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WORLD CONFERENCE AGAINST RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

Durban, 31 August – 7 September 2001
Agenda item 10

ADOPTION OF THE FINAL DOCUMENT AND THE REPORT OF THE CONFERENCE

Report of the Main Committee

Rapporteur: Ms. Najat Al-Hajjaji (Libyan Arab Jamahiriya)

Draft programme of action

1. At its meeting, on 8 September 2001, the Main Committee considered the draft programme of action submitted to it by the working group as contained in the present document and addenda. The principal document contains paragraphs adopted by the Preparatory Committee, and the addenda contain paragraphs adopted by the working group at the World Conference.
2. At the same meeting, the Committee approved the draft programme of action, as amended, and recommended it to the Conference for adoption.

**Adopted paragraphs at the meeting of the working group held on
7 September from 4 p.m. to 8 September at 1 a.m.**

49. Urges States to ensure within their jurisdiction, that persons belonging to national or ethnic, religious and linguistic minorities can exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law, and also urges States and the international community to promote and protect the rights of such persons; (ADOPTED by WG 8/9)

50bis Urges States to recognize the effect that discrimination, marginalization and social exclusion have had and continue to have on many racial groups living in a numerically based minority situation¹ within a State, and to ensure that persons in such groups can exercise, as individual members of such groups, fully and effectively all human rights and fundamental freedoms without distinction and in full equality before the law, and to take, where applicable, appropriate measures in respect of employment, housing and education with a view to prevent racial discrimination; (ADOPTED by WG on 8/9)

51. Urges States to take, where applicable, appropriate measures to prevent racial discrimination against persons belonging to, national or ethnic, religious and linguistic minorities in respect of employment, housing, social services and education and in this context forms of multiple discrimination should be taken into account; (ADOPTED by WG on 8/9)

146bis Invites States and relevant international organizations and non-governmental organizations to build upon the efforts of UNESCO's Slave Route Project and its theme of "Breaking the Silence" by developing texts and testimony slavery multi-media centres and/or programmes that will collect, record, organize, exhibit and publish the existing data relevant to the history of slavery and the trans-Atlantic, Mediterranean and Indian Ocean slave trades, paying particular attention to the thoughts and actions of the victims of slavery and the slave trade, in their quest for freedom and justice. (ADOPTED by WG on 7/9)

¹ The European Union has asked for it to be noted that the translations for this expression will be : In French : dans une situation numériquement minoritaire ; In Spanish : En una situación numericamente minoritaria.

151bis Urges States to adopt and implement laws that prohibit discrimination on the basis of race, colour, descent or national or ethnic origin at all levels of education; remove barriers and ensure equal access to quality education that maximizes opportunities for employment in today's job markets; establish and implement methods to measure and track improvement in disadvantaged youths' education performance; support efforts to ensure safe school environments free from violence and free of harassment on the basis of race, colour, descent or national or ethnic origin; and establish financial assistance programmes designed to enable students, regardless of race, colour, descent or ethnic or national origin, to attend institutions of higher education;

160. Recommends to States to introduce, or reinforce, human rights education, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship between different racial or ethnic groups in school and in institutions of higher education curricula and to support public formal and non-formal education programmes designed to promote respect for cultural diversity and self-esteem of victims; (ADOPTED by WG on 7/9)

161. Requests States, wherever appropriate through cooperation with international organizations, national institutions, non-governmental organizations and the private sector, to organize and facilitate training activities, including courses or seminars about international norms prohibiting racial discrimination and their applicability in domestic law, as well as on their international human rights obligations, for prosecutors, members of the judiciary and other public officials; (ADOPTED by WG on 7/9)

174 h.) to examine ways in which the positive contribution made by the new information and communications technologies, such as the Internet, can be enhanced through replication of good practices in combating racism, racial discrimination, xenophobia and related intolerance (para. 173) (ADOPTED by WG on 7/9)

182 Encourages the World Health Organisation and other relevant international organisations to promote and develop activities for the recognition of the impact of racism, racial discrimination, xenophobia and related intolerance as significant social determinants of

physical and mental health status, including the HIV/ AIDS pandemic, and access to health care, and to prepare specific projects, including research, to ensure equitable health systems for the victims. (ADOPTED by WG on 7/9)

182bis Encourages the International Labour Organisation to carry out activities and programmes to combat racism, racial discrimination, xenophobia and related intolerance in the world of work, and support actions of States, employer's organisations and trade unions in this field. (ADOPTED by WG on 7/9)

186. Urges States to ensure the protection against victimization of complainants and witnesses to acts of racism, racial discrimination, xenophobia and related intolerance and to consider measures such as, where appropriate, making legal assistance, including legal aid, available to complainants when seeking a legal remedy and, if possible, affording the possibility for non-governmental organizations to support complainants of racism, with their consent, in legal procedures; (ADOPTED by WG on 7/9)

194. Urges States to adopt the necessary measures, as provided by national law, to ensure the right of victims to seek just and adequate reparation and satisfaction to address acts of racism, racial discrimination, xenophobia and related intolerance, and to design effective measures to prevent the repetition of such acts; (ADOPTED by WG on 7/9)

203. Urges States to develop cooperation programmes to promote equal opportunities for the benefit of victims of racism, racial discrimination, xenophobia and related intolerance and encourages them to propose the creation of multilateral cooperation programmes with the same objective; (ADOPTED by WG on 7/9)

215. Endorses efforts of the international community, in particular steps taken under the auspices of UNESCO to promote respect for and preserve cultural diversity within and between communities and nations with a view to creating a harmonious multicultural world, including elaboration of a possible international instrument in this respect in a manner consistent with international human rights instruments; (ADOPTED by WG on 6/9)

230.

a) Calls upon States to elaborate in consultation with national human rights institutions, other institutions created by law to combat racism, and civil society and to provide the High Commissioner for Human Rights with action plans and other relevant materials on the measures undertaken in order to implement provisions of the Declaration and the Programme of Action. (ADOPTED by WG on 7/9)

a) In follow-up to the World Conference, the High Commissioner for Human Rights is requested to cooperate with five independent eminent experts, one from each region, appointed by the Secretary-General from among candidates proposed by the Chairman of the Commission on Human Rights, after consultation with the regional groups, to follow the implementation of the provisions of the Declaration and Programme of Action. An annual progress report on the implementation of these provisions will be presented by the High Commissioner to the Commission on Human Rights and the General Assembly, taking into account information and views provided by States, relevant human rights treaty bodies, special procedures and other mechanisms of the Commission on Human Rights of the United Nations, international, regional and non-governmental organizations and national human rights institutions; (ADOPTED by WG on 7/9)

b) Welcomes the intention of the United Nations High Commissioner for Human Rights to establish, within the Office of the High Commissioner for Human Rights, an anti-discrimination unit to combat racism, racial discrimination, xenophobia and related intolerance and to promote equality and non-discrimination, and invites her to consider the inclusion into its mandate, inter alia, the compilation of information on racial discrimination and its development, on legal and administrative support and advice to victims of racial discrimination and the collection of background materials provided by States, international, regional and non-governmental organizations and national human rights institutions under the follow-up mechanism of the World Conference. (ADOPTED by WG on 7/9)

c) Recommends that the Office of the High Commissioner for Human Rights in co-operation with States, international, regional and non-governmental organizations and national human rights institutions creates a database containing information on practical means to address racism, racial discrimination, xenophobia and related intolerance, particularly international and regional instruments and national legislation, including anti-discrimination legislation, as

well as legal means to combat racial discrimination; on remedies available through international mechanisms to victims of racial discrimination as well as national remedies; educational and preventive programmes implemented in various countries and regions; best practices to address racism, racial discrimination, xenophobia and related intolerance; opportunities for technical cooperation; and academic studies and specialized documents, and assure that such a database is as accessible as possible to those in authority and the public at large, through its website and by other appropriate means. (ADOPTED by WG on 7/9)

- d) Welcomes the intention of the United Nations High Commissioner for Human Rights to establish, within the Office of the High Commissioner for Human Rights, an anti-discrimination unit to combat racism, racial discrimination, xenophobia and related intolerance and to promote equality and non-discrimination, and invites her to consider the inclusion into its mandate, inter alia, the compilation of information on racial discrimination and its development, on legal and administrative support and advice to victims of racial discrimination and the collection of background materials provided by States, international, regional and non-governmental organizations and national human rights institutions under the follow-up mechanism of the World Conference. (ADOPTED by WG on 7/9)
- e) Recommends that the Office of the High Commissioner for Human Rights in co-operation with States, international, regional and non-governmental organizations and national human rights institutions creates a database containing information on practical means to address racism, racial discrimination, xenophobia and related intolerance, particularly international and regional instruments and national legislation, including anti-discrimination legislation, as well as legal means to combat racial discrimination; on remedies available through international mechanisms to victims of racial discrimination as well as national remedies; educational and preventive programmes implemented in various countries and regions; best practices to address racism, racial discrimination, xenophobia and related intolerance; opportunities for technical cooperation; and academic studies and specialized documents, and assure that such a database is as accessible as possible to those in authority and the public at large, through its website and by other appropriate means. (ADOPTED by WG on 7/9)

237. The World Conference:

(a) Invites the Commission on Human Rights to include into mandates of the Special Rapporteurs and working groups of the Commission on Human Rights, in particular the Special Rapporteur on contemporary forms of racism, recommendations to consider the relevant provisions of the Declaration and the Plan of Action while exercising their mandates, in particular, reporting to the General Assembly and the Commission on Human Rights and also to consider any other appropriate means to follow-up on the outcome on the World Conference. (ADOPTED by WG 7/9)

241. Urges States and the international community to support the activities of the Third Decade to Combat Racism and Racial Discrimination; (ADOPTED by WG on 7/9)