



General Assembly

Distr.
GENERAL

A/CONF.211/SR.3
29 April 2009

Original: ENGLISH

DURBAN REVIEW CONFERENCE

SUMMARY RECORD OF THE 3rd MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 21 April 2009, at 10 a.m.

President: Mr. WAKO (Kenya)

CONTENTS

HIGH-LEVEL SEGMENT

STATEMENT BY THE ASSISTANT FOREIGN MINISTER OF QATAR

**STATEMENT BY THE SECRETARY-GENERAL OF THE
INTER-PARLIAMENTARY UNION**

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Editing Unit, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings held during this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

CONTENTS (continued)

STATEMENT BY THE PRIME MINISTER OF NAMIBIA

STATEMENT BY THE FORMER PRIME MINISTER AND SENIOR ADVISER TO
THE PRESIDENT OF SURINAME

STATEMENT BY THE MINISTER FOR FOREIGN AFFAIRS OF PALESTINE

STATEMENT BY THE MINISTER FOR HUMAN AND MINORITY RIGHTS
PROTECTION OF MONTENEGRO

STATEMENT BY THE MINISTER OF JUSTICE, HUMAN RIGHTS AND
CONSTITUTIONAL AFFAIRS OF LESOTHO

STATEMENT BY THE MINISTER OF JUSTICE OF THE PLURINATIONAL
STATE OF BOLIVIA

STATEMENT BY THE MINISTER OF STATE FOR FOREIGN AFFAIRS IN CHARGE
OF INTERNATIONAL AFFAIRS OF UGANDA

STATEMENT BY THE MINISTER OF STATE FOR FOREIGN AFFAIRS OF
PAKISTAN

STATEMENT BY THE MINISTER OF STATE FOR FOREIGN AFFAIRS OF THE
SYRIAN ARAB REPUBLIC

STATEMENT BY THE MINISTER OF JUSTICE AND LEGAL AFFAIRS OF
ZIMBABWE

STATEMENT BY THE MINISTER OF COMMUNITY DEVELOPMENT AND
CULTURE OF BARBADOS

STATEMENT BY THE MINISTER OF STATE FOR FOREIGN AFFAIRS OF
BAHRAIN

STATEMENT BY THE MINISTER FOR THE HONDURAN SOCIAL INVESTMENT
FUND

STATEMENT BY THE ATTORNEY-GENERAL OF MAURITIUS

STATEMENT BY THE DEPUTY MINISTER FOR MULTILATERAL AFFAIRS,
MINISTRY OF FOREIGN AFFAIRS OF INDONESIA

The meeting was called to order at 10.15 a.m.

HIGH-LEVEL SEGMENT (agenda item 3)

STATEMENT BY THE ASSISTANT FOREIGN MINISTER OF QATAR

1. Mr. AL BUAINAIN (Qatar) said that the Conference was a reaffirmation of the commitment of the United Nations to ensuring for the equality of all and guaranteeing freedom, justice and peace to all members of the international community. It also reflected the vision of the Universal Declaration of Human Rights, which reaffirmed the principle of human dignity and inalienable rights and the principle of non-discrimination established in Article 1 of the Charter of the United Nations.
2. Despite the efforts made in good faith by leaders to implement the objectives set out in the Durban Declaration and Programme of Action, manifestations of racism, discrimination and intolerance based on colour and creed were increasing. His delegation wished to express its solidarity with those countries that were fighting discrimination and its concern at the incitement of hatred of Arabs and Muslims seen in some countries in recent years.
3. In the context of racism, racial discrimination, xenophobia and related intolerance, special mention should be made of the suffering of the inhabitants of the occupied Arab territories and, in particular, of the intolerable suffering of the Palestinian people caused by Israel's persistent occupation and its violations of international resolutions and laws, in addition to the catastrophic economic and social consequences of the ongoing construction of the racist wall of separation. Israel continued to demolish homes and erect barriers, build settlements, bring settlers into Jerusalem and blockade the Palestinian people, particularly in Gaza. The international community had a moral responsibility to address those violations and uphold international law to ensure that the Palestinian people could enjoy their legitimate and inalienable rights, including the right to self-determination and the right to create an independent State with Jerusalem as its capital.
4. Qatar had sought to raise awareness of racism as part of broader efforts to promote human rights and combat racism at all levels. That human rights were at the core of the country's global reform policy was evident in the strengthening of the human rights infrastructure at the legislative and institutional levels. Qatar had acceded to a number of international conventions, including the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Prevention and Punishment of the Crime of Genocide and the International Labour Organization (ILO) Convention concerning Discrimination in respect of Employment and Occupation (No. 111). Its active contribution to international efforts to promote human rights and combat racism stemmed from the principles enshrined in its Constitution.
5. Qatar had hosted a number of international conferences on the themes of democracy, human development, peace and combating hatred and intolerance. It had reaffirmed the role of the media in strengthening dialogue, understanding and tolerance in order to counter hatred and

terrorism. It had also helped to build international capacities through cooperation with the Office of the United Nations High Commissioner for Human Rights and had created a human rights education and training centre for Western Asia and the Arab region based in Doha to serve the region's needs for education in peace, openness and combating racism.

6. The Durban Review Conference could only promote the implementation of the commitments made in the Durban Declaration and Programme of Action and ensure the effectiveness of follow-up mechanisms if all Member States demonstrated real political will. Likewise, the international community could only prove its unity in fighting racism by adopting effective measures that would guarantee equality for all people in all regions.

STATEMENT BY THE SECRETARY-GENERAL OF THE
INTER-PARLIAMENTARY UNION

7. Mr. JOHNSON (Inter-Parliamentary Union (IPU)) said that democracy meant both the right to differ and the acceptance of such differences by all. Political life was made up of confrontation. Indeed, institutional mechanisms were partly designed to channel conflicting or simply differing currents towards the single objective of ensuring the common good. Their aim was to mediate tensions and maintain equilibrium between competing interests.

8. Mutual understanding required that people should talk to each other. It was therefore sad that several countries had chosen to absent themselves from the Conference. Their absence was not helpful and in fact constituted a setback for the victims of racism and racial discrimination. It was equally sad that the Conference was being used to polarize further an already divided world.

9. The parliamentary chamber was par excellence a place for compromise. It was therefore in parliament that societies could and should lay the groundwork for inclusiveness and tolerance. IPU had organized debates on many of the core issues reflected in the Durban Declaration and Programme of Action, undertaken capacity-building and developed handbooks and other tools. Hardly any aspect of the Durban agenda had escaped the scrutiny of IPU: it had dealt with gender discrimination, racial discrimination and xenophobia in relation to migrant workers, refugees and displaced populations, minorities and religious communities. In 2008, it had launched a project to map out the representation of minorities and indigenous peoples in the political process, with a view to ensuring inclusiveness.

10. Religion was often erroneously invoked as a cause of division. There was, however, a clear consensus among members of IPU that all religions had made important contributions to civilization. At the same time, the IPU Assembly had upheld the principle that it was a matter of personal choice whether or not to profess a religion. All parliaments should therefore ensure that such a choice was not punishable by law.

11. Freedom of expression and freedom of the press were twin pillars of democracy. Parliaments must protect those freedoms while enacting legislation to promote the ethical responsibility that must accompany them, particularly the responsibility not to incite hatred, racism or xenophobia. Debates at IPU on freedom of expression had concluded that the boundaries between the legitimate right to criticize and abusive incitement to hatred and violence

could not be defined uniformly; the aim of any law to curb hate speech must be to eliminate hate itself. Parliaments had both a legal obligation and a moral duty to protect freedom of expression and maintain a climate of mutual respect. That was essential to the elimination of racism and racial discrimination.

STATEMENT BY THE PRIME MINISTER OF NAMIBIA

12. Mr. ANGULA (Namibia) said that the effects of colonial genocide and apartheid brutality were still being felt by the people of Namibia. Having suffered from racism, racial discrimination and related intolerance, the country had, upon independence in 1990, adopted a Constitution that celebrated equality, non-discrimination and human dignity. In order to prevent the abuse of power by any State organ, the Constitution provided for checks and balances and established the Office of the Ombudsman and the Anti-Corruption Commission.

13. The Racial Discrimination Act had been passed in 1991, and women and child protection centres had been established throughout the country. The Law Reform Commission continued to scrutinize all colonial laws in order to bring them into line with the ethos of the Constitution, especially immigration laws, which discriminated against victims of HIV/AIDS. Social inclusion and integration programmes targeted marginalized groups, such as hunters and gatherers, San communities and the nomadic Himba people.

14. Namibia had also ratified a number of international human rights treaties, such as the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities, as well as the United Nations Declaration on the Rights of Indigenous Peoples.

15. However, the country still faced the challenge of historical, cultural, social and economic forms of discrimination, for racism was ingrained in the fabric of Namibian society as a result of centuries of colonial and apartheid domination. Years of institutional discrimination had created pauper classes, and while programmes existed to combat extreme poverty, relative poverty remained endemic. Because the traditional patriarchal system discriminated against women, Namibia had adopted measures to promote gender equality and women's rights. He was proud to report that gender parity had been achieved in education and other sectors. Social structures in rural communities, however, still needed to be reformed. The challenge was to balance modernity with tradition. Economic redress was also problematic. Government resettlement and land-redistribution programmes were frustrated by absentee landlords and settler land barons.

16. The Government was nevertheless determined to eradicate cultural, social and economic discrimination. It therefore welcomed proposals for enhancing action to that end, particularly the establishment of the Trust Fund for the Programme of the Decade to Combat Racism and Racial Discrimination. The challenge before the international community was to harness the collective consciousness and resources of the international community in order to implement the solemn pledges made in the Durban Declaration and Programme of Action. It was regrettable that some States had absented themselves from the Conference, thereby missing an opportunity to make a meaningful contribution.

STATEMENT BY THE FORMER PRIME MINISTER AND SENIOR ADVISER TO
THE PRESIDENT OF SURINAME

17. Mr. UDENHOUT (Suriname) said that, as new and old manifestations of racism and racial hatred continued to plague the world community, the Review Conference was as relevant as the World Conference had been. Minority groups, such as migrants, refugees and indigenous or tribal communities, continued to be repressed and religions defamed. Yet intolerance and prejudice could be combated through education, which was an effective mechanism for expanding intercultural and interreligious dialogue.

18. His delegation hoped that the Review Conference would galvanize political support for stronger action to combat racism, racial discrimination, xenophobia and related intolerance. A key element of the inequalities that threatened the peace and prosperity of the world was a failure to acknowledge the impact of the transatlantic slave trade and current manifestations of slavery and discrimination. Although world leaders agreed that global action for sustainable development was urgently needed, given the effects of climate change and the current food, financial and energy crises, such action would be effective only if the historic damage that still defined relations between and within nations was redressed on the basis of the resolutions of the World Conference; failure to do so would dash the hopes of many and retard solutions to current global problems.

19. On the initiative of the Group of Latin American and Caribbean States, the United Nations had recently designated 25 March as the International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade. Interesting commemorative events had been organized and appropriate activities would be held annually. In that connection, he called on the international community to support the erection of a permanent memorial in a prominent place at United Nations Headquarters to ensure that slavery was never forgotten.

20. He commended to the Conference the example of Suriname, which had made ethnic, cultural, linguistic and religious diversity its strength and had created a beacon of hope for the world community.

STATEMENT BY THE MINISTER FOR FOREIGN AFFAIRS OF PALESTINE

21. Mr. AL-MALIKI (Observer for Palestine) said that the objective of the Conference must be to ensure equality, dignity and justice for all, and the international community could count on the support of the Palestinian people to that end. For more than 60 years, it had suffered under an occupation which represented the worst violation of human rights and the ugliest face of racism. The racist policies of the occupying Power must cease: it was high time that Palestinians enjoyed all their rights as stipulated in international agreements, including their right of return to their homeland. The occupying Power, for its part, must be held accountable for violations of human rights and humanitarian law, including the Fourth Geneva Convention. It continued to pursue its policies against the Palestinian people, with total disregard for international law. The truth must ultimately prevail, however, since the rights of the Palestinians were inalienable and undiminished by the passage of time.

22. There could be no discussion of racism without due mention of the restrictive measures imposed on Palestinians in the Occupied Palestinian Territory. The separation wall had divided families and separated pupils from their schools and farmers from their lands. The Advisory Opinion of the International Court of Justice which had called for the dismantling of the wall and compensation to victims continued to be met with blatant disregard. The occupying Power continued to alter the religious nature of Jerusalem, destroy homes and property, excavate the Al-Aqsa Mosque and deny both Muslim and Christian Palestinians access to their places of worship. Hundreds of checkpoints and military roadblocks remained on Palestinian land, giving Israeli settlers exclusive access, while the plundering of Palestinian natural resources also continued. Israel's ongoing actions in Gaza were proof of its racist policies and an example of racism in action, with tens of thousands of Palestinians displaced and thousands more including children, killed or wounded.

23. The new Government of Israel must shoulder its responsibilities by accepting all the terms of reference of the peace process and agreeing to a two-State solution. It must stop its daily military incursions and work constructively for peace, with international support.

24. The international community must enhance cooperation at all levels to translate the Durban Declaration and Programme of Action into reality. That meant working together to eradicate all forms of racism, racial discrimination, xenophobia and related forms of intolerance and ensuring dignity, justice and equality for all. The Palestinian people wished to pay a tribute to the work done by the High Commissioner's Office and regional organizations in that connection.

25. His delegation had shown flexibility, understanding the need to reflect the concerns of the Group of African States in the outcome document for the Review Conference. It also wished to thank Arab, Islamic and other friendly countries for their longstanding support for the cause of the Palestinian people.

STATEMENT BY THE MINISTER FOR HUMAN AND MINORITY RIGHTS PROTECTION OF MONTENEGRO

26. Mr. NIMANI (Montenegro) said that the World Conference in Durban had set the agenda for the fight against racism, racial discrimination, xenophobia and related intolerance by recognizing racism as a global phenomenon. Numerous steps to help eradicate racism and xenophobia had been taken at the national and international levels by Governments and non-governmental organizations alike, and new initiatives such as the Alliance of Civilizations had been particularly welcome.

27. Montenegro was committed to promoting respect for human rights and the dignity of all individuals and had made equality, tolerance and dialogue the cornerstones of Montenegrin society. The country's diverse cultural and historical heritage was particularly conducive to the creation of a multi-ethnic, multicultural and multireligious community. Montenegro had acquired valuable experience in fostering dialogue among diverse cultures and civilizations and could serve as an example of multi-ethnic harmony and cohabitation.

28. Since the renewal of its independence, the country had demonstrated its commitment to human rights and freedoms. The new Constitution prohibited indirect as well as direct discrimination on any grounds, provided for the supremacy of international agreements over national legislation and envisaged positive measures for combating discrimination. Judicial reform was under way, as was revision of national legislation and policy on asylum and minorities.

29. Progress had also been made at the policy and legislative levels to improve the situation of the Roma, Ashkali and Egyptian populations, but additional efforts were required to ensure their full integration in society and to break vicious cycles of poverty and exclusion. Aware of the challenges that lay ahead, Montenegro would continue investing in an environment in which all people could enjoy their rights on equal terms.

30. The success of the Review Conference depended on every actor in the international community, including those that had decided not to attend.

STATEMENT BY THE MINISTER OF JUSTICE, HUMAN RIGHTS AND
CONSTITUTIONAL AFFAIRS OF LESOTHO

31. Ms. MAHASE-MOILOA (Lesotho) said that the fact that some States had decided to stay away from the Conference was evidence of the long road that had yet to be travelled towards implementing the ideals of the Durban Declaration and Programme of Action. Humanity must courageously address the abominable practices of racism, racial discrimination, racism, xenophobia and related intolerance so comprehensively documented at Durban. The Review Conference represented an important opportunity to take stock of achievements made as well as of the challenges that lay ahead.

32. As an immediate neighbour of South Africa, Lesotho had experienced the destructive effects of apartheid and had contributed to the struggle to eradicate racial discrimination in the region. The Basotho nation had been founded by a merger of disparate groups, and tolerance was a national trait.

33. The founding proponents of the philosophy of human rights and fundamental freedoms had underscored the inalienability and universality of such basic natural rights as non-discrimination, inherent dignity and equality. Policies, practices and institutions must thus be modelled around the core principle of non-discrimination, and States must be urged to incorporate all key international human rights instruments in their domestic legal order. At the international level, there was a need for dependable early warning systems to prevent atrocities such as the Holocaust, colonialism, apartheid and genocide. In addition, Member States must develop clear legislative frameworks to prevent impunity for racial injustice.

34. Nations throughout the world were becoming increasingly multi-ethnic and thus confronted with the challenges of integration. She called in that connection for wider adherence to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

35. The Human Rights Council, for its part, should consider practical means to foster coordination, synchronization and effectiveness of the follow-up mechanisms on whose success the life of the Durban Declaration and Programme of Action depended. Lesotho supported the proposed institution by the Council of a tool for monitoring the Programme of Action and wished to further propose the convening, by way of follow-up to the present Conference, of regional seminars to promote a culture of tolerance, peaceful coexistence and mutual understanding among nations and peoples.

36. Lesotho had amended its Race Relations Order of 1971 at the prompting of the Committee on the Elimination of Racial Discrimination (CERD). The new Act made provision for the teaching of tolerance and peaceful coexistence. Lesotho would welcome any contributions that would enable it to strengthen its capacity to that end.

37. The international community must challenge itself to build a world in which no branch of humanity was threatened with destruction on racist grounds. Dignity and justice must be accorded to all people, in all societies and under all conditions.

STATEMENT BY THE MINISTER OF JUSTICE OF THE PLURINATIONAL
STATE OF BOLIVIA

38. Ms. TORRICO ROJAS (Plurinational State of Bolivia) said that it was important to note that racial discrimination was a historical fact in her country, having begun during the colonial period and reinforced over the years. However, as a result of efforts by social movements and rural indigenous peoples, a new Government had taken office in 2006, and it was making every effort to fulfil the commitments made under the Durban Declaration and Programme of Action.

39. Since 2006, the Plurinational State of Bolivia had been implementing a national development plan which had as its main objective the elimination of the country's entrenched social inequality and exclusion. Basic pillars of the plan included poverty eradication, equitable distribution of income, the building of a plurinational and democratic society, the diversification of production, the protection of natural resources and the promotion of biodiversity.

40. The Government had also adopted a National Human Rights Plan of Action to break with past patterns of injustice, which focused on international human rights instruments and cooperation with treaty bodies. It also sought to implement the national strategy for the prevention of racism, racial discrimination, xenophobia and related intolerance. A national plan for the advancement of women had been adopted and a racism monitoring centre had been established.

41. The United Nations Declaration on the Rights of Indigenous Peoples had been incorporated into domestic law. Under agrarian farm legislation, the Government had also granted land to farmers who had been subjected to forced labour and debt bondage and set aside farmland for landless indigenous peoples and communities. It had also established education, health, housing and food programmes for indigenous peoples living in rural areas. Efforts had also been made to eliminate discrimination in the military.

42. The country's new Constitution promulgated two months earlier provided for the promotion and protection of all human rights, diversity and pluralism and prohibited and punished all forms of discrimination, including based on gender, race, age, sexual orientation, language and religion. A Vice-Ministry for Decolonization that had been established within the Ministry of Culture had an office that dealt with public policy to combat racism and discrimination, and would be involved in the implementation of the Durban Programme of Action.

43. The strides the Plurinational State of Bolivia had made, however, came at a high price: opponents of the Government had used their economic might to obstruct efforts to promote social inclusion and had incited ethnic, racial and religious hatred, disseminated notions of racial superiority and instigated acts of violence. There could be no impunity for such acts.

44. The Plurinational State of Bolivia would continue to struggle against racism and racist discrimination in the face of such violence. The fact that some States were absent from the present Conference must not be allowed to undermine the human rights achievements that had been made since 2001. Her Government was attending the Conference because it rejected the doctrine of racial superiority and was proud to have supported the consensus that had led to the draft outcome document that the Review Conference would adopt.

STATEMENT BY THE MINISTER OF STATE FOR FOREIGN AFFAIRS IN CHARGE
OF INTERNATIONAL AFFAIRS OF UGANDA

45. Mr. OKELLO (Uganda) said that the Review Conference was an excellent opportunity for States to tackle racism, racial discrimination, xenophobia and related intolerance. The revised draft outcome document was well balanced and would help States in their efforts to combat those ills. It was unfortunate that some States had chosen not to attend the Conference and that others had walked out of the preceding meetings; it was to be hoped that their absence was temporary, as overcoming racism required tolerance and dialogue. He wished to pay a tribute to those Member States that were participating in the Conference, thus renewing the commitments made in Durban in 2001. He likewise appealed to all participants to show the political will, leadership and courage needed to give new impetus to the implementation of the Durban Declaration and Programme of Action.

46. States must continue to recognize that racism, racial discrimination, xenophobia and related intolerance were the most recurrent types of human rights violations. Economic development, education and the promotion of tolerance and respect for cultural diversity were needed to address the root causes of prejudice, which often stemmed from competition for economic resources. Slavery and the slave trade, the holocaust, apartheid in South Africa and the genocide in Kosovo and Rwanda all served to remind people of the toll exacted by racial prejudice. That collective memory must spur the international community into action.

47. His Government had ratified all the key international human rights instruments and had enacted legislation and established institutions to promote and protect human rights and fundamental freedoms. He wished to renew his Government's commitment to the

implementation of the Durban Declaration and Programme of Action and the outcome document of the Review Conference and to the broader goal of eradicating racism from the face of the Earth.

STATEMENT BY THE MINISTER OF STATE FOR FOREIGN AFFAIRS OF
PAKISTAN

48. Mr. AMAD KHAN (Pakistan) said that the Durban review process was a milestone in the collective struggle against racism, racial discrimination, xenophobia and related intolerance. His delegation regretted the decision of some States to withdraw from that process. Pakistan and the members of the Organization of the Islamic Conference had gone to great lengths to ensure the success of the review process, thus showing their commitment to eliminating racism, racial discrimination, xenophobia and related intolerance and their solidarity with the African countries.

49. Pakistan had sought to ensure that the Review Conference produced a comprehensive protection mechanism for the victims of persons affected by the so-called war on terror, in particular the victims of ethnic, racial and religious profiling and its consequent incitement to hatred, violence and discrimination. The defamation of religion in general, and Islamophobia in particular, were among the most insidious forms of contemporary racism. Muslims were stereotyped as Islamo-fascists and terrorists, a notion that his Government rejected, as terrorism had no faith. Muslims around the world were justifiably alarmed at being targeted in certain countries on the basis of their faith under the pretence of freedom of expression. While that freedom was inviolable, it must not be exploited to defame any religion or to incite violence against its followers. His Government noted with satisfaction that the draft outcome document stressed the need for international and regional cooperation and called for effective legal and judicial remedies for the victims of racism, racial discrimination, xenophobia and related intolerance. An additional instrument to complement the International Convention on the Elimination of All Forms of Racial Discrimination could fill the existing gaps in the current protection regime.

50. The draft outcome document rightly called on States to declare illegal and to prohibit all organizations that were based on ideas or theories of racial or ethnic superiority or that promoted national, racial and religious hatred and discrimination. The call for increased investment in education and outreach and support for the work of CERD were also welcome. The Government had worked together with civil society to raise awareness about racism, racial discrimination, xenophobia and related intolerance and continued to make national efforts, particularly through affirmative action and administrative reform, to implement the recommendations of the Durban Declaration and Programme of Action.

STATEMENT BY THE MINISTER OF STATE FOR FOREIGN AFFAIRS OF THE
SYRIAN ARAB REPUBLIC

51. Mr. MEKIDAD (Syrian Arab Republic) said that the Review Conference afforded an opportunity for renewing the commitments undertaken at the World Conference in Durban and translating them into reality. Although differences of view at large conferences such as the

present Review Conference were natural, and indeed healthy, they should not be used to thwart the efforts being made to end racism, racial discrimination, foreign occupation, xenophobia and intolerance. The dangerous ideological notion of racial superiority had led to war, slavery, foreign occupation and colonialism throughout history.

52. The Syrian Arab Republic wished to reaffirm its commitment to eliminating racism, racial discrimination, foreign occupation and intolerance. His delegation also wished to express its solidarity with the African States in their struggle against racism, racial discrimination, xenophobia and related intolerance and recognized their sacrifices and their efforts to increase awareness about racism.

53. Syrian law prosecuted and punished racist crimes. The number of prosecutions of such crimes had increased since the holding of the World Conference in 2001, although they remained rare, as the country was a peace-loving and tolerant nation. It could not therefore accept the wilful misrepresentation of religious symbols under the pretence of freedom of expression, which had been invoked to justify new forms of discrimination and incitement to religious hatred. His Government was concerned at the increase in discriminatory practices based on religion and Islamophobia.

54. Racism continued to cause entire nations to suffer, as was the case in the Occupied Palestinian Territory and the occupied Syrian Golan, where the inhabitants had had all their human rights denied. People suffered from the separation wall, the plundering of water resources, foreign settlements and the destruction of housing. Thousands of Palestinians, even democratically elected leaders, had been imprisoned; some had even been cast into the sea. Syrians had been imprisoned for more than 25 years for no other reason than their rejection of occupation and allegiance to their country.

55. He drew attention to the concluding observations of CERD on the tenth to thirteenth periodic reports of Israel (CERD/C/ISR/CO/13), in which the Committee had expressed its concern at Israel's refusal to recognize the applicability of the Convention on the Elimination of All Forms of Racial Discrimination to the occupied Syrian Golan. That document had also provided details of systematic racial discrimination exercised by Israel through its citizenship laws and its law on the right of return. The Committee had also expressed its concern over the use of hate speech by Israeli officials and violence directed against Palestinians by Israeli settlers. It had called for an end to the separation wall and to the archaeological excavations beneath the Al-Aqsa Mosque. His delegation called on the international community not to turn a blind eye to the Judaization of the occupied territories, which was part of the ethnic cleansing that had begun in 1948, and which must be halted.

STATEMENT BY THE MINISTER OF JUSTICE AND LEGAL AFFAIRS OF
ZIMBABWE

56. Mr. CHINAMASA (Zimbabwe) said that all countries must reaffirm the Durban Declaration and Programme of Action and commit themselves to eradicating racism in all its forms. The victims of racism were bewildered by the boycott of the Conference by some countries, as their views needed to be heard. Racism persisted in numerous guises throughout the

world, and racist ideology had given rise to acts of genocide in several countries in recent history. No country should delude itself by thinking that just because it belonged to a select group of countries it could be absolved of its historical responsibility for crimes of racism, genocide and other acts of aggression against innocent populations.

57. The regional preparatory meeting for Africa held in Abuja in 2008 had identified a number of good practices in the region from which all countries could learn. At the Durban Conference, a number of follow-up mechanisms had been established that should contribute to eradicating racism. The International Working Group on the Effective Implementation of the Durban Declaration and Programme of Action and the special procedures of the Human Rights Council must be fully deployed in the fight against racism. The work of CERD must also be fully recognized and its recommendations implemented if the common goal was to be achieved.

STATEMENT BY THE MINISTER OF COMMUNITY DEVELOPMENT AND CULTURE OF BARBADOS

58. Mr. BLACKETT (Barbados) said that the draft outcome document was evidence both of the progress made since the World Conference and of the efforts that still needed to be made to honour the historic commitments undertaken there. Barbados commended those Member States that had constructively engaged in the process. It was to the victims of racism and intolerance that the international community would be accountable.

59. The countries of the Caribbean had been plagued by the legacy of slavery but had emerged from that inhumane part of their history convinced of their shared responsibility to ensure that such a tragedy never occurred again in any permutation. Having succeeded in establishing peaceful, productive and cohesive multicultural societies, Barbados and other countries provided good examples of the non-violent management of race relations. Much, however, remained to be done.

60. The Review Conference was an opportunity to further define ways of overcoming obstacles that prevented the international community from identifying common solutions to the real enemies, which included disease, famine, climate change and poverty. Sustained success depended on being united, rather than divided, along racial lines. The agreement of the Review Conference to effect change must, moreover, be bolstered by full implementation of the Durban Declaration and Programme of Action as well as by renewed efforts to confront new manifestations of racism and intolerance, including racist platforms on the Internet. The legitimization of far right extremist and neo-Nazi political parties must be combated, while efforts must also be made to ensure that immigration policies did not become a vehicle for discrimination based on race, gender, ethnicity or nationality.

61. Barbados believed in the power of multilateralism and was confident that viable solutions would be found to advance the implementation of the Durban Programme of Action. It wished to reiterate its appeal to the international community to address the issue of reparation for the transatlantic slave trade, as reflected in paragraph 158 of the Durban Declaration and Programme of Action, and to consider establishing an international centre for multiracial and multicultural studies and policy development, in accordance with paragraph 171, which would benefit from the positive experiences of the Caribbean region.

62. Given that education and culture were conduits to healing and to the understanding of history, there was an urgent need to review and revise school curricula and national cultural policies. The restoration of art objects and historical artefacts to countries of origin should also be accompanied with financial and technical assistance for the building of museums and related facilities.

63. The global financial and economic crisis threatened to reverse many of the gains that had been made in recent years, arguably making it difficult to commit financial resources to the implementation of the Durban Declaration and Programme of Action. However, the international community now had an opportunity to utilize the developmental aspects of reparation to support historically disadvantaged people and societies in poverty eradication and capacity-building. Implementation of the Durban Declaration and Programme of Action could serve as an important international policy instrument to advance the Millennium Development Goals and sustain the social and cultural pillars of countries' economies through difficult times.

STATEMENT BY THE MINISTER OF STATE FOR FOREIGN AFFAIRS OF
BAHRAIN

64. Mr. AL BAHARNA (Bahrain) said that the Durban Review Conference provided an opportunity for evaluating the progress made since the 2001 World Conference, which had been a milestone in the effort to eradicate racism and for reaffirming the principle of respect for human dignity and equality set out in the Charter of the United Nations and the Universal Declaration of Human Rights. It also provided an opportunity for all countries to reaffirm their commitment to combating racism and evaluate their efforts to implement the objectives set out in the Durban Declaration and Programme of Action, which included the promotion of equality and justice. His delegation was of the view that the countries of the world constituted a single family whose wealth lay in its diversity.

65. Bahrain was committed to Islam and the principles of piety, justice and equality based on the teachings of the Koran; it rejected racism and had acceded to the relevant international human rights conventions. It was committed to defending human rights and ensuring that all human beings enjoyed equal respect. Human rights were indivisible and universal; accordingly, all countries must work together to promote a culture of human rights everywhere, based on the principles of equality and non-discrimination, in order to combat racism.

66. Poverty, marginalization, underdevelopment, social exclusion and economic disparities as well as foreign occupation, injustice and oppression were all violations of human rights and were closely linked to racial discrimination. They contributed to persistent racist practices that aggravated poverty; it was the joint responsibility of the international community to overcome them and the responsibility of each country to defend human rights and, in particular, to ensure that occupied countries had the right to self-determination.

67. The Palestinian people continued to live under occupation while Israel colonized Palestinian territory, in flagrant violation of all international conventions and instruments. The international community must support the Palestinian people's legitimate right to self-determination and alleviate its suffering so that it could create an independent State. To do so would guarantee development, uphold the credibility of the United Nations and ensure peace and international security.

68. The circulation of negative religious stereotypes and attempts to defame religions and incite hatred in the name of freedom of expression were dangerous practices and a cause for concern. The Human Rights Council must pursue its efforts to promote dialogue between cultures and religions.

STATEMENT BY THE MINISTER FOR THE HONDURAN SOCIAL INVESTMENT FUND

69. Mr. SALGADO SAUCEDA (Honduras) said that the Review Conference would be a historic event that would strengthen Government policies to combat and prevent contemporary forms of racism. New forms of discrimination were directed against migrants, especially those with disabilities, and women, who were particularly vulnerable to human rights violations. The effects of such practices affected the economies and human development of developing countries. It was therefore essential that countries of destination should not criminalize migrants.

70. Respect for all human rights, including the right to development, was an essential factor in the creation of full democracy. The Honduran Government was conscious of its responsibility towards its people and had adopted policies to ensure the protection of the individual rights of all Hondurans and other nationals. It thus supported any efforts that were made to enhance existing activities and mechanisms for the implementation of the Durban Declaration and Programme of Action. Honduras was party to the International Convention on the Elimination of All Forms of Racial Discrimination and was currently preparing its first periodic report for submission to CERD. It had set up the National Commission against Racial Discrimination, Racism, Xenophobia and Related Intolerance and also established the Social Cabinet, the Advisory Ministry on Ethnic Groups and the Special Prosecutor's Office for Ethnic Affairs and Cultural Heritage of the Public Prosecutor's Office.

71. Honduras had not found it necessary to make the declaration provided for in article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination because the Constitution and other legislation clearly established the primacy of the human being and equality between men and women. Government action in the form of a programme to combat racism, racial discrimination and marginalization, with support from the World Bank, had enjoyed great success. The programme, entitled "Our Roots", had been set up in 1995 to promote the development of indigenous and Afro-Honduran people. In April 2008, the Government had launched the Programme for the Comprehensive Development of Indigenous Peoples, the aim of which was to carry out production projects in indigenous and Afro-Honduran communities. Both programmes were an important part of the Solidarity Network, which coordinated activities to improve conditions for human development, especially for those living in extreme poverty, through investment in health, education, basic social infrastructure and production projects, thus creating income-generating opportunities and protecting the most vulnerable groups. As both programmes required international cooperation for their continued success, he appealed to donor countries and bodies to continue providing financial and technical resources.

72. The Government believed in inclusive modern development, which meant planning and implementing activities that provided equal opportunity to all Hondurans, regardless of such factors as their race, age, sex or disability. Measures had also been taken to preserve the

country's varied ethnic, religious, cultural and linguistic identities. He urged the Office of the United Nations High Commission for Human Rights to conduct more frequent national and regional programmes and workshops in countries that requested them. Such activities should focus on sensitization and training in the context of the Durban Declaration and Programme of Action.

STATEMENT BY THE ATTORNEY-GENERAL OF MAURITIUS

73. Mr. VALAYDEN (Mauritius) said that the Durban Conference had been a milestone. It was now time to assess the extent to which the pledges made at that Conference had been fulfilled and had an impact on the lives of victims. Although there had been progress at all levels, there was still a long way to go. Racism was a global phenomenon and its persistence was to be regretted; its most serious manifestation was the legitimization of racism and xenophobia under the guise of "defending national identity or preference". Intellectual and political resistance to multiculturalism were among the root causes of the current resurgence of racism and xenophobic violence, and the new forms that racism was assuming, directed in particular at minorities, immigrants and asylum-seekers, were a matter of concern. Moreover, the current global financial and economic crises could pose a serious challenge to international efforts to combat racism.

74. States had an obligation under article 20 of the International Covenant on Civil and Political Rights to prohibit by law any advocacy of national, racial or religious hatred that constituted incitement to discrimination, hostility or violence. Racism was first and foremost a major human rights concern for the international community, and the present Conference was the ideal forum in which to put forward new strategies to combat it. Such strategies should include measures to enhance the effectiveness, synergy and complementarity of the follow-up mechanisms established by the Durban Conference and to raise the visibility of the Durban Declaration and Programme of Action, as proposed by the High Commissioner for Human Rights in her recent report. Universal ratification of the International Convention on the Elimination of All Forms of Racial Discrimination was also a priority. His delegation therefore appealed to all countries that had not yet done so to ratify or accede to that instrument. In addition to sending a message of hope to victims and addressing gaps in the implementation of the Durban Declaration and Programme of Action, the Conference outcome should be victim-oriented as well as action-oriented and offer stakeholders concrete strategies for combating racism.

75. States had a duty to take prompt and appropriate measures to eliminate racism. Mauritius, which had experienced the pains of slavery and indentured labour, well understood the importance of upholding its citizens' dignity and strove to ensure equality for all, in line with its obligations under the major human rights conventions. The national Constitution guaranteed fundamental individual rights and freedoms without discrimination and provided for protection against discrimination, as well as entitlement to seek redress from the Supreme Court for those who claimed that their fundamental rights had been violated.

76. Equality of opportunity was fundamental to the eradication of racism and racial discrimination. The Mauritian Government had adopted policies intended to democratize the economy and had enacted legislation that would ensure equal opportunities and the protection of

persons living with HIV/AIDS from any form of discrimination. The Government had also established a Truth and Justice Commission to assess the consequences of slavery and indentured labour during the colonial period and propose reparations, which would enable the country to confront its past and recover the truth. The work of the Commission would have therapeutic and educational value; education was essential to changing racist attitudes and behaviour. Efforts to raise public awareness included the proclamation of national public holidays to commemorate the abolition of slavery and the arrival of indentured labourers. The United Nations Educational, Scientific and Cultural Organization had designated a nineteenth-century depot for indentured labourers a world heritage site.

77. Despite the obstacles encountered during the preparatory process, the adoption of a consensus text for consideration by the present Conference was encouraging, as was the spirit of flexibility and goodwill displayed by all Member States during that process. The fight against racism required the promotion of human rights and fundamental freedoms, and Mauritius had pledged to help free the planet from racism, discrimination and any form of related intolerance.

STATEMENT BY THE DEPUTY MINISTER FOR MULTILATERAL AFFAIRS,
MINISTRY OF FOREIGN AFFAIRS OF INDONESIA

78. Mr. JENIE (Indonesia) said that the terrible wrongs inflicted by colonialism, wars of conquest, slavery, apartheid, genocide, ethnic cleansing and other atrocities had had enduring consequences for peoples of African and Asian descent. Poverty, underdevelopment and marginalization had increased in developing countries in recent years. A large proportion of the world's population was thus denied its human rights, dignity and fundamental freedoms. Although there had been progress since the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, persistent challenges remained. Since 2001, a disturbing trend had emerged in the increase of negative stereotyping and a tendency to associate a certain religion with terrorism. Stronger concerted action and new tools were required to deal with substantive gaps in existing international instruments to combat all forms of contemporary racism, including incitement to racial and religious hatred.

79. His delegation could accept the draft outcome document, which, as the High Commissioner had pointed out, was the fruit of painstaking and intense negotiations involving much compromise and flexibility from all parties, especially the members of the Organization of the Islamic Conference. It was therefore disappointing that some States that championed human rights had chosen not to attend the Conference.

80. The Review Conference would enable the international community to analyse the sources and causes of new manifestations of racism and to take appropriate measures to address them. In that connection, he encouraged the Special Rapporteur on contemporary forms of slavery to step up her activities.

81. It was heartening that the draft outcome document acknowledged the importance of protecting migrant workers and their families. Of particular importance to his delegation was the granting of access to transparent mechanisms enabling migrant workers in the domestic sector to bring complaints against employers,

82. As a multicultural, multi-ethnic and multireligious society, Indonesia took pride in its mosaic of peoples. The country did not claim to be perfect, but it had drawn lessons from its past troubles in order to build national unity. The Government was addressing the root causes of internal conflicts arising from racial, ethnic or religious differences by strengthening legislative and other measures under the Indonesian National Plan of Action on Human Rights. One legislative achievement had been the enactment of Law No. 40/2008 on the elimination of racial and ethnic discrimination. Indonesia's efforts to promote regional dialogue and cooperation also extended to finding a just solution to the issue of irregular movements of persons. At a recent regional ministerial conference, participants had agreed on the importance of a victim-centred approach to law enforcement in the context of trafficking in persons.

The meeting rose at 1.15 p.m.