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COMMISSION ON HUMAN RIGHTS  
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IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE THIRD DECADE  
TO COMBAT RACISM AND RACIAL DISCRIMINATION

China, Cuba, Egypt (on behalf of the African Group),  
India, Indonesia, Nicaragua and Sri Lanka: revised  
draft resolution

1997/.. Racism, racial discrimination, xenophobia  
and related intolerance

The Commission on Human Rights,

Reaffirming the Universal Declaration of Human Rights, the Charter of the United Nations, the International Covenants on Human Rights and the International Convention on the Elimination of All Forms of Racial Discrimination,

Reaffirming also its firm determination and its commitment to eradicate totally and unconditionally racism in all its forms and racial discrimination, and its conviction that racism and racial discrimination constitute a total negation of the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights,

Reaffirming further its resolution 1996/21 of 19 April 1996 and recalling General Assembly resolution 51/79 of 12 December 1996, as well as resolution 1996/8 of 20 August 1996 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,

Recalling the recommendations of the two World Conferences to Combat Racism and Racial Discrimination, held in Geneva in 1978 and 1983,

Bearing in mind the Vienna Declaration and Programme of Action, which calls for the speedy and comprehensive elimination of all forms of racism, racial discrimination, xenophobia and related intolerance,

Deeply concerned that, despite continuing efforts, contemporary forms of racism, racial discrimination, any form of discrimination, inter alia, against Blacks, Arabs and Muslims, xenophobia, negrophobia, anti-Semitism and related intolerance persist and are even growing in magnitude, incessantly adopting new forms, including 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,

Noting with grave concern that, despite the efforts of the international community, the principal objectives of two Decades for Action to Combat Racism and Racial Discrimination have not been attained and that millions of human beings continue to this day to be victims of varied forms of racism and racial discrimination,

Noting General Assembly resolution 48/91 of 20 December 1993, in which the General Assembly decided to proclaim the Third Decade to Combat Racism and Racial Discrimination, beginning in 1993, and to adopt the Programme of Action proposed for the Third Decade,

Having examined the report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (E/CN.4/1997/71) and its two addenda as well as addenda 2, 3 and 4 to the Special Rapporteur's previous report (E/CN.4/1996/72),

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,

Noting the conclusion contained in the final report of the Special Rapporteurs on freedom of opinion and expression of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/Sub.2/1992/9) that, under international law, racism is not an opinion but an offence,

Reaffirming its resolution 1996/46 of 19 April 1996, entitled "Human rights and thematic procedures", in which, inter alia, it invited the Governments concerned to study carefully the recommendations addressed to them under thematic procedures and to keep the relevant mechanisms informed promptly on the progress made towards their implementation,

Underlining the importance of urgently eliminating growing and violent trends of racism and racial discrimination, and conscious that any form of impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy and tends to encourage the recurrence of such crimes, and requires resolute action and cooperation for its eradication,

Emphasizing the importance of the activities of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

Recalling General Assembly resolution 51/81 of 12 December 1996, in which the Assembly called upon the Commission on Human Rights to consider at its fifty-third session, as a matter of priority, the question of a possible world conference to combat racism, racial discrimination, xenophobia and other related contemporary forms of intolerance, and to make appropriate recommendations, through the Economic and Social Council, to the Assembly at its fifty-second session,

I

General

1. Expresses its profound concern and unequivocal condemnation of all forms of racism and racial discrimination, including racist and related acts of random and indiscriminate violence;
2. Declares that racism and racial discrimination are amongst the most serious violations of human rights in the contemporary world and must be combated by all available means;
3. Underlines the importance of effective action to create conditions that foster greater harmony and tolerance within societies;
4. Expresses its deep concern at and condemnation of manifestations of racism and racial discrimination, xenophobia and related intolerance against migrant workers and members of their families and other vulnerable groups in many societies;
5. Categorically condemns any role played by some print, audio-visual or electronic media in inciting acts of violence motivated by racial hatred;
6. Supports the efforts of Governments in taking measures aimed at the eradication of all forms of racism, racial discrimination, xenophobia and related intolerance and, in this regard, welcomes the designation by the European Union of 1997 as European Year against Racism;
7. Calls upon all States to enact and enforce legislation to prevent and sanction acts of racism and racial discrimination, and notes in this regard the conclusions and recommendations of the Special Rapporteur, as well as those on integration policies;
8. Welcomes the active role played by non-governmental organizations in combating racism and assisting individual victims of racist acts;
9. 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;
10. Takes note with interest of general recommendation XV (42) of the Committee on the Elimination of Racial Discrimination on article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, in which the Committee concluded that the prohibition of the dissemination of all ideas based upon racial superiority or racial hatred was

compatible with the right to freedom of opinion and expression as outlined in article 19 of the Universal Declaration of Human Rights, and in article 5 of the Convention;

11. Also takes note of the conclusion of the Special Rapporteurs of the Sub-Commission on Prevention of Discrimination and Protection of Minorities as contained in their final report (E/CN.4/Sub.2/1992/9), that under international law, racism is not an opinion but an offence;

II

Implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination and coordination of activities

12. Takes note of the Secretary-General's report on the implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination (E/CN.4/1997/68 and Add.1);

13. Regrets the lack of interest, support and financial resources for the Third Decade and its related Programme of Action, which was reflected in the fact that the Centre for Human Rights was able to organize only one seminar since the adoption of the Programme of Action by the General Assembly in 1993, and notes that, unless a supplementary financial effort is made, very few of the activities planned for the period 1994-1997 will be carried out;

14. Recognizes the laudable and generous efforts by donors which have made contributions to the Trust Fund for the Programme for the Decade to Combat Racism and Racial Discrimination, but feels that these financial contributions have proved inadequate and that the United Nations should consider financing the Programme of Action through other means including, inter alia, through the United Nations regular budget;

15. Requests the Secretary-General to submit to the General Assembly at its fifty-second session a detailed report on the financial and personnel resources required for the implementation of the Programme of Action for the Third Decade and requests the General Assembly to consider, in taking its decision on the programme budget for the 1998-1999 biennium, ensuring that the financial and personnel resources required for the implementation of the Programme of Action are adequately met, taking into account the above-mentioned report;

16. Firmly calls upon all Governments, United Nations bodies, the specialized agencies and intergovernmental organizations, as well as interested non-governmental organizations, to participate fully in the Third Decade to Combat Racism and Racial Discrimination;

17. Requests the United Nations High Commissioner for Human Rights to take duly into account, within the framework of the restructuring of the Centre for Human Rights, the repeated appeals of the General Assembly and the Economic and Social Council for the establishment of a mechanism within the Centre for Human Rights as a focal point for coordinating all the activities of the Third Decade before they are carried out by the United Nations;

18. Reaffirms the General Assembly's recommendation that a seminar be organized by the Centre for Human Rights, in cooperation with the Committee on the Elimination of Racial Discrimination, the United Nations Educational, Scientific and Cultural Organization, the International Telecommunication Union and other relevant bodies of the United Nations, non-governmental organizations and Internet service providers, with a view to assessing the role of the Internet in the light of the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination;

19. Welcomes the publication by the United Nations Educational, Scientific and Cultural Organization of various teaching materials aimed at promoting pedagogical, training and educational activities in the field of human rights and against racism and racial discrimination;

20. Recommends that States give priority to education as a principal means of preventing and eradicating racism and racial discrimination and of creating awareness of the principles of human rights, particularly among young people, and to the training of law enforcement personnel, inter alia, through the promotion of tolerance and respect for cultural diversity;

21. Encourages the mass media to promote ideas of tolerance and understanding among peoples and between different cultures;

### III

#### Follow-up activities

22. Welcomes the convening from 9 to 13 September 1996 in Geneva of an evaluation seminar on the application of the International Convention on the Elimination of All Forms of Racial Discrimination, especially with regard to articles 4 and 6, and takes note of its conclusions and recommendations (E/CN.4/1997/68/Add.1, paras. 121-123);

23. Also welcomes the publication by the Centre for Human Rights of Model Legislation for the Guidance of Governments in the Enactment of Further Legislation against Racial Discrimination (HR/PUB/96/2) and invites Governments to take account of it in promulgating new laws against racial discrimination;

24. Invites States to ensure that the competence of their institutions which deal with the promotion and protection of human rights encompasses issues linked to the struggle against racism and racial discrimination and to promote cooperation, understanding and the exchange of experiences among them;

25. Recommends that activities being organized to celebrate the fiftieth anniversary of the Universal Declaration of Human Rights include programmes specifically targeted at combating racism and racial discrimination;

#### IV

Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and follow-up to his visits

26. Takes note with interest of the reports of the Special Rapporteur, including their addenda (E/CN.4/1996/72/Add.1-4 and E/CN.4/1997/71/Add.1-2);

27. Expresses its full support and appreciation for the work of the Special Rapporteur and for its continuation;

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

29. 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;

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

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

32. Commends those States that have so far invited and received the Special Rapporteur;

33. Invites the Governments of the States so far visited to consider ways to implement the recommendations contained in the reports of the Special Rapporteur and requests the Special Rapporteur to include in his report to the Commission on Human Rights at its fifty-fourth session, under the same agenda item, information on the measures taken to implement these recommendations, and to undertake follow-up visits, if necessary;

34. Invites the Governments of the concerned States parties to the International Convention on the Elimination of All Forms of Racial Discrimination to consider including in their periodic reports to the Committee on the Elimination of Racial Discrimination measures they have taken to implement the relevant recommendations of the Special Rapporteur;

35. Urges the High Commissioner for Human Rights to provide those countries which were visited by the Special Rapporteur, at their request, with advisory services and technical assistance to enable them to implement fully the recommendations of the Special Rapporteur;

36. Regrets that the Special Rapporteur continues to encounter difficulties in his effort to fulfil his mandate, owing to the lack of necessary resources;

37. Requests the Secretary-General to provide the Special Rapporteur, without further delay, 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-second session and a comprehensive report to the Commission at its fifty-fourth session, under the same agenda item;

38. Requests the Special Rapporteur to include in his report to the Commission at its fifty-fourth session a comprehensive analysis of the implementation of this section of the present resolution;

V

International Convention on the Elimination of  
All Forms of Racial Discrimination

39. Appeals to those States that have not yet done so to consider ratifying and acceding to the relevant international instruments, particularly the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Discrimination in Education, and calls upon the States that have done so to implement them;



40. Encourages States to limit the extent of any reservations they lodge to the Convention and to formulate any such reservations as precisely and as narrowly as possible, while ensuring that no reservation is incompatible with the object and purpose of the Convention or otherwise contrary to international law;

41. Calls upon States parties to the Convention to adopt immediately positive measures aimed at the elimination of all forms of racial discrimination;

42. Requests States parties to the Convention that have not yet done so to consider the possibility of making the declaration provided for in article 14 of the Convention;

43. Decides to change the title of its agenda item "Implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination" to "Racism, racial discrimination, xenophobia and related intolerance" and to consider it at its fifty-fourth session;

#### VI

#### World conference against racism and racial discrimination, xenophobia and related intolerance

44. Decides to recommend to the General Assembly, through the Economic and Social Council, the convening of a world conference on racism and racial discrimination, xenophobia and related intolerance, whose main objectives will be:

(a) To consider ways and means for better ensuring the application of existing standards and instruments dealing with the fight against racism and racial discrimination;

(b) To increase the level of awareness of the scourge of racism and racial discrimination, xenophobia and related intolerance;

(c) To formulate concrete recommendations on ways to increase the effectiveness of the activities and mechanisms of the United Nations through programmes aimed at fighting racism and racial discrimination;

(d) To draw up concrete recommendations for ensuring that the United Nations has the financial and other necessary resources for its action to combat racism and racial discrimination;

(e) To study the political, historical, economic, social and cultural factors leading to racism, racial discrimination, xenophobia and related intolerance;

(f) To formulate concrete proposals to further action-oriented national, regional and international measures to combat all forms of racism, racial discrimination, xenophobia and related intolerance;

45. Recommends to the General Assembly through the Economic and Social Council, that the world conference on racism and racial discrimination, xenophobia and related intolerance be convened not later than the year 2001;

46. Stresses the importance of taking into account a gender perspective systematically throughout the preparation of the outcome of the Conference;

47. Recommends to the General Assembly, through the Economic and Social Council that the world conference on racism and racial discrimination, xenophobia and related intolerance be action-oriented and focus on practical measures to eradicate racism, including through measures of prevention, education and protection and the provision of effective remedies, taking into full consideration the existing human rights instruments;

48. Also recommends to the General Assembly, through the Economic and Social Council:

(a) To decide that the Commission on Human Rights should act as the preparatory committee for the world conference on racism and racial discrimination, xenophobia and related intolerance and that its deliberations should be open-ended, allowing for the full participation of all States Members of the United Nations and members of specialized agencies and observers, in accordance with established practice;

(b) To request Governments, the specialized agencies, other international organizations, concerned United Nations bodies, regional organizations, non-governmental organizations concerned with human rights, the Committee on the Elimination of Racial Discrimination, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and other human rights mechanisms to assist the preparatory committee and to undertake reviews and submit recommendations concerning the Conference and the preparations therefor to the preparatory committee through the Secretary-General and to participate actively in the Conference;

49. Further recommends to the General Assembly, through the Economic and Social Council:

(a) To call upon States and regional organizations to establish national or regional committees to prepare for the world conference on racism and racial discrimination, xenophobia and related intolerance;

(b) To request these national or regional committees to notify the Secretary-General of their establishment with a view to holding national or regional meetings not later than the year 1999;

(c) To request regional preparatory meetings to submit reports to the preparatory committee, through the Secretary-General, on the outcome of their deliberations, including practical and action-oriented recommendations to combat racism, racial discrimination, xenophobia and other related forms of intolerance;

50. Recommends that the world conference on racism and racial discrimination, xenophobia and related intolerance be conducted effectively and efficiently and that its size, duration and other cost factors should be determined with due regard for economy;

51. Requests the Secretary-General to submit a report to the Commission on Human Rights at its fifty-fourth session on the implementation of the present resolution under the agenda item entitled "Racism, racial discrimination, xenophobia and related intolerance".

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