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Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up and implementation of the Durban Declaration and Programme of Action

Written statement* submitted by Sikh Human Rights Group, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[11 February 2019]

* Issued as received, in the language(s) of submission only.



Interpretation and implementation of para. 67 of the Durban Declaration

At the 2001 World Conference Against Racism, Durban, a special effort was made to remove discrimination against some communities, such as Sikhs, who fall within the lacunae of law and social categories. They become victims due to shortcomings of the law or language.

The paragraph that was enacted is Para 67 in the Declaration. It reads

PARA 67 OF THE DECLARATION

“We recognise that members of certain groups with a distinct cultural identity face barriers arising from a complex interplay of ethnic, religious and other factors as well as their traditions and customs and call upon States to ensure that measures, policies and programmes aimed at eradicating racism, racial discrimination, xenophobia and related intolerances address the barriers that this interplay of factors creates”

The paragraph was introduced by Canada, seconded by India and then after some discussions was adopted by all countries present.

The preceding discussion and the final paragraph was intended to remove discrimination, obstructive practices and attacks on dignity faced by Sikhs in some countries particularly some European countries where the law has not yet encompassed the full challenge of diversity and new cultures that now form part of the multi-ethnic and multi cultural State.

Regrettably Sikhs still face challenges in countries such as France where the State has failed to take measures to interpret this development at WCAR into its law and State policy.

We urge HRC and the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action to monitor countries on this Para as well and look into implementation of Para 67 and to suggest ways to promote this in order to remove discriminatory policies that arise out of misunderstanding.

We will also urge European States where this seems to be a unique problem and not faced by Sikhs elsewhere in the world, to work on Para 67 and find ways to integrate its intentions into their domestic law and policies.

In some countries Sikh continue to face issues around wearing the turban which is narrowly interpreted as a religious item by these countries. Para 67 broadens understanding of communities such as Sikhs and asks States to both understand the unique characteristic of Sikhs as well as remove the obstacles that marginalise them from participating in national life.

SIKH HUMAN RIGHTS GROUP
