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COMMISSION ON HUMAN RIGHTS
Sub-Commission on the Promotion
and Protection of Human Rights
Fifty-second session
Agenda item 3

COMPREHENSIVE EXAMINATION OF THEMATIC ISSUES RELATING TO THE
ELIMINATION OF RACIAL DISCRIMINATION:

Mr. Bengoa, Ms. Daes, Mr. Eide, Mr. Fix-Zamudio, Mr. Goonesekere, Mr. Guissé,
Ms. Hampson, Mr. van Hoof, Mr. Kartashkin, Ms. Mbonu, Mr. Ogurtsov,
Mr. Rodriguez-Cuadros, Mr. Sik Yuen, Mr. Park, Mr. Pinheiro, Mr. Sorabjee,
Mrs. Warzazi, Mr. Weissbrodt, Mr. Yimer, Mr. Yokota and Ms. Zerrougui:
draft resolution

2000/ ... World Conference against Racism, Racial Discrimination, Xenophobia and
Related Intolerance

The Sub-Commission on the Promotion and Protection of Human Rights,
Bearing in mind the principles, standards and norms embodied in international
instruments relating to the promotion and protection of human rights, including in particular the
Charter of the United Nations, the Universal Declaration of Human Rights, the International
Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and
Political Rights and the International Convention on the Elimination of All Forms of Racial
Discrimination,

Reaffirming the objectives set forth in the Charter of the United Nations on achieving international cooperation in solving problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without discrimination or distinction as to race, sex, language or religion,

Reaffirming also its conviction that racism, racial discrimination, xenophobia and related intolerance fundamentally undermine the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights and the firm determination and commitment of the United Nations to eradicate, totally and unconditionally, racial discrimination,

Noting that racism, racial discrimination, xenophobia and related intolerance exist, and in some cases are dangerously increasing, in many parts of the world,

Noting further that in its resolution 52/111 of 12 December 1997, in which it decided to convene the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, the General Assembly set as one of the main objectives of the Conference the review of the political, historical, social, cultural and other factors leading to racism, racial discrimination, xenophobia and related intolerance,

Concerned at the phenomenon of globalization, accompanied by a concentration of wealth, on the one hand, and marginalization and exclusion, on the other, and its effects on the right to development and on living standards, and at the increase in the phenomena of racism, racial discrimination, xenophobia and related intolerance,

Sharing the grave concern of the Commission on Human Rights, expressed in resolution 1998/26 of 17 April 1998, that despite the efforts undertaken by the international community at various levels, racism, racial discrimination, xenophobia and related forms of intolerance, ethnic antagonism and racist acts of violence are on the increase,

Aware that the World Conference should carefully consider the complicated interplay of discrimination based on race and discrimination based on gender and other grounds, as well as economic marginalization, social exclusion and contemporary forms of slavery,

Noting that the preparatory process for the World Conference will include the second session of the Preparatory Committee, to be held from 28 May to 8 June 2001,

Encouraging all measures necessary, including facilitation of speedy accreditation, for the effective participation of non-governmental organizations from all parts of the world and

diverse and representative sections of civil society in the preparatory process for the World Conference,

Recognizing the positive contribution of regional organizations in past world conferences,

Noting that in resolution 1998/26 the Commission invited the Sub-Commission to carry out studies without delay, within the framework of the objectives laid down in General Assembly resolution 52/111, and to transmit its recommendations to the Commission and, through the Commission, to the Preparatory Committee,

Taking note of the report of the first session of the Preparatory Committee (A/CONF.189/PC.1/21) and in particular of decision PC.1/7, in which the Preparatory Committee requested United Nations bodies and mechanisms to prepare reports, studies and documents and to submit them to the Preparatory Committee and the World Conference,

Welcoming the work of its members thus far in preparation for the World Conference, including:

(a) The preliminary report on the concept and practice of affirmative action (E/CN.4/Sub.2/2000/11 and Corr.1) and the working paper on the same topic (E/CN.4/Sub.2/1998/5) submitted by Mr. Marc Bossuyt;

(b) The working paper on the rights of non-citizens submitted by Mr. David Weissbrodt (E/CN.4/Sub.2/1999/7 and Add.1);

(c) The working paper on globalization in the context of increased incidents of racism, racial discrimination and xenophobia submitted by Mr. J. Oloka-Onyango (E/CN.4/Sub.2/1999/8);

(d) The preliminary report on the subject of globalization and its impact on the full enjoyment of human rights submitted by Mr. J. Oloka-Onyango and Ms. Deepika Udagama (E/CN.4/Sub.2/2000/13);

(e) The working paper on proposals for the work of the World Conference submitted by Mr. Paulo Sérgio Pinheiro (A/CONF.189/PC.1/13/Add.1);

(f) The working paper on proposals for the work of the World Conference relating to indigenous issues submitted by Ms. Erica-Irene Daes;

(g) The working paper on the human rights problems and protections of the Roma submitted by Mr. Yeung Kam Yeung Sik Yuen (E/CN.4/Sub.2/2000/28),

1. Declares that all forms of racism and racial discrimination, whether in their institutionalized form or resulting from doctrines and practices of racial superiority or exclusivity, whether committed against citizens or non-citizens present in the territory of a State, are among the most serious violations of human rights in the contemporary world and must be combated;
2. Commends all States that have ratified or acceded to the international instruments which, inter alia, combat racism, racial discrimination, discrimination against migrants, and slavery, and invites all States that have not yet done so to ratify or accede to them as soon as possible, as well as to accept provisions for individual communications;
3. Encourages educational institutions, non-governmental organizations and the mass media to promote ideas of tolerance and understanding among peoples and between different cultures;
4. Regrets the continued lack of interest, support and financial resources for the Third Decade to Combat Racism and Racial Discrimination and the Programme of Action for the Third Decade and calls upon all Governments, United Nations bodies, specialized agencies and interested non-governmental organizations to contribute fully to the implementation of the Programme of Action;
5. Requests the Sub-Commission experts who have prepared relevant studies, updated reviews and working papers, such as those identified above, to update and augment their respective work, to the extent possible, so that the working papers, preliminary studies, etc., can be used in the preparatory process, at the World Conference itself and in its follow-up;
6. Welcomes the positive contributions of regional organizations at past world conferences, as well as the endorsement of the World Conference by the Organization of American States and the preparatory meeting and activities regarding the World Conference undertaken by the Council of Europe;
7. Also welcomes the expert seminars held and to be held in preparation of the World Conference;
8. Further welcomes the invitations and arrangements for regional preparatory conferences in the Islamic Republic of Iran for Asia, Senegal for Africa and Chile for the Western Hemisphere and calls for the full participation at those meetings of non-governmental organizations, regardless of their status with the Economic and Social Council;

9. Calls upon the United Nations High Commissioner for Human Rights to take the necessary steps to assist, upon request, the advancement of the regional preparatory processes;
10. Encourages national preparatory meetings regarding the World Conference;
11. Expresses its sincere gratitude to the Government of South Africa for offering to host the World Conference, to be held from 31 August to 7 September 2001;
12. Recommends to the Preparatory Committee that the World Conference devote considerable attention to the overall themes of equality and diversity in an effort to combat racism, racial discrimination, xenophobia and related intolerance;
13. Also recommends that the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and the Special Rapporteur on the human rights of migrants play an integral role in all processes regarding the World Conference;
14. Requests the Secretary-General to again provide for the participation of Mr. Paulo Sérgio Pinheiro in the Preparatory Committee and at the World Conference as the representative of the Sub-Commission;
15. Notes the recommendations contained in the report of the Consultation on the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance held in Bellagio, Italy, from 24 to 28 January 2000 (A/CONF.189/PC.1/10);
16. Encourages the active and effective participation in the World Conference of all organs of society from all parts of the world, including non-governmental organizations representing victims of racism, racial discrimination, xenophobia and related intolerance, including those representing indigenous peoples;
17. Suggests that the World Conference focus, inter alia, on situations of racism, racial discrimination, xenophobia, related intolerance and ethnic conflict and other patterns of discrimination, such as contemporary forms of slavery, that are based on race, colour, social class, minority status, descent, national or ethnic origin or gender, including topics such as:
 - (a) The link between contemporary forms of slavery and racial and other discrimination based on descent;
 - (b) The current realities in the aftermath of slavery and colonialism, including the legal implications of the slave trade and the conditions of persons of African descent in the Americas;

- (c) The impact of economic globalization on the question of racial equality, including globalization in the context of the increase in incidents of racism, and the economic basis of racism;
- (d) The need to mainstream activities and programmes to combat racism, racial discrimination, xenophobia and related forms of intolerance in development programmes and for donors to provide additional resources for these activities;
- (e) The treatment of minorities, migrants, victims of trafficking, refugees, asylum-seekers, other non-citizens and displaced persons, as well as the related phenomenon of xenophobia;
- (f) The prevention of racial discrimination, including early warning and urgent procedures and sanctions as well as the accountability of non-State actors;
- (g) The prevention of racial discrimination through labour regulation, development of migration regulation, education and other information;
- (h) Remedies, redress mechanisms and reparations for racial discrimination, including affirmative action, and compensation for victims and descendants of victims of racism, as well as independent mechanisms for monitoring the effectiveness of remedies and redress mechanisms;
- (i) International mechanisms for the effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination at the international, national and local levels, and their progressive development;
- (j) International mechanisms for the protection of the rights of persons belonging to minorities and ensuring peaceful group accommodation based on human rights;
- (k) Improved mechanisms for the implementation of international conventions against contemporary forms of slavery;
- (l) Combating hate speech and promoting tolerance in the digital age;
- (m) The implications of multiple identities (race, colour, descent, minority status, national or ethnic origin, gender);
- (n) The role that can be played by recognition of dual citizenship;
- (o) The need for States and human rights mechanisms to recognize any discriminatory element in situations involving other alleged violations of human rights;
- (p) Policies to be implemented to promote and protect the rights of indigenous peoples; and

(q) Racism, racial discrimination and other forms of intolerance, including discrimination and intolerance against indigenous peoples, within criminal justice systems;

18. Endorses the decision of the Preparatory Committee to invite the High Commissioner for Human Rights, acting in her capacity as Secretary-General of the World Conference, to draw up a draft declaration and programme of action for the World Conference and recommends the participation of civil society in its preparation and implementation;

19. Also recommends that the World Conference define a global and system-wide strategy to combat racism and racial discrimination which could lead to concrete results for the populations affected;

20. Suggests that the High Commissioner for Human Rights explore the possibility of making best use of the Millennium Summit, to be held from 6 to 8 September 2000, as one of the most effective means to highlight to the international community the critical importance of the World Conference in the continued struggle against racism;

21. Decides to discuss the World Conference and its follow-up at its next two sessions.
