission on Human Rights and the General Assembly can be as complete and comprehensive as possible, in order that those organs, as well as the Intergovernmental Working Group, the Working Group of Experts on People of African Descent, the five Independent Eminent Experts, and other human rights mechanisms and treaty bodies will have the fullest and most comprehensive information available when undertaking their deliberations and making their recommendations;

“7. The Working Group appeals to the Secretary-General to appoint as soon as possible the five independent eminent experts as stipulated in the Durban Programme of Action, paragraph 191 (b) and in General Assembly resolution 56/266, paragraph 13 (Nota On 16 June 2003, the Secretary-General appointed the five eminent experts. Thus far, the eminent experts have met twice and efforts are being undertaken to reinvigorate their work.);

“8. The Working Group invites the Office of the High Commissioner for Human Rights, in cooperation with intergovernmental organizations, the International Olympic Committee and international and regional sport federations, to appoint, in the field of sport, goodwill ambassadors responsible for launching regional programmes of education of the youth of the world, through sport practised without discrimination of any kind;

“9. The Working Group invites the Office of the High Commissioner for Human Rights to designate and appoint goodwill ambassadors in all regions of the world drawn from the field of culture, including musicians, writers and film and media personalities, to promote respect for human rights and a culture of tolerance and to assist the Office of the High Commissioner for Human Rights to raise funds and launch programmes for combating racism and all forms of discrimination;

“10.*

“11.

“12. The Working Group appeals to all stakeholders in the effective implementation of the Durban Declaration and Programme of Action to participate actively in the work of the future sessions of the Working Group;

* The Working Group omitted original recommendations 10 and 11 adopted at its first session.

“13. The Working Group invites United Nations programmes and bodies and specialized agencies, in particular the United Nations Educational, Scientific and Cultural Organization, to organize high-level and other meetings of the Dialogue among Civilizations and to report on the activities in this regard to the Working Group at its future sessions;

“14. The Working Group requests the Office of the High Commissioner for Human Rights to provide the Working Group, at its next session with information on existing focal points for the implementation of the Durban Declaration and Programme of Action within the United Nations system, and invites United Nations programmes and bodies and specialized agencies which currently do not have focal points to designate them and coordinate their activities with the Office of the High Commissioner for Human Rights, including their active participation in the future sessions of the Working Group (Nota: *The information was submitted*);

“15. The Working Group encourages human rights mechanisms and treaty bodies having mandates to address racism, racial discrimination, xenophobia and related intolerance to participate in the discussions of the Working Group, within their respective mandates, and to provide information on their activities;

“16. The Working Group invites United Nations bodies, programmes and funds, specialized agencies, and international financial, trade and development institutions to exchange information and to coordinate their activities with the Working Group with a view to mainstreaming the effective implementation of the Durban Declaration and Programme of Action in their policies, operational programmes and actions, and also invites them to participate in and contribute to discussions of the Working Group.”

II. RECOMMENDATIONS ADOPTED AT ITS SECOND SESSION, HELD AT GENEVA, 26 JANUARY-6 FEBRUARY 2004

5. At its second session, the Intergovernmental Working Group adopted by consensus the text of the recommendations (see para. 81, E/CN.4/2004/20) below:

“The Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action, having convened its second session from

26 January to 6 February 2004, and after having a discussion and analysis on the thematic issues of poverty and education, as well as on complementary standards, adopts the following recommendations:

“Education

“1. The Working Group recognizes that education, both formal and non-formal, is an essential tool for raising awareness about the scourge of racial discrimination and for promoting non-discriminatory and more inclusive societies. In this regard, the Working Group underscores the need for all societies to respect cultural diversity and to promote tolerance by formulating educational policies and programmes in conformity with the universal principles of equality and non-discrimination;

“2. The Working Group recommends the establishment of educational plans or guidelines to promote tolerance, cultural interaction, respect for cultural diversity and human rights guaranteed at the international level. In this respect, the Working Group will coordinate its work with UNESCO, in particular with respect to their initiatives in the area ‘Dialogue among Civilizations’;

“3. The Working Group recognizes that, at the national level, there is a need for all stakeholders to participate in open and democratic discussions on the discriminatory aspects of existing educational policies, programmes and practices and on how these may affect access to education and equality of opportunities;

“4. The Working Group urges States to effectively implement the education-related provisions of the Durban Declaration and Programme of Action by making available the necessary funding and promoting international cooperation which will contribute to achieving the Millennium Development Goal of achieving universal primary education by 2015. To this end, the Working Group underlines the positive spirit of renewed political will and commitment to universal equality, justice and dignity, encapsulated in the outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and calls on the Independent Eminent Experts, appointed by the Secretary-General to interact with the Governments to mobilize the adequate resources to address the educational needs of the victims of racism;

“5. The Working Group emphasizes the need to mainstream human rights education throughout the educational process, including at early childhood and at family level. It also recommends the promotion of other forms of education and awareness-raising to foster tolerance and mutual respect, including through experience and practical approaches and the use of the media. With respect to formal education, all the curriculum subjects have the potential to be used for the promotion and reinforcement of cultural understanding and respect for diversity;

“6. The Working Group welcomes the UNESCO integrated strategy to combat racism, racial discrimination, xenophobia and related intolerance and emphasizes the importance of the establishment of working relations with other regional and international organizations that have or are setting up strategies and programmes with a view to the effective implementation of the education-related provisions of the Durban Declaration and Programme of Action and, in particular, within the framework of the mechanisms established to ensure the achievement of the six goals of the Dakar Framework for Action, Education for All, adopted by the World Education Forum in 2000;

“Poverty

“7. The Working Group reaffirms that poverty, underdevelopment, marginalization, social exclusion and economic disparities are closely associated with racism, racial discrimination, xenophobia and related intolerance, and contribute to the persistence of racist attitudes and practices which in turn generate more poverty. The Working Group encourages States to take this close correlation into consideration when they plan development policies;

“8. The Working Group is concerned that, in many parts of the world, the Millennium Development Goal of reducing by half, between 1990 and 2015, the proportion of people living on less than one dollar a day, has so far not been met. Similarly, the relevant commitments made in Durban have also not been realized. The Working Group appeals to States, individually or through international cooperation, to enhance their policies and measures to reduce income and wealth inequalities. The Working Group emphasizes that the ultimate goal remains the total eradication of poverty;

“9. The Working Group emphasizes that the phenomenon of poverty should neither be regarded as an acceptable outcome of socio-economic development nor as a natural condition of certain groups or individuals. In this regard, the Working Group urges States to implement activities conducive to an intercultural dialogue at the national and international levels with a view to including vulnerable groups and individuals in poverty eradication policies and programmes;

“10. The Working Group underlines that structural adjustment policies should improve social policies, including by giving priority to programmes designed to combat racism, racial discrimination, xenophobia and related intolerance. To this end, the Working Group calls upon the international financial institutions to understand and acknowledge the importance of integration of aspects of discrimination based on racism, racial discrimination, xenophobia or related intolerance in their poverty and social impact assessments;

“11. The Working Group recognizes that human development, including education, empowerment and the participation of men and women from vulnerable groups in the economic mainstream and decision-making processes of their countries is a crucial element in the eradication of poverty. In this regard, it is considered essential for countries to establish adequate human resource development policies and strategies. The Working Group encourages States to formulate and further strengthen their national programmes for eradicating poverty and reducing social exclusion by including these aspects into the design, implementation and evaluation of those programmes. To this end, the Working Group requests States that have already included these aspects into their activities to send such information to OHCHR for inclusion as best practices in its database;

“12. The Working Group notes that programmes and services, including cultural practices, exist in many countries for economically deprived, marginalized and excluded individuals. The Working Group urges States to enlarge these programmes and services, also with a view to encompassing individuals who are marginalized or excluded as victims of racism, racial discrimination, xenophobia and related intolerance;

“13. The Working Group emphasizes the importance of the socio-economic environment for an inclusive society, inter alia through the establishment of social security networks and minimum wages, legalization of migration, and access to justice, taking into account, in particular, individuals that face poverty as victims of racism, racial discrimination, xenophobia and related intolerance;

“14. The Working Group highlights the importance of the effective collection and analysis of statistical data by national authorities for the design, implementation and evaluation of poverty eradication programmes and policies for the benefit of marginalized and excluded groups or individuals that have been or are victims of racism, racial discrimination, xenophobia and related intolerance;

“15. The Working Group encourages States which engage in PRSP schemes to promote transparent and participatory processes that include victims of racism, racial discrimination, xenophobia and related intolerance. In this regard, the Working Group urges IMF and the World Bank to consider this approach as a way of contributing to the implementation of the Durban Programme of Action;

“16. The Working Group emphasizes the importance of external debt relief with a view to strengthening any initiative taken by heavily indebted poor countries in their efforts to reduce poverty and social exclusion;

“17. The Working Group emphasizes the urgent need for taking concrete measures to fight against all forms of corruption at the national and international levels, to prevent, detect and deter in a more effective manner international transfers of illicitly acquired assets and to strengthen international cooperation in asset recovery. It also stresses the importance of a genuine political commitment on the part of all Governments through a firm legal framework, and in this context, urges States to sign and ratify the Convention against Corruption as soon as possible;

“18. The Working Group notes with interest the establishment, by the Secretary-General, of the High-Level Panel on Threats, Challenges and Change, in particular its focus on racism as a global threat. Therefore, the Working Group will seek cooperation with the panel” (Nota: *The High-Level Panel has completed its work*).

III. RECOMMENDATIONS ADOPTED AT ITS THIRD SESSION, GENEVA, 11-22 OCTOBER 2004

6. At its third session, following discussion on and analysis of the thematic issues of racism and health and racism and the Internet, and discussion on the issue of complementary standards, the Intergovernmental Working Group agreed by consensus to adopt the following recommendations (see para. 73, E/CN.4/2005/20):

“General

“1. States should display greater political will, strengthen national legislation, further develop and improve implementation strategies and take concrete actions so as to overcome the obstacles to combating racism, racial discrimination, xenophobia and related intolerance and achieving racial equality;

“2. States should be encouraged to develop or elaborate national action plans to promote diversity, equality, equity, social justice, equality of opportunity and the participation of all. In so doing, they should take a participatory approach, consulting with all sectors of society, including the victims of racism. In this regard, there is a need to identify and implement good practices to strengthen local and national programmes in countering racism, racial discrimination, xenophobia and related forms of intolerance;

“3. New strategies should be developed to address multiple or aggravated forms of discrimination, in particular those suffered by vulnerable groups;

“4. States should improve the collection, compilation, analysis, dissemination and publication of reliable statistical data at the national and local levels in order to assess regularly the situation of victims and implement policies to combat racism, racial discrimination, xenophobia and related intolerance, in compliance with international human rights law and their national legislation. OHCHR should provide technical assistance to develop the capacity-building of countries to gather statistical data. Such statistical data should be made available to the relevant human rights monitoring bodies and mechanisms, including as part of States parties' periodic reports to the human rights treaty bodies;

“Racism and health

“5. The introduction of an anti-discrimination perspective in health policies and programmes, including in those developed in the framework of poverty reduction strategies, should ensure that health services are accessible, affordable and culturally and linguistically appropriate to all sectors of society, including to vulnerable groups and victims of multiple forms of discrimination;

“6. Health education campaigns should be elaborated and carried out. Culturally sensitive information and recommendations about health and health care should be disseminated in appropriate languages, and messages must be adapted to special conditions (disabilities, language, gender and illiteracy) of their intended audiences;

“7. Ombudspersons, national human rights institutions or other appropriate mechanisms should have, as part of their responsibilities, the fight against discriminatory practices in health systems and provide appropriate assistance to victims seeking effective remedies;

“8. States should mainstream attention to disability in all poverty reduction strategies and health-related policies with the aim of promoting rehabilitation of, equal opportunities for, and social inclusion of people with disabilities who are also subject to racism, racial discrimination, xenophobia and related intolerance. They should also ensure that all international development partnerships include aspects related to health, education, and the economic independence of persons with disabilities and their families;

“9. States should strengthen international cooperation and technical assistance, as well as partnerships at the national and international levels, to help developing countries in mainstreaming anti-discriminatory and anti-racist measures, actions, policies and programmes in their health-care systems, including in the collection and use of statistics appropriate for anti-discrimination public health policy-making;

“10. All victims of racially motivated acts of violence require physical and mental health programmes and services that are responsive to their needs, including with respect to gender issues as well as other grounds of multiple discrimination. Mental health must be given greater attention within national and international health policies, strategies and programmes;

“11. WHO should be encouraged to develop, in cooperation with OHCHR, the Special Rapporteur on the right to the highest attainable standard of physical and mental health and other interested parties, an effective methodology for assessing the impact of health-related policies through a human rights perspective;

“12. In view of the fact that the issue of neglected diseases is a critical challenge to developing countries, the Special Rapporteur on the enjoyment of the right to the highest attainable standard of physical and mental health is herein encouraged to work together with WHO on ways in which the international community can address it;

“13. There is a need to reinforce the policies and programmes of international organizations on the implementation of the commitments contained in the Durban Declaration and Programme of Action, by including a victim-oriented perspective, supporting technical cooperation projects for local capacity-building in developing countries, and mobilizing additional international funding for the Global Fund to fight AIDS, Tuberculosis and Malaria;

“14. The international community should exert all efforts and adopt measures towards ensuring access to affordable medication for all, in particular victims of pandemics such as HIV/AIDS, tuberculosis and malaria, many of whom are subject or susceptible to different forms of discrimination;

“15. The international community should be urged to strengthen its efforts in addressing the special health needs of people living under foreign occupation, refugees and internally displaced persons suffering from racism and racial discrimination. The special health needs of migrants also have to be addressed;

“16. Donor organizations should pay greater attention to tackling the problem of urgent health care of refugees and internally displaced persons, in particular, in zones of protracted conflict or forgotten humanitarian crisis;

“Racism and the Internet

“17. Legally enforceable measures should be adopted and implemented at the national level, in conformity with international human rights law, to counter incitement to racial hatred or acts of violence through the media and new information and communication technologies, including the Internet;

“18. There is a need to identify and implement good practices at the national and international levels to strengthen the fight against racism, racial discrimination, xenophobia and related intolerance on the Internet, and to enhance international cooperation between law enforcement agencies and national institutions in these fields;

“19. Human rights education should play a prominent role in combating racism, racial discrimination, xenophobia and related intolerance and promoting a culture of peace and dialogue. Educational policies and programmes should be formulated to promote peace, respect for cultural diversity and universal human rights, non-exclusion and non-discrimination;

“20. States should provide OHCHR with information on their implementation of the provisions of the Durban Declaration and Programme of Action relevant to combating racism on the Internet;

“21. On the question of the elaboration of voluntary ethical codes of conduct and self-regulatory measures and policies (Programme of Action, para. 144), States should urge the private sector to proceed in a participatory and transparent manner;

“22. OHCHR should organize a high-level seminar within the next session of the Working Group on the Internet and racism, racial discrimination, xenophobia and related intolerance. The purpose of the seminar would be to consider progress made in the implementation of relevant provisions of the Durban Declaration and Programme of Action; to assess the possibilities of and challenges posed by the use of the Internet to

propagate or to counter material which incites racial hatred and acts of violence and propose concrete measures to be taken at the international and national levels to combat the abuse of the Internet for all forms of racist manifestations; and to examine the contribution that the Internet can make in the fostering of social harmony and the fight against racism. OHCHR should endeavour to ensure the participation of all stakeholders, inter alia States, WSIS, international and regional organizations, NGOs, the private sector and the media (Nota: *The Working Group held the high-level seminar at its fourth session*);

“23. The United Nations websites, particularly that of OHCHR, should be used as a vehicle for combating racism, racial discrimination, xenophobia and related intolerance, including through the follow-up and implementation of the Durban Declaration and Programme of Action, both at the national and the international level;

“24. The Working Group calls for full implementation of the recommendations contained in the ministerial declaration of the high-level segment of the Economic and Social Council at its substantive session of 2000, ‘Development and international cooperation in the twenty-first century: the role of information technology in the context of a knowledge-based global economy’, thus helping to bridge the digital divide and to foster digital opportunities and counter poverty and exclusion, which affects in particular victims of racial discrimination and related intolerance.”

IV. CONCLUSIONS AND RECOMMENDATIONS ADOPTED AT ITS FOURTH SESSION, GENEVA, 16-27 JANUARY 2006

7. The Intergovernmental Working Group at its fourth session made the following conclusions and recommendations (see E/CN.4/2006/18, paras. 102-112):

“102. ... A successful strategy to combat racism and racial discrimination on a global scale, should direct relevant attention to the need to reinforce the implementation of existing international instruments and the elaboration of complementary international standards to address substantive and procedural gaps in those instruments;

“HIGH-LEVEL SEMINAR

“Internet and racism

“103. Based on the Chairperson’s report of the high-level seminar on racism and the Internet and on complementary international standards for combating racism, the Working Group:

“(a) Calls upon States to inform the Office of the United Nations High Commissioner for Human Rights (OHCHR) on the progress made on the implementation of the relevant provisions of the Durban Declaration and Programme of Action, in particular paragraphs 140 to 147 and its recommendation to OHCHR to develop a database which would compile good practices, national legislation and other regulatory and non-regulatory undertakings, including case law in the fight against racism on the Internet;

“(b) Reaffirms that States should promote the use of the Internet to create educational and awareness-raising networks against racism, as well as the potential of the Internet to promote universal respect for human rights and human development, foster a culture of peace and tolerance and respect for cultural diversity;

“(c) Stresses that States should increase awareness about the possibilities offered by new information technologies and continually develop tools to promote, among civil society, in particular parents, teachers and children on the use of the information networks. In this regard, practical measures include the creation of a model anti-racism network for schools, the inclusion of anti-racism messages on websites accessed by young people, training courses for teachers on how to use the Internet, the sharing of good practices, the promotion of digital inclusion, the ethical use of the Internet and the development of critical thinking skills for children;

“(d) Reminds States which have not yet done so, that in compliance with article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination

(ICERD), they should adopt legislative and other administrative measures to establish as criminal offences the distribution or making available of racist and xenophobic material which incite hatred or violence, to the public through computer systems;

“(e) Encourages States parties to the Convention to provide information to the Committee on the Elimination of Racial Discrimination (CERD) in their initial and periodic reports on measures taken to combat racism on the Internet, and through traditional mass media and other information technologies;

“(f) Recommends that CERD continue to develop early warning indicators, including on hate speech and to detect outbursts of racial violence in order to recommend urgent action;

“(g) Requests OHCHR to initiate a campaign for the universal ratification of the Convention and calls upon States parties to consider withdrawing reservations made to its article 4 and consider making the declaration under article 14, providing for the possibility for individuals and groups to submit communications to CERD;

“(h) Suggests that OHCHR offer technical cooperation to States to combat racism on the Internet and in other media;

“(i) Recommends that OHCHR should identify strategies to support international cooperation and partnership among all stakeholders (including States, international and regional organizations, Internet service providers, concerned private sector, the media and civil society), for a globally coordinated action to develop voluntary codes of conduct, complaint mechanisms and other means to ensure that hate speech is effectively countered.

[...]

“THEMATIC ANALYSIS: GLOBALIZATION AND RACISM

“109. Following discussion and analysis on the thematic issue of globalization and racism, the Working Group agreed on the adoption of the following conclusions and recommendations:

“(a) The Durban Declaration and Programme of Action remains the most appropriate, comprehensive and viable anti-discrimination agenda for national policies and strategies to address racism, racial discrimination, xenophobia and related intolerance. Its implementation through national action plans is more urgent than ever;

“Globalization and racism

“(b) Following dialogue with international experts in the field of racism, globalization, culture, development, labour and migration, the Working Group concludes that there is a negative intersectionality between globalization and racism, although it acknowledges that globalization can also contribute to the fight against racism. Similar interlinkages have previously been established by the Working Group on issues such as poverty, health and education. It is imperative that a broad strategy be developed which would allow the Commission on Human Rights/Human Rights Council, through the Working Group to engage in meaningful partnerships with key players in this field; i.e. the World Trade Organization, the International Labour Organization (ILO) and the International Organization for Migration, with a view to preventing, mitigating and reversing the negative effects of globalization, that could aggravate poverty, social exclusion, cultural homogenization and economic disparities which may occur along racial lines. The core principles of non-discrimination, participation, equity, transparency and accountability must be mainstreamed through partnerships spearheaded by the Commission on Human Rights/Human Rights Council into the policies and operational activities of the above-mentioned institutions;

“(c) The Working Group emphasizes, as stated in paragraph 11 of the Durban Declaration ‘that the process of globalization constitutes a powerful and dynamic force which should be harnessed for the benefit, development and prosperity of all countries, without exclusion. We recognize that developing countries face special difficulties in responding to this central challenge. While globalization offers great opportunities, at present its benefits are very unevenly shared, while its costs are unevenly distributed’ (para. 11);

“(d) The Working Group emphasizes that a more equitable international trade that takes into consideration the special needs of developing countries, and the strengthening and enhancement of international cooperation, are instrumental to maximize the benefits of globalization for developing countries, since they increase economic growth and sustainable development;

“(e) In this regard, the Working Group urges States to promote a human rights approach to globalization which would assist in efforts to combat racism and have a decisive role in ensuring that the benefits of globalization are distributed in an equitable manner. There is the need to create synergies between the fight against racism and efforts geared to the realization of the Millennium Development Goals, particularly with regard to vulnerable groups;

“(f) In achieving the Millennium Development Goals, States should design strategies based on the principles of non-discrimination, inclusion and participation;

“Education

“(g) In recognizing that education is a key element in combating racism, the Working Group deems it necessary to reiterate that education, in particular human rights education, could be a key element in combating racism in a globalized world;

“(h) Other initiatives could include the teaching of history based on accurate facts and lessons learned through remembering history to avert future tragedies;

“(i) The United Nations Educational, Scientific and Cultural Organization (UNESCO) should consider the development and implementation of a universal school curriculum with regional perspectives, to teach human rights;

“Globalization and discrimination in a multicultural context

“(j) Efforts must be deployed by all stakeholders to ensure that cultural diversity is protected in the current process of globalization;

“(k) The building and nurturing of multicultural democratic societies based on respect for racial, ethnic, cultural and religious diversity, gender equality, is a key element in the fight against racism;

“(l) In developing national measures to combat discrimination, States should be mindful that given faster and easier flow of ideas and information including through information and communication technologies in a globalized world, the effects of discrimination can no longer be contained in a single space and context;

“(m) In meeting their reporting obligations, States parties to the International Convention on the Elimination of All Forms of Racial Discrimination should take into consideration the content of all relevant human rights instruments and in particular, for those party to them, including the recently adopted UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions;

“The migration dimension

“(n) The Working Group reaffirms the importance of ensuring the promotion and protection of the human rights of migrants. In this context, the Working Group calls upon States to consider ratifying urgently the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and to give effective follow-up to the Durban Declaration and Programme of Action;

“(o) The Working Group underlines that international migration brings benefits as well as challenges to the global community and that consultations at the multilateral level are required in order to identify appropriate ways and means to maximize its development benefits and minimize its negative impacts;

“(p) The Working Group recognizes that a comprehensive, holistic and human rights-based approach is required to effectively deal with international migration and this should be based, inter alia, on:

- (i) Practical measures which serve to implement international standards providing for the protection of migrants, including the right to non-discrimination;

- (ii) Practical measures to address the root causes of migration;
- (iii) Shared responsibilities between countries of origin, transit and destination in addressing migration challenges and opportunities;
- (iv) International cooperation for development and the fulfilment of the Millennium Development Goals as well as the Monterrey Consensus;
- (v) Additional and enhanced coordination and cooperation between States as well as between international organizations and agencies concerned with migration issues;
- (vi) Efforts to ensure that mutual benefits of migration are achieved in practice;
- (vii) Coherence in policies at the national, bilateral, regional and international levels;
- (viii) Promotion of the positive elements of migration while addressing the whole spectrum of related challenges, particularly those relevant to undocumented migrants or in an irregular situation;
- (ix) Reviewing and improving national policies for the integration of migrants;
- (x) The condemnation of political platforms and organizations based on racism, xenophobia or doctrines of racial superiority and related intolerance, and the prohibition of racist and xenophobic propaganda which incites racial hatred and violence;
- (xi) The promotion of awareness-raising campaigns on the benefits of migration;

“Development

“(q) The Working Group recognized that development, peace and security and human rights, including the fight against racism and racial discrimination, are interlinked and mutually reinforcing;

“(r) States are encouraged to recognize that the lack of progress in the realization of civil and political, economic, social and cultural rights coupled with the costs of globalization could be conducive to racial discrimination. States are thereby encouraged to tackle racial discrimination so that all can access and enjoy the benefits of globalization;

“(s) States should endeavour to find a balance that could favour development in countries of origin which loses skilled professionals through recruitment abroad;

“OTHER CONCLUSIONS AND RECOMMENDATIONS

“110. The Working Group recognizes that a broad, global exchange of ‘good practices’ in combating racism could serve as examples and assist Governments, the judiciary, social partners and civil society to more effectively implement the provisions in the Durban Declaration and Programme of Action. To this effect, the Working Group calls on OHCHR, ILO, UNESCO and other relevant organizations to develop databases and effective dissemination of good practices;

“111. The Working Group expresses the view that Governments and other actors may require guidance and assistance to establish or improve national policy frameworks, administrative structures and practical measures to give effect to the Durban Programme of Action. In this regard, there is need for the United Nations system and its relevant specialized agencies to provide targeted technical cooperation to enhance the effective implementation of the Durban Programme of Action;

“112. The Working Group emphasizes the need to establish a voluntary fund which could benefit the participation of non-governmental organizations in its sessions.”

**V. CONCLUSIONS AND RECOMMENDATIONS ADOPTED AT
THE FIFTH SESSION, FIRST PART, HELD AT GENEVA,
5 TO 9 MARCH 2007**

First part of the session

8. The Intergovernmental Working Group held its fifth session, both first and second parts, at Geneva in 2007, and at the first part adopted the following conclusions and recommendations (see A/HRC/6/10, paras. 80-105):

“National action plans

“Conclusions

“80. The Working Group urges States, in accordance with paragraph 66 of the Durban Programme of Action, to establish and implement without delay national policies and action plans to combat racism, racial discrimination, xenophobia and related intolerance, including their gender-based manifestations;

“81. The Working Group underlines that it is essential for States to recognize the presence of individuals or groups of individuals who are victims of racism, racial discrimination, xenophobia and related intolerance, including multiple and aggravated forms of discrimination within their jurisdictions;

“82. The Working Group affirms that the adoption of measures to combat racism, racial discrimination, xenophobia and related intolerance at the international, regional and national levels are likely to remain ineffective if those measures are not accompanied by a comprehensive understanding of racial discrimination and related intolerance and effective implementation measures;

“83. The Working Group recalls that the importance of implementing national action plans in combating racism, racial discrimination, xenophobia and related intolerance has been emphasized in various recommendations contained in its previous reports;

“General recommendations

“86. The Working Group expresses the need for States, as bearers of the primary responsibility for national action plans, to involve all stakeholders, including victims, national human rights institutions, non-governmental organizations and civil society in general in the design, implementation, monitoring and evaluation of national action plans as a tool to combat racism, racial discrimination, xenophobia and related intolerance;

“87. The Working Group calls upon States to recognize the importance of national action plans and other measures that serve to strengthen efforts to combat and monitor racism, racial discrimination, xenophobia and related intolerance;

“88. The Working Group encourages States to take adequate measures to ensure appropriate human and financial resources are made available in the consultations leading to the preparation, elaboration, implementation and monitoring of national action plans;

“89. The Working Group calls on States to analyse, review and update all existing laws and policies which could have a potentially adverse effect on the preparation, implementation and monitoring of national action plans;

“90. The Working Group calls upon States to ensure that national action plans are consistent with international human rights instruments to which they are parties, and in particular the International Convention on the Elimination of All Forms of Racial Discrimination and the Durban Declaration and Programme of Action;

“91. The Working Group calls upon States that have not yet done so to establish mechanisms and to provide for an effective process to oversee the preparation and implementation of their national action plans. States are to ensure that these mechanisms are adequately funded and staffed;

“92. The Working Group encourages States to recognize the importance of education as an effective tool for combating racism, racial discrimination, xenophobia and related intolerance. Human rights education as a tool must be an integral component of any national plan of action;

“93. The Working Group invites States to ensure that the contents of national action plans allow for easy understanding by all stakeholders;

“94. The Working Group encourages States to request technical assistance from OHCHR in the preparation, implementation and monitoring of national action plans;

“Implementation and monitoring of national action plans

“95. The Working Group calls upon States to involve all stakeholders, and in particular victims of racism, racial discrimination, xenophobia and related intolerance, in the preparation, elaboration, implementation and monitoring of national action plans;

“96. The Working Group recommends the creation of appropriate channels of communications to be established at the national level by States with non-governmental organizations, the private sector, the mass media and non-State actors to facilitate their involvement in the preparation, implementation and monitoring of national action plans, in order to promote and ensure ownership and transparency;

“97. The Working Group encourages States to take appropriate measures to ensure the coordination of the contributions of all stakeholders involved in the preparation and implementation of national action plans;

“98. The Working Group calls upon States to include in their national action plans positive measures to ensure the fulfilment of the principle of equality and non-discrimination;

“99. The Working Group calls upon States to engage with civil society in the monitoring and evaluation and implementation of their national action plans;

“100. The Working Group invites States to periodically review and update their national action plans. It encourages States to establish objectives, benchmarks and indicators to monitor the implementation of national action plans;

“101. The Working Group encourages States to ensure that they establish, update and/or adapt their mechanisms for the collection of disaggregated data in accordance with international standards for the protection of personal information in order to ensure inclusiveness in national action plans of all victims of racism;

“102. The Working Group calls upon States, as requested in the Durban Programme of Action, to regularly inform OHCHR of the status of the implementation of the Durban Declaration and Programme of Action at the national level, especially regarding the preparation and implementation of national action plans;

“Recommendations to the Office of the United Nations High Commissioner for Human Rights

“103. The Working Group invites OHCHR to post on the Internet relevant information on Durban follow-up activities, thereby facilitating the exchange of information on the follow-up and implementation of the Durban Declaration and Programme of Action, and contributing to a higher visibility of those activities;

“104. The Working Group invites OHCHR to increase its collaboration with United Nations agencies and country teams with regard to the follow-up and implementation of the Durban Declaration and Programme of Action;

“105. The Working Group calls upon OHCHR to take a proactive stance with regards to its capacity to assist States in the preparation and implementation of national action plans.”

VI. COMPLEMENTARY INTERNATIONAL STANDARDS

Explanatory note

9. The Intergovernmental Working Group remained seized of its mandate to prepare complementary international standards to strengthen and update international instruments against racism, racial discrimination, xenophobia and related intolerance in all their aspects. Towards this end, the Intergovernmental Working Group has adopted recommendations on

complementary international standards, starting at its second and continuing through its fifth sessions. The mandate of the Intergovernmental Working Group to prepare complementary international standards concluded at its fifth session, in accordance with Human Rights Council decision 3/103.

10. This decision provided for the establishment of an “Ad Hoc Committee of the Human Rights Council on the elaboration of complementary standards, with the mandate to elaborate, as a matter of priority and necessity, complementary standards”.

Accordingly, all future work related to complementary international standards shall be undertaken by the Ad Hoc Committee.
