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**RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND  
ALL FORMS OF DISCRIMINATION**

**Comprehensive implementation of and follow-up to the World Conference  
against Racism, Racial Discrimination, Xenophobia and Related Intolerance**

**Report of the United Nations High Commissioner for Human Rights  
submitted pursuant to General Assembly resolution 56/266\***

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\* The submission of the report was delayed to allow the widest possible collection of information.

### **Executive summary**

In accordance with General Assembly resolution 56/266 of 27 March 2002, the present report contains information on activities by States, human rights treaty bodies, special procedures and other mechanisms of the Commission on Human Rights, United Nations bodies and specialized agencies, international and regional organizations, national human rights institutions and non-governmental organizations to implement the Durban Declaration and Programme of Action (DDPA). The report complements, and should be read in conjunction with, the report of the United Nations High Commissioner for Human Rights on “Comprehensive implementation of and follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance”, which was submitted to the General Assembly at its fifty-seventh session under agenda item 107 (A/57/443).

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## **I. INTRODUCTION**

1. In its resolution 56/266, the General Assembly requested the High Commissioner for Human Rights to report annually on the implementation of and follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to the General Assembly and the Commission on Human Rights.
2. In accordance with that resolution, these reports take into account information and views provided by States, relevant human rights treaty bodies, special procedures and other mechanisms of the Commission on Human Rights, national human rights institutions and international, regional and non-governmental organizations.
3. The Office of the High Commissioner for Human Rights (OHCHR) provided a detailed report on the implementation of DDPA in 2002 to the General Assembly (A/57/443), based on input received in response to requests made in November 2001 and May 2002.
4. Responses received after that report was submitted to the General Assembly are summarized in the present report.

## **II. IMPLEMENTATION AND FOLLOW-UP BY STATES**

5. The report to the General Assembly (A/57/443) summarizes activities that are being undertaken by the Governments of Albania, Argentina, Colombia, Croatia, Cuba, Cyprus, the Czech Republic, Germany, Liechtenstein, Mexico, Morocco, the Netherlands, Norway, Romania, the Russian Federation and Switzerland in follow-up to the World Conference. In addition, the following information was received.
6. The Government of Argentina reported in a note verbale dated 17 October 2002 that progress is being made in the development of a "National Action Plan against Discrimination", as recommended by the Durban Programme of Action. In the past year, the Ministry of Justice and Human Rights, in cooperation with the United Nations Resident Coordinator in Argentina, have held meetings and maintained ongoing cooperation on proposals for the elaboration of a national plan to combat racial discrimination. Representatives of the Government and relevant commissions of the Congress, academics and representatives of non-governmental organizations (NGOs) have attended these meetings. La "Mesa del Dialogo Argentino", convened by the Government of Argentina with the assistance of the Conference Episcopal Argentina, and the technical, methodological and logistical support of the United Nations Development Programme (UNDP) office in Argentina, provided an opportunity for the representatives of the nation's political, social and economic sectors to include their principal conclusions on what they deemed necessary for Argentina's plan of action.
7. Argentina has established a working group, which also includes representatives from the Vice-Presidency of the Inter-ministerial Council, the Human Rights Secretariat of the Ministry of Justice and Human Rights, the National Institute against Discrimination and the United Nations Resident Coordinator in Argentina, to define the framework for elaborating the national plan. In

cooperation with the Government, the UNDP office has been actively involved in supporting the design of this civil plan on the foundations agreed to in Durban and on the basis of transparent and widespread civil participation.

8. The Government of Belgium on 29 October 2002 submitted to OHCHR a publication entitled *Contre le racisme, j'agis*, which was developed on the initiative of the Foreign Minister. The publication, which aims to inform the broader public about the World Conference, was specially developed to be distributed to secondary school students.

9. The Government of Cuba reported, in a note verbale dated 4 December 2002, that in Cuba discrimination is prohibited in all its forms. All the organs and mechanisms of the Government, including its agencies and officials, are obligated by the Constitution and laws to respect and guarantee equal rights to all citizens. In addition to this, the laws of the State penalize discriminatory acts. For example, the diffusion of ideas of racial superiority, propaganda activities and organizations that promote racial discrimination and incite violence are prohibited and punishable by law.

10. Cuba also reported that its educational system is directed at forming an ethic of human values and rights, equality, justice and solidarity amongst pupils. The Government stated that "national culture" is important and that the majority of its public institutions, libraries, theatres, museums and galleries are supported by the Government to provide access to and teach about the value of this culture. It also stated that affirmative action programmes have been instituted in sectors where groups have traditionally faced marginalization and discrimination. The Government of Cuba reported that a population census due to take place in 2002 will take into account current statistical indicators to give a better understanding of the situation and composition of Cuban society.

11. The Czech Republic stated, in a note verbale dated 26 July 2002, that it envisages combating manifestations of racism, racial discrimination, xenophobia and related intolerance in a complex manner, and that to this end it has adopted several conceptual measures to tackle these phenomena ranging from media campaigns and other preventive measures to deterrence measures. For example, the Government implemented a multifaceted anti-racism media campaign via posters, leaflets and television advertising. Also, in February 2002, the Government approved material for a draft report concerning opportunities for measures to eliminate discrimination. A working group is producing a draft legislation on protection against discrimination to be presented to the Government by 31 December 2002.

12. In 2001, the Government approved measures to increase the effectiveness of the fight against racism and xenophobia, including specific measures designed to penalize extremist-motivated crime. It approved further measures aimed at combating criminal activity with extremist overtones, such as the establishment of a permanent interdepartmental committee to combat extremism, racism and xenophobia, increased coordination within the Czech police force, educational activities, preventive social work and mediation, and probation activities in the framework of combating extremism.

13. The Government of Denmark, in a note verbale dated 23 January 2003, reported that further to the Government's policy paper entitled "Towards a new integration policy" of 5 March 2002, it has decided to establish a national action plan to promote diversity, tolerance and equal treatment and to combat discrimination as a follow-up to DDPA. The action plan will give an overview of the current situation in Denmark and existing legislation and non-legislative initiatives in the field of equal treatment. It will also include recommendations on future measures to be taken in this regard. Denmark has taken steps to involve national NGOs and human rights institutions in the designing of the action plan.

14. During the meeting of the Third Committee of the General Assembly on 23 October 2002, the Government of the Islamic Republic of Iran stated that it had prepared its sixteenth periodic report to the Committee on the Elimination of Racial Discrimination (CERD), which contained measures taken by the Government to implement the International Convention on the Elimination of All Forms of Racial Discrimination as well as DDPA.

15. The Government of Jamaica, in a note verbale dated 3 December 2002, responded that its Ministry of Foreign Affairs and Foreign Trade is both the coordinating body for the flow of information on the outcome of the World Conference, and the point of contact between the Government and civil society in the pursuit of activities at the national level. After the World Conference, the Ministry convened meetings of governmental and non-governmental organizations to apprise them of the outcome of the Conference, to encourage the adoption of appropriate strategies and programmes and to strengthen those in existence, in keeping with the provisions of the Durban Programme of Action. In particular, the Ministry has disseminated DDPA to government agencies and has drawn their attention to specific provisions relating to their areas of responsibility. These agencies regularly update the Cabinet on the activities that have been undertaken to implement the Programme.

16. The Government reported that it has also taken action in relation to international legal agreements, such as the Rome Statute of the International Criminal Court and the United Nations Convention against Transnational Organized Crime, as well as the three protocols thereto. With respect to education, the Ministry of Education, Youth and Culture has taken specific steps in its White Paper on Education, aimed at providing equal educational opportunities for all students by improving access, quality and efficiency through rationalized programmes. The Ministry has also given special consideration to promoting human rights principles in the educational curriculum at the primary and secondary school level.

17. A draft Cultural Policy of Jamaica, now in its final stages of consultation, is intended to promote the integrity and dignity of the people of Jamaica, by providing them with opportunities for cultural expression, including by the telling of their stories and the illumination of their images. A wide range of civil society groups, including NGOs and academic institutions, are involved in Jamaica's implementation of DDPA.

18. During the meeting of the Third Committee of the General Assembly on 23 October 2002, the Government of Liechtenstein stated that the texts of the World Conference constituted the main foundation upon which to build a national action plan

for Liechtenstein. The plan is currently being drafted to prevent and eliminate racism and xenophobia in the country. The Durban Programme of Action provision relating to the integration of a human rights perspective in the training of police officers had already been instituted domestically.

19. The Government of Mexico, in a note verbale dated 12 November 2002, reported that the reform of the national Constitution in August 2001 constituted a major advance in its national process of political transformation, of which prevention and elimination of discrimination was a priority. The Constitution prohibits any discrimination based on several grounds, including national and ethnic origin and gender. At the beginning of 2002, Mexico made the declaration called for under article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination recognizing the competence of CERD to receive individual complaints.

20. During the meeting of the Third Committee of the General Assembly on 23 October 2002, Mexico reported that it had instituted a number of policies such as adopting legislation that would protect vulnerable groups. In 2001, the Citizen's Commission to Combat Racial Discrimination convened a meeting to consider serious complaints of discrimination in Mexico. The work of that Commission led to a draft law on discrimination. Mexico has also begun formulating a draft Convention to provide special protection for persons with disabilities from various forms of discrimination. These efforts are intended to complement work at the international level that address this important issue.

21. The Government of Morocco reported, in a note verbale dated 12 December 2002, that in the context of its follow-up activities to the World Conference, the Minister for Human Rights had signed an agreement with the International Organization for Migration to create a Centre for the Rights of Migrants. The objectives of this Centre will be: (a) to consolidate knowledge of and respect for the rights of all migrants without distinction as to sex, ethnic or social origin, or any other situation; (b) to reinforce national institutional capacity (technical and informational) to consolidate respect for and defence of human rights of all migrants; (c) to support the development of expertise in defending the human rights of migrants; (d) to develop a human rights-based approach to the promotion and protection of the rights of migrants; (e) to extend legal assistance to migrants whose rights have been violated; (f) to support the development of mechanisms for dialogue, exchange and cooperation, as well as multilateral partnership with similar institutions in countries of origin, transit and destination in order to improve respect for the particular vulnerabilities affecting the rights of migrants.

22. The Government of Norway forwarded its National Plan of Action to Combat Racism and Discrimination, 2002-2006, to OHCHR on 26 November 2002.

23. The Government of Romania responded, in a note verbale dated 13 November 2002, that it had recently established the National Council for Combating Discrimination. The Government indicated that the president of this new body would like to meet with officials of the Anti-Discrimination Unit of OHCHR to discuss anti-discrimination and equality policies and programming.

24. The Government of Spain reported, in a note verbale dated 5 August 2002, that in 2002, it launched a campaign in favour of intercultural understanding and against racism and xenophobia, under the slogan “Vive y Convive”. The publication and distribution of the Durban Declaration and Programme of Action and of the final documents of the European Regional Conference leading up to the World Conference by the IMSERSO Institute, a department of the Labour Ministry specifically dealing with the promotion and social integration of migrants, represented an important initiative in the framework of this campaign. The IMSERSO Institute has also made these documents available on its web site ([www.imswersomigracion.upco.es](http://www.imswersomigracion.upco.es)).

25. In the field of migration, the Spanish department called “Delegación del Gobierno para la Extranjería y la Inmigración” has been tasked with the coordination of efforts undertaken by a number of actors active in the field of anti-discrimination, such as the Permanent Observatory of Immigration, which is responsible for data collection, and the Forum for the Integration of Migrants. In line with the recommendations of the Durban Programme of Action, non-governmental organizations have been closely associated with the initiatives undertaken by the Spanish authorities to combat discrimination against migrants.

26. The Government of Thailand reported, in a note verbale dated 14 November 2002, that as a follow-up to the World Conference, its Ministry of Foreign Affairs had organized an informal seminar in August 2002 on the topic of racism and racial discrimination as a collective action to translate DDPA into practice. This seminar was well received by government agencies, NGOs, the media and the general public and for the first time in history included members of the hill tribes among the participants. The Government also reported that as a means of raising awareness, it had published DDPA in English and a summary in the Thai language for public dissemination.

27. In addition, a National Committee, headed by the Minister of Foreign Affairs and comprised of representatives of key government agencies that had been created by the Government to prepare for the World Conference, was now considering the possibility of Thailand’s accession to the International Convention on the Elimination of All Forms of Racial Discrimination. It is expected that Thailand will become a State party to the Convention well before 2005, date by which DDPA called for the universal ratification of the Convention.

28. The United Kingdom, in a note verbale dated 18 December 2002, reported that the Home Office is leading the domestic follow-up to the World Conference. The Race Equality Unit in the Home Office has drawn up a framework for a national action plan, in consultation with other government departments and devolved administrations. A wide range of NGOs were invited to form a steering group to assist with this task.

29. This steering group initiated a conference of NGOs in Manchester, England, on 20 November 2002, supported by the Home Office, to discuss the outcome of the Durban Conference and proposals for a national action plan. This followed a series of smaller consultative seminars on specific themes held around the United Kingdom in September and October 2002. The national conference consisted of workshops covering what the steering group saw as key themes for a national action plan. The following themes have been identified for a



national action plan: legislation; international commitments; faith communities; employment; education; health; housing; criminal justice; immigration and asylum; participation in public life; and raising awareness and remembering the past.

30. The NGO steering group will produce a report of the Manchester conference and its workshops, which they plan to submit to the Home Office in January 2003. The Home Office will discuss the conference with the steering group, other government departments and devolved administrations before deciding which elements should be incorporated into the draft national plan of action. The Government aims to get ministerial endorsement of the final action plan by the spring of 2003.

### **III. IMPLEMENTATION AND FOLLOW-UP BY HUMAN RIGHTS TREATY BODIES, SPECIAL PROCEDURES AND OTHER MECHANISMS OF THE COMMISSION ON HUMAN RIGHTS, UNITED NATIONS BODIES AND SPECIALIZED AGENCIES, INTERNATIONAL AND REGIONAL ORGANIZATIONS, NATIONAL HUMAN RIGHTS INSTITUTIONS, NON-GOVERNMENTAL ORGANIZATIONS AND YOUTH GROUPS**

31. The OHCHR report to the General Assembly (A/57/443) summarizes efforts being made in the implementation of DDPA by the treaty bodies and a number of special rapporteurs. Attention is also drawn to the two reports submitted by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to the Commission on Human Rights at its fifty-ninth session that contain information on his activities relating to the follow-up to the World Conference (E/CN.4/2003/23 and E/CN.4/2003/24).

32. Numerous United Nations bodies and specialized agencies as well as other international and regional organizations<sup>1</sup> have indicated to OHCHR their follow-up activities to the World Conference, which were reflected in the OHCHR report to the General Assembly. Subsequent to that report, OHCHR received information from the World Food Programme stressing its commitment to non-discrimination as to ethnic origin, gender, nationality, political opinions, race or religion in the distribution of the food aid it provides. In addition to its previous contribution that was incorporated into the report to the General Assembly, the European Commission indicated that its annual report on human rights for 2002 contains an overview of activities relating to the fight against racism within the European Union (see <http://ue.eu.int/pesc/humanrights/en/HR2002EN.pdf>).

33. Also in the same report to the General Assembly, the active participation of national human rights institutions (NHRIs) following the World Conference was highlighted. Information on activities by NHRIs to combat racism and discrimination can be found on the national institutions web site ([www.nhri.net](http://www.nhri.net)), established by OHCHR and the Danish Centre for Human Rights. Attention is also drawn to the report of the Secretary-General on national institutions to the Commission on Human Rights at its fifty-ninth session (E/CN.4/2003/110).

34. The OHCHR report to the General Assembly (A/57/443) also summarizes follow-up activities to the World Conference undertaken by NGOs<sup>2</sup> and youth groups.<sup>3</sup> Subsequent to that

report, the NGO Committee against Racism and Racial Discrimination of the Conference of Non-Governmental Organizations in Consultative Relationship with the United Nations reported that since the World Conference the Committee has endeavoured to implement DDPA through the holding of public briefings and meetings about racism and racist tendencies, for example, during the fifty-eighth session of the Commission on Human Rights, during the fifty-fourth session of the Sub-Commission on the Promotion and Protection of Human Rights and during other meetings and conferences.

### Notes

<sup>1</sup> Namely, the United Nations Development Group, the United Nations Development Programme, the United Nations Children's Fund, the United Nations Population Fund, the Office of the United Nations High Commissioner for Refugees, the United Nations Educational, Scientific and Cultural Organization, the International Labour Organization, the World Health Organization, the Joint United Nations Programme on HIV/AIDS, the United Nations Human Settlements Programme (UN-Habitat), the International Monetary Fund, the Economic and Social Commission for Western Asia, the Economic Commission for Europe, the League of Arab States, the Organization of the Islamic Conference, the Organization of American States, the Council of Europe, the European Commission, the European Union Monitoring Centre on Racism and Xenophobia, the secretariat of the European Commission against Racism and Intolerance, the Organization for Security and Cooperation in Europe and the Inter-Parliamentary Union.

<sup>2</sup> Namely, the African Society of International and Comparative Law, the American Jewish Committee, Amnesty International, the Asia-Pacific Forum on Women, Law and Development, the Association for Democratic Initiatives, the Bulgarian Gender Research Foundation, the Canadian Council of Churches, the Canadian Race Relations Foundation, the Centre for Human Evolution Studies, the Centre for the Development of Democracy and Human Rights, on behalf of the Russian Network against Racism, the Centre for Women's Global Leadership, the Conference of Non-Governmental Organizations in Consultative Relationship with the United Nations, the Congress against Racism, Durban 2001 Japan, the English International Association of Lund, the European Network against Racism, the Fédération internationale des ligues des droits de l'homme, Forum Menschenrechte, Human Rights for Africa, Human Rights Internet, Human Rights Watch, the Ichirouganaim Council for the Advancement of Rastafari, Interfaith International, the International Alliance against Racism, Racial Discrimination, Xenophobia and Related Intolerance, the International Confederation of Free Trade Unions, the International Criminal Justice Coalition, the International Institute for Non-Aligned Studies, the International Movement against All Forms of Discrimination and Racism, International Women's Rights Action Watch Asia Pacific, Ius Primi Viri International Association, Migrants Rights International, the NGO Committee against Racism, OIDEL, Penal Reform International, the Roy Wilkins Institute for Social Justice at the University of Minnesota, United States of America, the Runnymede Trust Forum against Racism, Soka Gakkai International, the South African NGO Coalition, Susila Dharma International, United for Inter-Cultural Action in Eastern and Central Europe, the World Federation of Democratic Youth.

<sup>3</sup> Regional-level activities in Africa, the Asia Pacific, the Americas and Europe, as well as national-level activities, were undertaken by American Friends Service Committee youth section, the Cameroon Youth and Students Forum for Peace, the Cordillera Peoples Alliance Youth Center (the Philippines), Global Kids, the Afro-Peruvian youth organization LUNDU, the International Women's Human Rights Organizations MADRE, the youth chapter of Mundo Afro (Uruguay), the National Association of Indigenous Youth (Argentina), Nicaraguan youth representatives, the youth network active in Peru, and the Zimbabwe Youth Agenda. The youth division of the Bulgarian Gender and Research Foundation, the European Commission, Minorities of Europe, the International Caucasus Foundation on Minority Issues, UNITED, the 40th Graduate Study Programme of the United Nations, the United Nations Association of Canada, and the World Civil Society Youth Forum conducted youth and racism-related events.

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