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Chairman: Mr. Al-Hinai (Oman)

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The meeting was called to order at 11.20 a.m.

Agenda item 117: Elimination of racism and racial discrimination (*continued*) (A/56/3, A/56/18 and Corr.1, A/56/48, A/56/228, A/CONF.189/12, A/56/71-E/2001/65, A/56/79, A/56/94, A/56/364, A/56/481, A/56/647, A/56/649, A/56/673)

1. **Mr. Dauth** (Australia) stressed his Government's unequivocal opposition to racism and its commitment to strong action at the domestic and international levels. Racism was a fundamental challenge for the international community, which must implement forward-looking, positive and concrete measures. Regrettably, efforts to achieve positive and practical outcomes at the World Conference against Racism had been overshadowed by divisive political discussions that had contributed nothing to the cause of combating racism and, although consensus of a sort had been achieved after a long and disgraceful process, he reiterated his delegation's concerns about some elements of the outcome documents.

2. The Durban Declaration and Programme of Action nevertheless contained a number of important conclusions and recommendations; the challenge was to find ways of implementing the recommendations on which there was a consensus, for example those which recognized the important role of national human rights institutions, education and good governance in eliminating racial discrimination. Most of the recommendations focused on national action and the importance of cooperation and partnerships between Governments and other groups and agencies. The current resumed session of the Third Committee must focus on procedure rather than trying to reopen the divisive debates of Durban. His delegation stood ready to work in a constructive manner with all other States to find universally acceptable ways to implement the positive outcomes of Durban and enhance the international community's long-standing commitment to the fight against racism, as articulated in the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination.

3. **Mr. Alcalay** (Venezuela), speaking on behalf of the Group of 77 and China, said that, despite the long and difficult preparatory process for the Durban Conference and obstacles encountered during the meeting, it was gratifying that the Conference had in the end adopted a Declaration and Programme of

Action. The Declaration contained the most definitive condemnation and repudiation of racial superiority and apartheid issued to date in the context of the international community's efforts to promote human rights and put an end to racism. It unambiguously recognized slavery, including the transatlantic slave trade, as a crime against humanity and declared that colonialism gave rise to racism and must be condemned wherever and whenever it occurred. Recognition of the suffering caused by colonialism, the effects of which were still felt in many areas of the world, was welcome. So was the connection noted between racism and poverty, underdevelopment, social marginalization and economic disparity. He also welcomed the Declaration's emphasis on the need to pay special attention to new forms of racism. The Programme of Action complemented the Declaration by providing a series of strategies and measures to be implemented at the national, regional and international levels and its recommendations must be made a reality.

4. The Durban Conference, held two years before the end of the Third Decade to Combat Racism and Racial Discrimination, had increased awareness of the work that remained to be done. It took into account lessons learned and offered the international community, on both sides of the development divide, a comprehensive programme for the beginning of the new millennium. The Programme of Action would require a clear political will on the part of the international community and, as the United Nations High Commissioner for Human Rights had stated, a strong follow-up mechanism to monitor implementation by Governments of their commitments.

5. The international community must work together in a spirit of solidarity, cooperation, participation and inclusion. At the national level, individuals and peoples must participate on an equal basis in the creation of just, equal and democratic societies, which required the creation of an appropriate legislative, institutional, administrative and educational framework. Education was particularly important in increasing awareness of human rights and the need for tolerance and equipping individuals and societies to eliminate racism and discrimination, including new forms of those scourges.

6. International cooperation was also important as a driving force in worldwide efforts to combat racism and Governments and the United Nations system must make the fight against racism a priority. International instruments must be implemented and, to that end, the

required financial and other resources must be made available as a tangible sign of the international community's desire to meet its commitments. In that context, he expressed support for the designation of 10 December, Human Rights Day, as a day of advocacy for the fight against racism. Increased awareness and understanding of the root causes of and contributing factors to racism and racial discrimination would help bring about the changes necessary to eradicate those phenomena. The international community must also undertake to promote a culture of harmony and peace, based on dignity and justice for all through a worldwide campaign which reflected the diversity of mankind and promoted mutual understanding. To that end, the Group of 77 and China reaffirmed their commitment to full implementation of the outcome documents of the World Conference against Racism and to continued solidarity and cooperation with the international community.

7. **Ms. Plepyte** (Lithuania) associated herself with the declaration made by the representative of Spain on behalf of the European Union and, noting that Lithuania was the current chairman of the Committee of Ministers of the Council of Europe, stressed that body's commitment to the protection of fundamental human rights. Its principal organ for combating racism and religious intolerance was the European Commission against Racism and Intolerance (ECRI). Composed of independent experts, the Commission implemented a programme of activities in three key areas: country measures, general themes, and activities relating to civil society.

8. As part of its country-by-country approach, the Commission reviewed the situation in member States of the Council of Europe and then made proposals on dealing with racism and intolerance identified in each country. As part of its general themes approach, the Commission focused on issues of particular importance for combating racism and related intolerance, developed general policy recommendations for Governments and provided basic guidelines for the development of comprehensive national policies in areas such as racism against Roma, and preventing the use of the Internet to disseminate racist ideas. The Commission also collected and promoted examples of good practices such as national specialized bodies to combat racism and the role of the media in combating racism. The third programme area, that of relations with civil society, was aimed at increasing awareness

of the work of the Commission and of racism and intolerance through information sessions, the Commission web site, meetings with non-governmental organizations and the media and briefing of politicians.

9. The traumatic events of 11 September 2001 had strengthened the Commission's determination to combat racism and intolerance and it had recently called on the Governments of Council of Europe member States to closely monitor and counter hostility aimed at particular groups of the population. In March 2000, the Commission had adopted a general policy recommendation on combating intolerance and discrimination against Muslims, which was a growing concern. In addition, as part of general efforts by the Council of Europe to promote intercultural and inter-religious dialogue, an action plan on dialogue, with strong emphasis on civil society, would be launched on 21 March 2002, on the occasion of the International Day against Racism and Racial Discrimination.

10. She recalled that the Council of Europe had organized a European conference against racism from 11 to 13 October 2000, the conclusions of which had contributed to preparation of the Durban Declaration and Programme of Action. The Council of Europe stood ready to heed the Durban conference's call for determined action and full implementation of its recommendations. To that end, on 27 to 28 February 2002, a meeting would be held, with the participation of the Council of Europe member States, Council of Europe and European Union bodies, other European institutions, the Office of the United Nations High Commissioner for Human Rights and non-governmental organizations. The purpose of the meeting would be to exchange views, develop strategies and possibly prepare a plan of action involving Governments, European institutions and civil society in implementation of the Durban outcomes at the European regional level.

11. **Mr. Hidayat** (Indonesia) associated himself with the statement made by the representative of Venezuela on behalf of the Group of 77 and China. The Durban Declaration and Programme of Action had been milestones in the international fight against racism and racial discrimination and there was a clear political will to move forward. The task ahead was a complex one and special attention must be paid to the gender dimensions of racial discrimination. Women must be guaranteed access to national and international mechanisms to protect their rights. He welcomed the

increased attention given to the plight of migrant workers, including women, and to the need to eliminate discriminatory policies and practices against them, in particular as regards domestic work.

12. At the national level, his Government was working vigorously to enhance legislative, administrative and other measures to address incidents of racism and racial discrimination and to restore the spirit of tolerance and national solidarity which had served Indonesia's diverse society so well. The 1945 Constitution had been amended to include references to forms of discrimination, including racial discrimination. The Law on Human Rights of 1999 and the Law on the Human Rights Courts of 2000 contained references to the elimination of racial discrimination and characterized the persecution of groups or individuals based on race, ethnicity or religion as a crime against humanity. His Government would work with the international community to implement the Durban outcomes and he stressed the need to allocate adequate financial resources and technical assistance programmes to support international and national initiatives.

13. **Mr. Laurin** (Canada) said his Government was working to encourage the widest possible acceptance of diversity in four ways: through public education, the legal system, support for community initiatives to combat hate, and support for research. It recognized that community-based initiatives played a key role. As a result of consultations with non-governmental organizations, the private sector, law enforcement agencies, youth and other stakeholders on solutions to hate activities, a document entitled "Call for Action: Combating Hate and Bias Activity" had been published.

14. At the international level, his Government maintained its strong reservations with regard to the World Conference against Racism process and its outcome documents and would take the opportunity created by the Committee's consideration of relevant draft resolutions to propose alternative language. His Government remained committed to fighting discrimination in all its forms. States must develop public education and awareness programmes, eliminate discrimination against minorities and indigenous peoples, recognize that the complexity of multiple discrimination, where racial discrimination and xenophobia could be compounded by discrimination on grounds of gender, age, disability, sexual orientation

and socio-economic status. The media and new technologies, as well as non-governmental organizations and youth organizations, played a key role in efforts to eliminate discrimination and intolerance.

15. His delegation remained committed to the development of forward-looking, action-oriented strategies to eradicate the many forms of discrimination in a manner consistent with due recognition of all human rights and freedoms for all people; he looked forward to continued cooperation with the international community towards that goal.

16. **Mr. Mun Jung Chol** (Democratic People's Republic of Korea) said that the World Conference had underlined the seriousness of racism and racial discrimination. It had also acknowledged that colonialism had been a root cause of racism and that the peoples of Asian and African descent continued to be victims of its consequences. The Declaration and Programme of Action contained comprehensive measures and actions needed in the fight against racism, and his delegation welcomed it.

17. It was important to learn the lessons of history in order to prevent a recurrence of acts of racism or racial discrimination. Denying such acts committed during the colonial era and evading responsibility for past crimes was a challenge to international efforts to eradicate racism. Japan, for example, had recently approved history textbooks for middle schools which distorted and glossed over its aggression against several Asian nations, including Korea, during the Second World War and had blocked the efforts of non-governmental organizations to investigate the sexual enslavement of the so-called "comfort women". His delegation urged Japan to join the international community in its efforts to build a world without racism and racial discrimination by ceasing to distort history.

18. **Ms. Barghouti** (Observer for Palestine) said that racism and racial discrimination were a major source of ongoing human rights violations. Among efforts to eliminate that scourge, the ending of apartheid in South Africa was perhaps the most positive achievement. Yet different forms of racism continued to exist and new ones emerged. The Durban Conference had provided an opportunity to address that challenge, and the withdrawal of the United States of America from the Conference had indeed been unfortunate. The

Declaration and Programme of Action adopted by consensus in Durban had not met expectations among the international community; nevertheless, they provided a good basis to build on, particularly for follow-up and implementation of the objectives of the Conference.

19. Considerable attention had been paid to the situation in the occupied Palestinian territory, including Jerusalem, and the right of the Palestinian people to self-determination and the establishment of an independent State had been recognized. Regrettably, however, the language of the outcome documents had not referred specifically to the harsh reality of the policies and practices of Israel, the occupying Power. Human rights violations were a daily feature of life for the Palestinian people living under Israeli occupation, and the occupation in itself contradicted all norms and principles of equality, democracy and tolerance. At the same time, Israeli Arabs, citizens of the State of Israel, also suffered from violation of their rights and were treated as second-class citizens.

20. Despite the continuing situation in the occupied Palestinian territory, hope remained that the Palestinian people would soon be relieved of the hardships of racism and racial discrimination with the end of the Israeli occupation and the achievement of independence. She was hopeful that the support expressed during the fifty-sixth session of the General Assembly would be converted into action.

21. **Mr. Gansukh** (Mongolia) said that it had taken the struggle and sacrifice of many generations to overcome the divisions and differences at the root of racism and racial discrimination. The second half of the twentieth century had seen that struggle culminate in the adoption of a series of important international human rights treaties. Despite those efforts, the principal objective had not been attained, and countless human beings continued to be victims of racism and racial discrimination. Notwithstanding all the obstacles and difficulties, the Durban Conference had succeeded in providing, through its outcome documents, a new world vision for long-term action against racism.

22. Inequitable economic and social conditions could foster racism, while poverty reduction, employment and economic development strengthened human rights. Therefore, expansion of official development assistance to developing countries was important from the perspective not only of economic growth but also

of strengthening and protecting human rights. The persistence of racism also had psychological elements and thus the use of the mass media and information technology was indispensable to the fight against racism.

23. Mongolia had joined most of the major international human rights instruments and had made significant efforts to fulfil its obligations under those treaties and conventions. The new Constitution adopted in 1992 enshrined the principle of the equal rights of all human beings. Furthermore, the provisions of international conventions were applied in Mongolian domestic law. Among recent measures undertaken in the field of human rights, a National Human Rights Commission had been established and a Human Rights Action Plan launched. His Government wished to develop further its cooperation with other countries and international organizations in the protection of human rights and in the practical implementation of the recommendations of the Durban Conference.

24. **Mr. Musa** (Nigeria) said that the Durban Conference, despite the difficulties, had demonstrated the resolve of the international community to realize a common future based on the values of justice, equality, non-discrimination and solidarity. His delegation welcomed the Declaration and Programme of Action and was confident that, with vision and political will, its implementation would help to overcome the challenges of racism, racial discrimination, xenophobia and related intolerance.

25. The Conference had taken historic steps towards confronting the past through agreed language that slavery and the slave trade were a crime against humanity. It had also recognized that colonialism had led to racism and had caused suffering and consequences that still persisted. The several centuries of racial exploitation of Africans and people of African descent had fundamental consequences: poverty, underdevelopment, marginalization and de-linking from the global march of human civilization. Persistent inequalities in the enjoyment of the most basic human rights were a major cause of social upheaval and conflict in that part of the world. In the midst of unprecedented wealth, absolute poverty continued within some nations, but a just and more tolerant world could only be achieved without exclusion.

26. His delegation was particularly satisfied with the proposal for the establishment of an anti-discrimination

unit in the Office of the High Commissioner for Human Rights. It must be staffed at the appropriate level of expertise and provided with adequate funding in order to discharge its mandate.

The meeting rose at 12.40 p.m.

27. Nigeria remained committed to the full implementation of the final document of the Conference and the Government had established a National Committee drawn from all segments of society to identify responsibilities for the implementation of the Durban Declaration and Programme of Action. The practical steps taken at the local and national levels would justify the investment in the World Conference and bring about a world free of discrimination and bigotry.

28. **Mr. Mackay** (New Zealand) said that the protracted preparations for the World Conference had foreshadowed a difficult conference, which made the achievement of the Durban Declaration and Programme of Action all the more significant. The World Conference had been an important opportunity for the international community to identify practical strategies, and it was regrettable that parts of the final documents lacked the balance required to command truly universal endorsement. New Zealand had been one of the countries obliged to state a reservation on the text, and it maintained those reservations.

29. The World Conference had succeeded in breaking new ground at the global level in a number of areas. Follow-up, as ever, would be the most important challenge. At the multilateral level, the wide range of suggestions would provide impetus for collective efforts for years to come. At the national level, New Zealand expected to draw on aspects of the Programme of Action in the future activities of its Human Rights Commission. It supported the call in the Programme of Action for universal ratification of the Convention on the Elimination of All Forms of Racial Discrimination by 2005. It also supported the efforts by the Office of the High Commissioner for Human Rights to improve the effectiveness of the United Nations treaty bodies, and had made a special contribution earmarked to support for that effort.

30. The Third United Nations Decade to Combat Racism and Racial Discrimination would end in 2003. While the international community could take some satisfaction from its results, there was still much to be done before the important task could be considered to have been completed.