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IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE
TO COMBAT RACISM AND RACIAL DISCRIMINATION

Note by the Secretary-General

1. In paragraph 17 of its resolution 41/94 of 4 December 1986, the General Assembly requested the Secretary-General to submit to the Economic and Social Council at its first regular session of 1987 a report outlining a proposed plan of activities to be implemented during the second half, 1990-1993, of the Second Decade to Combat Racism and Racial Discrimination.

2. A plan of activities for the period 1990-1993 would need to be based on the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination approved by the General Assembly in resolution 38/14. That programme contained guidance for activities in the following areas:

- (a) Action to combat apartheid;
- (b) Education, teaching and training;
- (c) Dissemination of information and the role of the mass media in combating racism and racial discrimination;
- (d) Measures for the promotion and protection of human rights of persons belonging to minority groups, indigenous populations and peoples and migrant workers who are subjected to racial discrimination;

- (e) Recourse procedures for victims of racial discrimination;
- (f) Implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and other related international instruments;
- (g) National legislation and institutions;
- (h) Seminars and studies;
- (i) Action by non-governmental organizations;
- (j) International co-operation.

3. In order to enable a concrete plan of activities to be drawn up for 1990-1993 the relevant organs would need to indicate those areas of the approved programme for the Second Decade which can be rendered operational within the United Nations system. In order to enable the Commission on Human Rights to provide its views and suggestions on the plan of activities, the following parts of the programme for the Second Decade are brought to its attention:

A. Action to combat apartheid

"14. The Conference calls upon all States, intergovernmental organizations, private institutions and non-governmental organizations to continue to take all necessary measures to ensure the termination of all economic and financial collaboration with the racist régime of South Africa, as such assistance will contribute to the continuance of the policies of apartheid, and to refrain from taking any action that might imply recognition of or support for the illegal occupation of the Namibian territory by that régime. In this connection, the Conference cautions against unilateral attempts to relax the application of the sanctions already imposed by the Security Council."

B. Education, teaching and training

"17. National institutions should inform the general public of the nature of their human rights as provided for in the existing international instruments directed towards combating racism, racial discrimination and apartheid, as well as in other instruments based on the principles contained in the Universal Declaration of Human Rights or as otherwise covered in national legislation. The general public should be advised by the national institutions on the means of enforcing their rights in accordance with national law. National institutions should ensure that persons are made aware of their own rights and those of others and should assist them in the matter of protecting and enforcing their rights. These institutions should mobilize public opinion in their countries against violations of human rights, especially gross and massive violations, in particular against the practice of apartheid, racism and genocide."

"20. International agencies such as the United Nations Educational, Scientific and Cultural Organization should continue their work in the

field of human rights education and promote such programmes on a continuing basis as guidelines for textbook analysis, teacher training, curriculum development and other undertakings and, in particular, should develop materials explaining how discrimination inherent in the system and institutionalized can be addressed through remedial programmes such as affirmative action plans."

C. Dissemination of information and the role of the mass media in combating racism and racial discrimination

"25. Events and activities aimed at combating racism and racial discrimination should be given broad coverage by the media. Mention may be made of such activities as the coverage of conferences, seminars, workshops and round tables, as well as of meetings of United Nations organs dealing with a particular question, and the publication and wide distribution of pertinent resolutions and decisions of such bodies. Success stories in combating racial discrimination through legislation, executive action or community action programmes should be given publicity, and the negative and evil side of racism and racial discrimination highlighted. Comic strips, films and magazines for children and adults should be screened with a view to eliminating any form of racial stereotyping, whether favourable or unfavourable. Events having a racial aspect should be presented in their economic and social, cultural and political context; they should not be treated as mere news items."

D. Measures for the promotion and protection of the human rights of persons belonging to minority groups, indigenous populations and peoples and migrant workers who are subjected to racial discrimination

"30. National and local institutions, as adapted to the needs and conditions of each country, can play an important role in the promotion and protection of human rights, in the prevention of discrimination and the protection of the rights of persons belonging to national and ethnic minorities, of indigenous populations and of refugees. Such national and local institutions could be of varying types, including judicial, administrative, conciliatory, social and educational. Any or all of these types of institutions could be utilized by individual countries according to their own circumstances and needs.

"31. In the area of legislation, Governments should abolish and prohibit any discrimination within their jurisdiction. Such legislation should seek to promote and protect the human rights of persons belonging to minority groups, in accordance with the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and other relevant international instruments. Persons belonging to minorities should enjoy all human rights and fundamental freedoms without any discrimination as to national or ethnic origin, language, religion or sex."

"38. The Conference further urges States to facilitate and support the establishment of representative non-governmental international

organizations for indigenous populations, through which they can share experiences and promote common interests. The Sub-Commission on Prevention of Discrimination and Protection of Minorities should ensure that the urgent work being carried out by its Working Group on Indigenous Populations is continued so that the complex issues involved can be analysed and appropriate measures taken at the international and national levels."

"41. The following measures could also be undertaken by Governments to protect the rights of migrant workers:

(a) The General Assembly should complete, as soon as possible, the elaboration of an international convention on the protection of the rights of all migrant workers and their families; the Conference considers that the conclusion of this convention by the United Nations would constitute an important contribution to its endeavours to protect fundamental human rights, because the convention would be added to the other instruments protecting these rights; the Conference recommends, pending the conclusion of the above-mentioned convention, that a joint consultative mechanism should be established in host countries with a view to contributing to good relations and mutual understanding;

(b) States should ratify, accede to and implement the international instruments aimed at protecting migrant workers from discrimination, including the relevant conventions of the International Labour Organisation;

...

(g) The children of migrant workers should be enabled to receive education in their mother tongue and on different aspects of their cultural heritage with a view to preserving their national identity;".

E. Recourse procedures for victims of racial discrimination

"43. Victims of racial discrimination should have the right to seek from tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination."

F. Implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and other related international instruments

"44. The Conference urges States which have not yet become parties to the International Convention on the Elimination of All Forms of Racial Discrimination to do so as part of their contribution to the objectives of the Decade for Action to Combat Racism and Racial Discrimination and until such States ratify the Convention they should utilize its provisions as guidelines in combating racial discrimination and in securing the realization of the principles of equality at both the national and international levels. The Conference calls upon States parties to the Convention to consider the possibility of making the Declaration provided for in article 14 of the Convention."

"46. The Conference also appeals to States which have not yet done so to consider ratifying or acceding to as soon as possible other relevant international instruments adopted under the aegis of the United Nations and of the specialized agencies, such as the Convention on the Prevention and Punishment of the Crime of Genocide, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, the International Convention on the Suppression and Punishment of the Crime of Apartheid, the Convention concerning Discrimination in Respect of Employment and Occupation adopted by the International Labour Organization on 25 June 1958, the Convention against Discrimination in Education adopted by the United Nations Educational, Scientific and Cultural Organization and the Convention on the Elimination of All Forms of Discrimination against Women; States are urged to comply with the reporting requirements called for by the relevant conventions."

G. National legislation and institutions

"48. The Conference calls upon all States that have not yet done so to take effective legislative and other measures, including in the field of penal law, to prevent the recruitment, use, financing and training, transit and transport of mercenaries, in particular when the aim is to assist racist régimes, and to punish such mercenaries as common criminals. The Conference urges the Ad Hoc Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries, established by the General Assembly at its thirty-fifth session, to complete, as soon as possible, the draft international convention.

"49. The Conference urges all States to adopt strict legislation to declare any dissemination of ideas based on racial superiority or hatred to be an offence punishable by law and to prohibit organizations based on racial prejudice and hatred, including neo-Nazi and Fascist organizations, and private clubs and institutions established on the basis of racial criteria or propagating ideas of racial discrimination and apartheid."

H. Seminars and studies

"53. The Conference recommends that, in the context of future activities to combat racism and racial discrimination, consideration should be given to the organization of international and regional seminars on such subjects as:

(a) Political, historical, economic, social and cultural factors leading to racism, racial discrimination and apartheid;

(b) International assistance and support to peoples and movements struggling against colonialism, racism, racial discrimination and apartheid;

(c) Ways and means of denying support to racist régimes with a view to making them change their policies;

(d) The historical and current dimensions of tribalism;

(e) Main obstacles to the full eradication of racism, racial discrimination and apartheid;

(f) The human rights of persons belonging to ethnic groups in countries of immigration;

(g) Equality of treatment for persons belonging to ethnic and racial minorities and disadvantaged groups, such as indigenous populations;

(h) Community relations commissions and their functions.

54. The Conference also recommends that studies should be continued regarding ways and means of ensuring implementation of United Nations resolutions on apartheid, racism and racial discrimination. In particular, the Conference strongly encourages the United Nations Institute for Training and Research to continue to research, study and conduct seminars on racism and racial discrimination."

I. Action by non-governmental organizations

"55. By virtue of their independent status, non-governmental organizations, individually and collectively, have an important contribution to make to the achievement of the objectives of the Decade for Action to Combat Racism and Racial Discrimination. Through various activities sponsored by them, non-governmental organizations can be effective in identifying and publicizing areas of racial discrimination which otherwise might not come to light and in helping to create greater practical understanding among young people of the importance of actively combating all forms of discrimination, in their own countries as well as in the international community.

56. Non-governmental organizations have the opportunity to create and sustain awareness among their members and in society at large of the evils of racism and racial discrimination. Such awareness can be transmitted from a national to an international organization with all the added benefits of the concrete experience of a particular country. Governments should therefore ensure that non-governmental organizations shall be enabled to function freely and openly within their societies and thus make an effective contribution to the elimination of racism and racial discrimination throughout the world."

J. International co-operation

"58. The Conference underlines that the maintenance and strengthening of international co-operation and peace, the implementation of human rights and the combating of apartheid and racial discrimination are clearly linked. In order to improve mutual understanding among peoples, exchange

visits should be increased and educational, cultural and scientific exchange programmes should be expanded. The free flow of information and ideas with respect to combating racism and racial discrimination should be ensured. The Conference calls on States to exchange information and ideas with respect to combating racism and racial discrimination."

"64. The Conference urges Governments, with the co-operation of the relevant international organizations, to consider adopting measures to guarantee, through special conventions or other provisions, asylum and transit facilities to those who desert from the armed forces of the racist régime in southern Africa on grounds of conscience or who are forced to leave because of their opposition to apartheid."