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COMMISSION ON HUMAN RIGHTS  
Fifty-second session  
Agenda item 12

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

Albania\*, Benin, Chile, China, Mexico, Pakistan and Turkey\*:  
draft resolution

1996/ ... Measures to combat contemporary forms of racism, racial  
discrimination, xenophobia and related intolerance

The Commission on Human Rights,

Reaffirming its resolution 1995/12 of 24 February 1995,

Recalling General Assembly resolution 50/135 of 21 December 1995,

Recalling also resolution 1995/4 of 18 August 1995 of the Sub-Commission

on Prevention of Discrimination and Protection of Minorities,

Mindful of General Assembly resolution 45/105 of 14 December 1990, in which the Assembly declared once again that all forms of racism and racial discrimination, particularly in their institutionalized form, such as apartheid, or resulting from official doctrines of racial superiority or exclusivity, were among the most serious violations of human rights in the contemporary world and must be combated by all available means,

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\* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Bearing in mind the outcome of the World Conference on Human Rights and, in particular, the attention given in the Vienna Declaration and Programme of Action to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance,

Aware that racism, being one of the exclusionist phenomena plaguing many societies, requires resolute action and cooperation for its eradication,

Mindful of the report of the Secretary-General on measures to combat racism and racial discrimination, submitted to the Sub-Commission at its forty-fourth session (E/CN.4/Sub.2/1992/11),

Noting the final report on freedom of opinion and expression submitted to the Sub-Commission at its forty-fourth session by the Special Rapporteurs, Mr. Louis Joinet and Mr. Danilo Türk (E/CN.4/Sub.2/1992/9), in which the Special Rapporteurs recall that, under international law, racism is not an opinion but an offence,

Having considered the report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (E/CN.4/1996/72 and Add.1),

Noting with regret that addenda 2, 3 and 4 to the Special Rapporteur's report were not available in time for due consideration,

Observing that the manifestations of contemporary forms of racism, racial discrimination, xenophobia and related intolerance bode ill for the international community; that racist propaganda and incitement to racial hatred are spreading; and that racism is taking increasingly violent forms,

Deeply concerned that, despite efforts, racism, racial discrimination, anti-semitism, xenophobia and related intolerance, as well as acts of racist violence, continue to persist and even grow in magnitude, incessantly adopting new forms, including new tendencies to establish policies based on racial, religious, ethnic, cultural and national superiority or exclusivity,

Conscious of the fundamental difference between, on the one hand, racism and racial discrimination as an institutionalized governmental policy or resulting from official doctrines of racial superiority or exclusivity and, on the other hand, other manifestations of racism, racial discrimination, xenophobia and related intolerance taking place in segments of many societies and perpetrated by individuals or groups, some of which are directed against migrant workers and their families,

Conscious also that impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and tends to encourage the recurrence of such crimes,

Underlining the importance of eliminating the growing manifestations of racism, racial discrimination and xenophobia taking place in segments of many societies and of creating conditions to foster greater harmony and tolerance within societies,

1. Takes note of the reports submitted by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance;
2. Expresses its full support and appreciation for the work of the Special Rapporteur and for its continuation;
3. Commends those States that have so far invited and received the Special Rapporteur, and invites them to examine carefully the recommendations contained in his reports, with a view to their possible implementation;
4. Expresses its profound concern at and unequivocal condemnation of all forms of racism and racial discrimination and all racist violence, including related acts of random and indiscriminate violence;
5. Expresses its deep concern at and condemnation of manifestations of racism and racial discrimination against migrant workers and other vulnerable groups in many societies;
6. Categorically condemns the role played by some print, audiovisual or electronic media in inciting acts of violence motivated by racial hatred;
7. Supports the efforts of Governments in taking measures aimed at the eradication of all forms of racism, racial discrimination, xenophobia and related intolerance;
8. Calls upon all Governments to enact and enforce legislation to prevent and sanction acts of racism and racial discrimination;
9. Decides to extend for a period of three years the mandate of the Special Rapporteur to examine incidents of contemporary forms of racism, racial discrimination, any form of discrimination, inter alia against Blacks, Arabs and Muslims, xenophobia, negrophobia, anti-semitism and related intolerance, as well as governmental measures to overcome them, and to report on these matters on a yearly basis to the Commission, beginning at its fifty-third session;

10. Also requests the Special Rapporteur to continue his exchange of views with the relevant mechanisms and treaty bodies within the United Nations system in order to enhance further their effectiveness and mutual cooperation;

11. Calls upon all Governments, intergovernmental organizations and other relevant organizations of the United Nations system, as well as non-governmental organizations, to supply information to the Special Rapporteur;

12. Urges all Governments to cooperate fully with the Special Rapporteur with a view to enabling him to fulfil his mandate;

13. Requests the Special Rapporteur to make the fullest use of all additional sources of information, including country visits and the evaluation of mass media, and to elicit the responses of Governments with regard to allegations;

14. Encourages the Special Rapporteur in close consultation with Governments, relevant organizations of the United Nations system, other intergovernmental organizations and non-governmental organizations to present further recommendations concerning human rights education with a view to preventing actions giving rise to racism and racial discrimination, xenophobia and related intolerance;

15. Invites all Governments to take, where possible, measures to provide assistance to and rehabilitation of victims of acts of racism, racial discrimination, xenophobia and related intolerance;

16. Regrets that the Special Rapporteur has again encountered difficulties in his efforts to fulfil his mandate, owing to the lack of necessary resources;

17. Decides to defer the consideration of addenda 2, 3 and 4 to the report of the Special Rapporteur until its fifty-third session;

18. Requests the Secretary-General to provide, without any further delay, the Special Rapporteur with all the necessary assistance and resources to carry out his mandate and enable him to submit an interim report to the General Assembly at its fifty-first session and a comprehensive report to the Commission at its fifty-third session;

19. Decides to continue the consideration of this question at its fifty-third session under the agenda item entitled "Implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination" as a matter of priority;

20. Recommends the following draft decision to the Economic and Social Council for adoption:

"The Economic and Social Council, taking note of Commission on Human Rights resolution 1996/... of ... April 1996, approves the Commission's decision to extend for a period of three years the mandate of the Special Rapporteur to examine incidents of contemporary forms of racism, racial discrimination, any form of discrimination, inter alia against Blacks, Arabs and Muslims, xenophobia, negrophobia, anti-semitism and related intolerance, as well as governmental measures to overcome them, and to report on these matters to the Commission on a yearly basis, beginning at its fifty-third session, and the Commission's request that the Secretary-General provide the Special Rapporteur with all the necessary assistance and resources in carrying out his mandate."

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