



**Economic and Social
Council**

Distr.
GENERAL

E/CN.4/2004/17
1 March 2004

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Sixtieth session
Item 6 of the provisional agenda

**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***

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

Summary

In accordance with General Assembly resolution 56/266 of 27 March 2002, the present report contains information on activities by States, special procedures 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. The report complements, and should be read in conjunction with, the report 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-eighth session under agenda item 117 (b) (A/58/324).

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I. INTRODUCTION

1. In its resolution 56/266, the General Assembly requested the United Nations 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 Assembly and the Commission on Human Rights.
2. In this regard, reference is made to reports previously submitted on the comprehensive implementation of the Durban Declaration and Programme of Action (A/CONF.189/12, chap. I) to the Commission at its fifty-eighth session (E/CN.4/2002/21) and fifty-ninth session (E/CN.4/2003/18 and Add.1 and Add.2) and to the Assembly at its fifty-seventh session (A/57/443). The Office of the United Nations High Commissioner for Human Rights (OHCHR) provided a detailed report on the implementation of the Durban Declaration and Programme of Action in 2003 to the Assembly at its fifty-eighth session (A/58/324).
3. In October 2003, OHCHR sent notes verbales to States, United Nations bodies and specialized agencies, international and regional organizations and non-governmental organizations (NGOs), requesting complementary information on follow-up and implementation activities undertaken in the context of the World Conference. The responses received are summarized in the present report. Written statements received from State representatives on the occasion of regional seminars of experts organized by OHCHR are also reflected in the report.
4. In submitting the present report, OHCHR wishes to draw attention to the report on the first meeting of the independent eminent experts on the implementation of the Durban Declaration and Programme of Action (E/CN.4/2004/112).

II. IMPLEMENTATION OF AND FOLLOW-UP TO THE DURBAN DECLARATION AND PROGRAMME OF ACTION

A. By States

5. The report to the General Assembly (A/58/324) summarizes the activities that are being undertaken by the Governments of the Czech Republic, Denmark, Guatemala, Haiti, Namibia, the Netherlands and Switzerland in follow-up to the World Conference. In addition, the following information was received from the Governments mentioned below.
6. The Government of Argentina reported that an Inter-Ministerial Committee was created with the purpose of establishing a framework for the elaboration of a national plan of action against discrimination and raising funds for the initiative. Consultations on the framework took place with parliamentarians, representatives of the academic world and NGOs active in the field of combating discrimination. A thematic analysis of the Durban Declaration and Programme of Action was carried out to assign responsibilities to bodies of public administration. Members of the Inter-Ministerial Committee organized meetings in the provinces of Buenos Aires, Misiones and Rio Negro, in order to gather information from local authorities, as well as from local NGOs, on issues of racial discrimination. On 17 October 2003, an agreement was signed between the Ministry of Foreign Affairs and OHCHR for the funding of a process to draw up a national plan of action against racism, which seeks to involve all relevant sectors of society.

7. The Government of Belgium reported that a Minister for Intercultural Dialogue had been appointed. Two laws were adopted, on 20 January 2003 and 25 February 2003, to strengthen the legal framework for combating racism. The Centre for Equal Opportunities and against Racism furthermore presented a draft national action plan against racism to the Government of Belgium. The draft plan tackles subjects such as discrimination at the workplace, the integration of youth of foreign origin into the educational system and the conduct of the police force. It also proposes to sanction political parties spreading hateful ideas and to inform the public about the existence of article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination, among other initiatives. The next phase in the elaboration of a national action plan consists of consultations with the relevant ministerial departments as well as with civil society.

8. The centrepiece of the development of the Bulgarian national strategy to combat racial discrimination is the adoption of comprehensive anti-discrimination legislation, in line with international and regional standards. On 16 September 2003, the Bulgarian Parliament adopted the Protection against Discrimination Act, which was produced by the National Council on Ethnic and Demographic Issues, in cooperation with experts from civil society. The ban on discrimination thus imposed is binding on any party, be it public or private. Also, the burden of proof for racial discrimination is shifted from the complainant to the defendant. The law envisages the creation of an independent anti-discrimination commission, with a subcommittee on racial discrimination, as well as one on sex discrimination. The commission will be vested with the power to receive and investigate complaints, as well as to act *ex officio*, to issue binding findings on cases of discrimination, and to impose pecuniary sanctions or compulsory administrative measures. In addition, on 25 September 2003, the Government of Bulgaria adopted a Plan of Action to further implement the Framework Programme for the Equal Integration of Roma into Bulgarian society.

9. The Government of Chile provided OHCHR with an overview of progress made at the national level since the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. The first challenge tackled by Chile was the reduction of extreme poverty, with particular emphasis on vulnerable groups and the principle of inclusion. The programme *Sistema Chile Solidario* aims to improve the living conditions of the poorest families in Chile. The programme Tolerance and Non-Discrimination has led to the creation of an inter-ministerial network and a civil society network, composed of representatives of minorities and other groups affected by discrimination. The work of these two networks has contributed to the elaboration of a framework for the National Plan to Combat Discrimination in Chile. The Government of Chile has also put in place a special programme for a new relationship between the State and the indigenous peoples, based on the principles of diversity, interculturalism, ethno-development, participation and affirmative action. One important initiative in this regard was the establishment of a truth commission, presided by the former President of Chile, Patricio Aylwin Azócar. The objective of this project is to tell the truth about history and the causes of racism, discrimination and intolerance, and to propose a comprehensive policy that creates the conditions for the integral development of indigenous groups. Another initiative is the proposal to amend the Chilean Constitution so as to formally recognize indigenous peoples in Chile, as a means of acknowledging their role and importance in national life as well as the past injustices they have suffered. Finally, the Government elaborated a series of other special policies, namely on migration, on the protection of women's and children's rights and on combating HIV/AIDS.

10. Cuba reported that its follow-up to the Durban Declaration and Programme of Action in 2003 has consisted mainly in the continuation, consolidation and fine-tuning of policies and programmes that had been initiated earlier. Several social, educational and cultural programmes aim to promote an inclusive national culture based on the values that have shaped Cuban identity. One of these programmes, an educational television programme entitled "University for all", has a special focus on non-discrimination and respect for diversity. Another programme sets out to improve the quality of life of persons living with disabilities. In May 2003, the third Festival of African Culture was held in Cuba, in recognition of the culture and traditions of people of African descent. In June 2003, a Chinese Festival was held in the Chinese neighbourhood of Havana. The Government of Cuba underlined its commitment to international cooperation - recommended in the Durban Programme of Action as a means of combating racism and xenophobia - with a special focus on improving the lives of the victims of racial discrimination and in particular the descendants of the victims of the slave trade and colonialism. In this context, almost half of the African and Latin-American students who receive scholarships to study in Cuba are drawn from disadvantaged minorities. Considering that the majority of the victims of racism, racial discrimination, xenophobia and related intolerance are in dire need of health services, Cuba has also continued its worldwide health programme, under which Cuban medical staff serve in 20 countries of the developing world.

11. The Government of Cyprus stated that in 2002, under the leadership of the Ministry of Justice and Public Order, a National Action Plan against Racism, including a detailed timetable and a designation of the responsible authority for each implementation measure, was drawn up and adopted by the Council of Ministers. A Ministerial Committee monitors the implementation of the National Action Plan against Racism, with a view to assessing its impact and effectiveness. Since the adoption of the National Action Plan against Racism, the ad hoc Committee created to assist the Ministerial Committee had submitted two reports on the implementation of measures and activities included in the Plan. Significant implementation measures of the National Action Plan against Racism include the ratification of international and regional legal instruments, the introduction of a legal aid scheme in civil and criminal proceedings, and legislative adjustments to expand the mandate of the Ombudsman and to enable her or him to act as the single independent body dealing with non-discrimination and equality. Furthermore, in the course of 2003, two publications on racism were distributed to pupils of elementary and high schools, as well as to the broader public.

12. The Czech Republic reported that one of its contributions to the follow-up to the World Conference had been the hosting in Prague, from 24 to 26 September 2003, of the OHCHR Regional Seminar of Experts for Eastern Europe, around the following themes: (a) the rights of persons belonging to national, ethnic, religious and linguistic minorities; (b) the Roma: issues and perspectives on the road to equality; and (c) xenophobia. The Seminar enabled 12 experts from the region to discuss ways and means of implementing the Durban Programme of Action and provided all participants with an opportunity to network at the regional level. The report of the Seminar is presented as an official document to the Commission on Human Rights (E/CN.4/2004/17/Add.1). Furthermore, the Government of the Czech Republic indicated that it was in the process of developing a National Action Plan against Racism under the auspices of the Government's Commissioner for Human Rights. In addition, an initial outline of a new anti-discrimination law was approved by the Government of the Czech Republic on 22 September 2003. The purpose of the new law is to provide a uniform and accessible standard of protection to all victims of discrimination.

13. The Government of Georgia provided OHCHR with an overview of all constitutional and legislative provisions outlawing discrimination in the country. In July 2003, a new article was introduced in the Criminal Code, making acts of racial discrimination a criminal offence, punishable by imprisonment for a period of up to eight years. Racial, religious, national or ethnic intolerance was also made an aggravating circumstance for several crimes. The Government of Georgia further informed that, on 4 March 2003, the President of Georgia issued a special Decree approving the Plan of Action for Strengthening the Protection of Human Rights and Freedoms of Minorities Living in Georgia, reflecting the principles and priorities of the Durban Declaration and Programme of Action. The Plan of Action is available on the web site of the National Security Council of Georgia (www.dhr-nsc.gov.ge).

14. In its report, the Government of Germany provided information about ongoing and planned measures and activities of the Federal Government aimed at combating right-wing extremism, xenophobia, anti-Semitism and violence. Considering the multi-layered nature of factors contributing to the genesis of right-wing extremist behaviour, the Government of Germany is pursuing a multidimensional strategy, comprising both preventive elements and efforts to bring perpetrators of crimes to justice. At the preventive level, the Standing Conference of the German Ministers of Education has declared human rights education a top educational goal for schools. Just as important, in this context, is the instilling of tolerance through imparting knowledge about other cultures. Additionally, the Government considers the promotion of action by civil society essential for combating right-wing extremism. It intends to do this by encouraging NGO involvement in political processes, by promoting voluntary social work, by including political education in formal education and vocational training, and by actively creating the political and social conditions that encourage people to get actively involved in efforts to find solutions to social problems. The Government of Germany also attaches great importance to the integration of immigrants as a decisive factor in combating racism. Finally, the Government has taken legislative and administrative measures aimed at punishing perpetrators of racist acts and improving victim protection.

15. The Government of Hungary provided information about programmes for the Roma. In accordance with the government programme, relevant ministries have started the recruitment of civil servants of Roma origin. Also, a Council on Roma Affairs has started advising the Prime Minister on strategic questions. A draft programme is taking shape to create equal opportunities in Hungarian society in the fields of civil, political, economic, social and cultural rights. Operative from April 2003, the governmental Roma web site (www.romaweb.hu) ensures a flow of daily information to local communities on existing programmes and projects, their successes and difficulties, with the objective of stimulating cooperation between autonomous Roma bodies, Roma organizations and governmental institutions. The Public Foundation for the Roma of Hungary continues to fund scholarships for Roma students and to provide financial support for legal aid bureaux, Roma community centres and small- and medium-sized Roma enterprises. It was also reported that a comprehensive Law on Equal Treatment and Equality of Opportunity was under consideration by Parliament. Since September 2003, family coordinators have started to facilitate the exchange of information between school authorities and families, with the aim of ensuring the active participation of parents in the learning and education process of their children.

16. The Government of Liechtenstein reported that, in February 2003, a five-year National Action Plan had been adopted, based on two pillars: awareness-raising about the scourge of racial discrimination and xenophobia and the integration of foreigners into society. With respect to the first pillar, on the International Day for the Elimination of Racial Discrimination (21 March 2003), lectures and workshops on human rights and racial discrimination were organized in various departments of the public administration, for the conference of school directors and for police officials. The working group responsible for the implementation of the National Action Plan also collected statistical data in order to measure developments in the area of racism. As for the second pillar, a comprehensive policy for the integration of the foreign population in Liechtenstein was adopted by the Government in November 2003.

17. The Government of Morocco stated that the principle of non-discrimination is enshrined in the Constitution. In order to advance this principle, a Documentation and Training Centre for Human Rights was created. Special sections were also created within the Ministry of the Interior to combat trafficking in human beings.

18. The Government of Mauritius provided OHCHR with copies of section 3 on protecting the fundamental rights and freedoms of the individual and section 16 dealing with the principle of non-discrimination of its Constitution.

19. The Government of Mexico reported that it has reinforced its legal framework against racial discrimination through the adoption, on 12 June 2003, of the Federal Act for the Prevention and Elimination of Discrimination. In addition to defining the concept of discrimination, the Act creates a number of positive measures aimed at compensating groups that have traditionally suffered from discrimination and social exclusion. Responsibility for the application of the Act is in the hands of the National Council for the Prevention of Discrimination. The Council can take action when complaints of discrimination are filed, either by reconciling the parties involved, or by imposing administrative sanctions. The Council is also competent to investigate claims of discrimination in the private sector.

20. The policy against racial discrimination of the Government of Norway is based on the principle that Norway is a multicultural society, and that cultural plurality both enriches and benefits society. Conscious of the fact that the struggle against racism is a long-term effort, the Government of Norway adopted a National Plan of Action to Combat Racism and Discrimination to be implemented over the period 2002-2006. The Plan applies to the indigenous people, national minorities and the immigrant population of Norway. The measures put forward in the Plan deal with employment, public services, education, justice, law enforcement, the Internet and legal protection against racial discrimination. With respect to the latter, a draft law against ethnic discrimination is to be submitted to the Norwegian Parliament in 2004.

21. Poland informed that the Government Plenipotentiary for Equal Status of Women and Men is coordinating the work of all ministries and institutions involved in the design of the National Action Plan for Countering Racial Discrimination, Xenophobia and Related Intolerance, in consultation with civil society. In this context, the Government Plenipotentiary translated the Durban Declaration and Programme of Action into Polish. Moreover, two inter-ministerial conferences aimed at defining the scope of the National Action Plan, as well as the period for its implementation, were organized. In order to ensure that the scope of the

National Action Plan responds to the needs of persons belonging to ethnic and national minorities, foreigners and migrants, the Government Plenipotentiary also held working meetings with NGOs dealing with racial discrimination. In the course of these meetings problems in the spheres of legal policy, employment, social insurance, health, environment, education, culture and the media were identified. At present, the Office of the Government Plenipotentiary for Equal Status for Women and Men is receiving contributions for the National Action Plan from the relevant ministries and institutions.

22. The Government of the Russian Federation reported that federal legislation had been adopted on “Action by Extremists” and had already been used to take action against unlawful activities by skinheads and Nazi supporters. The Government also informed that, in the framework of the federal programme for children of refugee families and involuntary migrants, aid was being provided to vulnerable groups. In addition, a four-year programme is being implemented to raise awareness of the scourge of racism, racial discrimination, xenophobia and related intolerance. In 2003, a number of books were published on the subject of tolerance. Also, a 12-episode documentary series entitled “The face of the Russian nationality” was broadcast about the contribution of different cultures to Russian society. From 2001 to 2003, the Russian Ministry of Press, Television and Radio Broadcasting funded 20 projects on the subject of tolerance. Furthermore, the Ministry of Labour is paying special attention to the elimination of racism and racial discrimination in the workplace.

23. The Government of Slovenia provided information on the anti-discrimination provisions of the Aliens Act, the Citizenship Act, the Penal Code and the Mass Media Act. It also informed that the police force had adopted two sets of concrete guidelines, one on working in a multicultural society and another on expressions of intolerance at public events, in particular sporting events. For its part, the Department for Cultural Activities of Minorities and Immigrants ensures that initiatives from minority cultures are adequately reflected in the country’s cultural policy. In addition to protecting the cultural rights of persons belonging to minorities, the Ministry of Culture promotes programmes designed to provide a better knowledge of minority cultures and facilitate cultural exchanges between the minority and majority populations, with the overall objective of promoting respect for diversity. That is why priority is given to initiatives by minority groups that disseminate concrete information about the cultural life, work and ideas of members of ethnic minority groups. Representatives of various ethnic minorities also take part in the formulation of the national cultural programme of Slovenia.

24. The Government of Sweden reported that, in 2003, the Swedish Parliament adopted the Prohibition of Discrimination Act, designed to counteract discrimination on various grounds, including ethnic origin. An amendment was also made to the Fundamental Law on Freedom of Expression, with the objective of effectively combating “white power” music. In addition, on 1 January 2003, a provision imposing a special penalty for the most serious crimes of racial agitation was introduced in the Penal Code. A special committee has also been appointed to examine anti-discrimination laws and policy. The issues the committee will examine include possible positive measures, consolidating various anti-discrimination laws into one single act and merging the different ombudspersons into one office. In the field of administration, the Swedish Integration Board has set up a web-based “knowledge bank” with information on experiences and methods in the struggle against racism, xenophobia and ethnic discrimination. The Office of the Ombudsman against Ethnic Discrimination and the National Integration Board set up a

network of local anti-discrimination offices. Also, funding has been provided for local work by youth organizations to combat racism, xenophobia and discrimination. Furthermore, the Exit Project was put in place to tackle racist and xenophobic tendencies. The Project's objective is to develop and disseminate sustainable strategies for assisting young people who want to leave racist groups. The Project is run in close cooperation with municipalities, the Government and bodies providing social services at the local level. Finally, a permanent national centre called "the Living History Forum" was established as a public authority on 1 June 2003. Inspired by the tragedy of the Holocaust, its permanent assignment is to promote discussion and reflection on democracy, tolerance and human rights. The Forum is to contribute to a deeper understanding of history through exhibitions and other forms of artistic expression, such as music, dance, theatre, films, lectures and debates.

25. The Government of Switzerland reported that, as a result of the World Conference, a Project Fund against Racism, anti-Semitism and Xenophobia was created. Through this initiative, 3 million Swiss francs are being allocated every year for training projects, awareness-raising and prevention. A national network of counselling and legal aid to victims of racial discrimination has also been set up. The monitoring of racist incidents has been entrusted to the NGO Gesellschaft Minderheiten Schweiz (www.gms-minderheiten.ch/gms.html). In 2003, Switzerland made the declaration under article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination. The Federal Commission against Racism further adopted a number of measures of prevention and awareness-raising in relation to the issues discussed in Durban, including studies on the living conditions of asylum-seekers, on the situation of people of African descent in Switzerland and on the legal recognition by the Swiss cantons of religious minority communities.

26. The Consultative Council for Human Rights of Turkey informed that, in August 2002, a law was adopted to improve the status of minorities and enhance their cultural rights. As a result of this, cultural pluralism is now officially recognized. Turkey has also taken important steps towards ratifying international human rights instruments. In 2002, Turkey ratified the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Elimination of All Forms of Discrimination against Women. In 2003, it ratified the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. In February 2003, the Consultative Council for Human Rights was established. It is composed of representatives of different ministries, professional associations, civil society organizations, as well as specialists in the field of human rights. The Consultative Council has in turn created a working group on minority and cultural rights.

27. The United States Commission on International Religious Freedom submitted its annual report on international religious freedom to OHCHR (also available at www.uscirf.gov). In addition to informing about the outreach and training activities of the United States Commission on International Religious Freedom, the report examines religious freedom in several countries in the light of the commitments these countries have made to international human rights standards.

28. The Government of Uruguay made available the agreement signed between the Government and civil society groups representing people of African descent, which was made available to the OHCHR Regional Workshop for the Adoption and Implementation of Policies of

Affirmative Action for Afro-descendants from Latin America and the Caribbean, held in Montevideo from 7 to 9 May 2003. The agreement takes note of progress made and announces a series of measures aimed at correcting inequalities based on race, colour, religion or class. Such measures are to be based on accurate statistical data disaggregated by race and gender. They include measures of a legal nature, as well as initiatives in the field of education, health care, housing, and political participation.

B. By special procedures of the Commission on Human Rights

29. Action to combat racism, racial discrimination, xenophobia and related intolerance underpins several thematic mandates. Special rapporteurs, mandated by the Commission on Human Rights to consider thematic human rights issues, have incorporated the implementation of the Durban Declaration and Programme of Action in their daily work and have suggested several practical measures. A number of special rapporteurs participated in the process of preparation for the World Conference and in the World Conference itself. The following paragraphs are devoted to the implementation of and follow-up to the Durban Declaration and Programme of Action by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

30. The mandate of the Special Rapporteur, established in 1993, is to examine all incidents which are the manifestation of contemporary forms of racism, racial discrimination, xenophobia and related intolerance. The Special Rapporteur also looks into measures taken by Governments to overcome such manifestations and provides pertinent advice on how to achieve social harmony.

31. The Special Rapporteur, Mr. Doudou Diène, routinely addresses the issue of follow-up to the World Conference in his country visits and reports to the General Assembly and the Commission on Human Rights. In the light of the final document of the World Conference (A/CONF.189/12), the Special Rapporteur is promoting a double-track strategy to combat racism, racial discrimination, xenophobia and related intolerance: a legal and political strategy oriented at encouraging the ratification and implementation of all pertinent international instruments and agreements, and an intellectual and ethical strategy aimed at improving the understanding of contemporary racial and ethnic relations and the cultural and ethical dynamics underpinning them. The Special Rapporteur has proposed to establish a close link, through reflection and action, between efforts to combat racism, racial discrimination, xenophobia and related intolerance and the promotion of a dialogue between cultures, civilizations and religions.

32. To that end, the Special Rapporteur has proposed to the Commission on Human Rights:

- (a) To promote the Durban spirit of consensus in the struggle against racism;
- (b) To promote complementarity and cooperation between all mechanisms in combating racism, discrimination, xenophobia and intolerance;
- (c) To give greater attention to situations and practices that discriminate against non-citizens, migrants and refugees;

(d) To attribute a major role to the dialogue between civilizations, cultures and religions, as a strategy for surmounting all forms of discrimination, exclusion and intolerance;

(e) To promote all aspects of education, in particular the teaching of history, ethics, cultures, and human rights as a universal code of ethics, with the aim of identifying values common to all religions and spiritual traditions and of promoting intercultural communication;

(f) To promote the creative value of pluralism, understood as the recognition, acceptance and promotion of and respect for diversity. In this context, it consists in promoting the concept of identity as the legitimate affirmation of a specificity, but not as the negation of the other.

33. Mr. Diène's report to the Commission on Human Rights at its sixtieth session (E/CN.4/2004/18) draws attention to racial discrimination against Roma/Sinti/Travellers, to the measures taken at the European level to counter such discrimination and to manifestations of anti-Semitism. In his conclusions, the Special Rapporteur states that he has initiated contacts with representatives of States and international and non-governmental organizations to underline the need to implement the Durban Declaration and Programme of Action with a view to countering the alarming resurgence of expressions of conventional racism as well as the emergence of insidious new forms of discrimination.

34. The Special Rapporteur has stressed that one of the essential points to focus on is the question of how "the other" - a foreigner - is framed and perceived by different cultures. Another point on which he focused is how this image is diffused in the educational system.

35. The Special Rapporteur has also indicated that the final document of the World Conference would guide his selection of countries for field visits. In 2003, he visited Guyana, Trinidad and Tobago, Canada and Colombia.

36. In the framework of his mandate, the Special Rapporteur was specifically requested by the Commission on Human Rights to examine the situation of Muslim and Arab peoples in various parts of the world in the aftermath of the events of 11 September 2001. He submitted a preliminary report (E/CN.4/2003/24) in which he mentioned reactions against Muslim and Arab populations, as well as manifestations of anti-Semitism in various countries. Again, Mr. Diène has repeatedly emphasized the fundamental importance of education in combating prejudice, intolerance, xenophobia and racism.

C. By United Nations bodies, specialized agencies and international and regional organizations

37. The report to the General Assembly (A/58/324) summarized the efforts of OHCHR to further the implementation of the Durban Declaration and Programme of Action. Follow-up activities to the World Conference by a number of United Nations bodies and specialized agencies as well as other international and regional organizations¹ were reflected in that report.

38. Subsequent to that report, OHCHR received information from the European Commission, which reported that deadlines for the transposition of the Directives 2000/43/EC and 2000/78/EC have passed and that, while some States have adopted comprehensive anti-discrimination legislation, others have missed those deadlines. In June 2003, an information campaign

directed at employers and employees to inform them about their rights and obligations under the European Directives and national implementing legislation was launched (www.stop-discrimination.info). Also, studies have recently been published on measures to combat discrimination in acceding and candidate countries as well as on the business case for diversity. Recently, the European Commission also embarked on a study on “Roma in an enlarged European Union”, which is due to be published in mid-2004. Within the context of the European YOUTH Programme, a European Internet platform by and for young people against racism, DASH-Europe, was created (<http://d-a-s-h.org>). Under the “Comenius” programme, the education of children of occupational travellers and Roma remains a priority for projects in school and pre-school education. The “Socrates-Grundtvig” programme for adult education in Europe has, among things, established a web site to assist students of indigenous, minority, migrant or Roma backgrounds. The call for proposals in 2003-2004 for the “Leonardo da Vinci” programme on vocational training pays special attention to intercultural dialogue. The European Bureau for Lesser Used Languages and the Mercator information and documentation network receive financial support from the European Commission in the context of protecting Europe’s cultural heritage. The PHARE programme funds projects that aim to improve the situation of Roma and other minorities in Central and Eastern European countries.

39. The Inter-American Court of Human Rights brought the following Advisory Opinion regarding the legal situation of undocumented migrants to the attention of OHCHR: I/A Court H.R., *Condición Jurídica y Derechos de los Migrantes Indocumentados*, Advisory Opinion OC-18/03 of 17 September 2003, Series A, No. 18 (www.corteidh.or.cr).

40. The International Federation of the Red Cross and Red Crescent Societies informed that a specific page on discrimination had been created on its web site (www.ifrc.org/what/values/discrimination/bg.asp). The web page provides a full information kit specially designed to help national Red Cross and Red Crescent societies and regional delegations design activities and campaigns to reduce discrimination and violence in the community.

41. The Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe (OSCE) informed that it had enhanced its focus on anti-Semitism and other forms of racism and xenophobia in the OSCE area. In 2003, OSCE held two conferences: one devoted to the issue of anti-Semitism and the other to combating racism, xenophobia and related intolerance focusing on the role of Governments and civil society in promoting tolerance. Issues of non-discrimination and tolerance were also addressed at the annual Human Dimension Implementation Meeting held in Warsaw in October 2003. Building on the discussions and recommendations adopted at the conferences mentioned above, the 11th OSCE Ministerial Council which convened on 1 and 2 December 2003 in Maastricht, the Netherlands, adopted a Declaration on Tolerance and Non-Discrimination. In 2004, a follow-up conference on anti-Semitism is planned for April in Berlin, and on racism, xenophobia and discrimination in Brussels for September. Another event will be organized in Paris to discuss the right to freedom of information and expression, and the relationship between propaganda on the Internet and hate crimes. ODIHR is also committed to combating discrimination against the

Roma, through the work of the Contact Point for Roma and Sinti Issues. The OSCE Action Plan on Improving the Situation of Roma and Sinti within the OSCE area was adopted by the Permanent Council and endorsed by the Ministerial Council. Further information, including with regard to OSCE activities in the field of combating trafficking in human beings and promoting gender equality, is available at www.osce.org.

42. The Organisation for Economic Cooperation and Development reported that it will continue to search for best practices in social, educational, employment and health policies, which includes work on social equity and inclusion.

D. By national human rights institutions

43. The *Defensoría del Pueblo* of Venezuela reported that it had conducted information sessions for schools, law enforcement agencies and health institutions, with special emphasis on tolerance and the rights of persons belonging to groups in society that are particularly vulnerable to discrimination, namely indigenous populations, persons with disabilities, persons infected with HIV/AIDS and women. With respect to indigenous peoples, the *Defensoría especial con competencia en materia indígena* continues to promote access to health, education and the courts in indigenous languages, and the participation of indigenous peoples in decision-making processes that affect their land or culture. The *Defensoría* also initiated a study on mother-tongue education for indigenous peoples. Finally, the *Defensoría* facilitates the participation of indigenous representatives in the discussions on the organic law on indigenous peoples and conducts human rights training for representatives of indigenous peoples.

44. The Ombudsman of Macedonia provided OHCHR with a copy of his annual report, in which he details cases brought to him that allege ethnic discrimination, investigations carried out and action taken to remedy the situation where ethnic discrimination was proved to exist.

E. By non-governmental organizations

45. The report to the General Assembly (A/58/324) summarized follow-up activities to the World Conference undertaken by NGOs² and youth groups.³ With respect to the implementation of and follow-up to the Durban Declaration and Programme of Action by NGOs, OHCHR has received the following complementary information.

46. Concerned about the increase of anti-Semitic incidents and other forms of bigotry in the world, the American Jewish Committee reported that it conducts research and programmes to combat such human rights abuses. The American Jewish Committee's expanding "Hands Across the Campus" programme brings to the American classroom lessons on core democratic values, prejudice, conflict resolution and inter-group relations and is now implemented in 85 middle and high schools. The programme will soon be introduced in Germany as well. Furthermore, the American Jewish Committee recently co-founded the national Latino-Jewish Leadership Council in order to combat stereotypes and prejudice. This year the American Jewish Committee published several reports regarding anti-Semitism, with a special focus on

university campuses in the United States of America, in some other Western countries and in some countries that are predominantly Muslim. On 22 October 2003, David A. Harris, Executive Director of the American Jewish Committee, presented testimony on the increase of anti-Semitism in the world to the United States Senate Committee on Foreign Relations, Subcommittee on European Affairs.

47. As a follow-up to the World Conference, the Arab Institute for Human Rights published a book on the theme "Cultural diversity and cultural rights". The Institute also published an article on Islam, discrimination and human rights in the *Revue Arabe pour les droits de l'homme*. In addition, the Institute organized in Beirut a regional conference to evaluate the World Conference and discuss follow-up activities. At present, the Institute is conducting a study in 15 Arab countries on discrimination against children infected with HIV/AIDS.

48. Breakthrough is a human rights organization that uses popular culture and education to raise public awareness of human rights and social justice. The organization was a member of the United States NGO Coordinating Committee for the World Conference. Breakthrough, operating on the assumption that effective implementation of the Durban Programme of Action will not be possible without the involvement of a maximum number of local and national organizations in the United States of America, identified a need for education tools to share the outcome of the World Conference with organizations, communities and individuals who were unable to attend the Conference. In a video production entitled "Bringing Durban Home: Combating Racism Together", the organization introduced seven major issues of racial and ethnic justice. The video combines footage from film-makers, coverage of the World Conference and highlights of relevant portions of the Declaration and Programme of Action. Breakthrough has used the video to conduct workshops with schools, community groups and social justice organizations in the United States of America and has begun the process of creating a study guide that will accompany the video to provide trainers and students with more in-depth information about the main issues of the World Conference as well as its outcomes and implications for the United States of America.

49. The Canadian Race Relations Foundation submitted a report in which it monitors progress by the Government in the implementation of the provisions of the Durban Declaration and Programme of Action.

50. In 2003, the Russian Centre for Inter-ethnic Cooperation monitored the impact of the law on the status of foreign citizens in the Russian Federation.

51. The Centre for Advanced Studies of African Society and the Drammeh Institute of New York organized a conference on Arab-led slavery of Africans in Johannesburg, South Africa, on 22 February 2003. The conference recognized the need to combat and eliminate what it found to be the collective amnesia about the enslavement of Africans by the Arabs.

52. Dominicans for Justice and Peace provided OHCHR with a summary of the key recommendations submitted by the NGO Alliance for Ireland's National Action Plan against Racism.

53. Femmes Africa Solidarité informed that it was striving to integrate a gender perspective into analyses of racial discrimination throughout its follow-up activities and that it has strengthened its programme of gender mainstreaming. The concrete initiatives the organization has taken are spelled out in its submission to the Commission on Human Rights.

54. Fraternité Notre Dame reported that it provides care on a daily basis to the victims of racism, racial discrimination, xenophobia and related intolerance. The organization draws attention to the importance of religious tolerance for world peace.

55. In 2003, Global Rights, formerly known as International Human Rights Law Group, campaigned for the adoption of a regional convention against racism by the Inter-American Commission on Human Rights. In addition, Global Rights launched four international affinity groups targeting key issues from the World Conference. These issues are: (a) affirmative action in education, (b) racism in the criminal justice system, (c) the rights of migrant farm workers, and (d) the intersectionality of race, poverty and gender. The goals of the affirmative action affinity group are to exchange lessons learned from implementing affirmative action measures in different countries, to facilitate government and civil society collaboration in the design and implementation of affirmative action measures, and to encourage support and technical assistance from international and regional institutions for affirmative action programmes. In July, Global Rights hosted a meeting of domestic worker organizations from around the world to discuss strategies to combat racism and discrimination against domestic workers. Issues of globalization, gender discrimination and racial discrimination were analysed, and a number of follow-up activities were planned for the upcoming year. In September 2003, Global Rights set up a new regional network of organizations throughout the Americas to promote the use of international and regional mechanisms to fight racism against migrant farm workers.

56. *Institut de promotion de la philosophie francophone* organized a special celebration for 21 March, International Day for the Elimination of Racial Discrimination, and 16 November, International Day for Tolerance. Also, the Institute has created and organized a national network of NGOs devoted to the struggle against racism and tribalism.

57. International Possibilities Unlimited (IPU) led a delegation of young adults to the fifty-ninth session of the Commission on Human Rights to present information on racism in the United States as it impacts on young adults. At Howard University in Washington, D.C., IPU conducted a series of seminars for young adults, entitled "The Art of activism". The series placed domestic social justice issues in an international human rights context, and utilized poetry, hip hop and other cultural forms to talk about these issues. Issues such as reparation, health, education and police brutality were addressed during the seminars.

58. In June 2003 in Vienna, the Jacob Blaustein Institute for the Advancement of Human Rights convened a seminar on human rights methodology and anti-Semitism. Representatives from 18 different countries and 36 organizations participated in the seminar. Participants urged the 55 participating States members of OSCE to undertake specific steps to address anti-Semitism.

59. In addition to its traditional activities in support of the work of the Committee on the Elimination of Racial Discrimination, the Minority Rights Group published the following reports: a study on "Batwa land rights in Rwanda"; a report on "Indigenous people and poverty:

the cases of Bolivia, Guatemala, Honduras and Nicaragua”; a report on “Afro-descendants, discrimination and economic exclusion in Latin America”; and a paper on “Development, minorities and indigenous peoples: a case study and evaluation of good practice”.

60. The NGO Committee against Racism and Racial Discrimination of the Conference of Non-Governmental Organizations in Consultative Relationship with the United Nations (CONGO) reported that the Committee has endeavoured, since the World Conference, to implement the Durban Declaration and Programme of Action by holding public briefings and meetings about racism and racist tendencies, for example during the fifty-eighth session of the Commission on Human Rights, the fifty-fourth session of the Sub-Commission on the Promotion and Protection of Human Rights and other conferences on civil society and human rights.

61. In 2003, the Penal Reform International (PRI) remained active in the area of racism and discrimination within the criminal justice system, and contributed to the implementation of the Durban Declaration and Programme of Action at both the national and international levels. In April 2003, PRI organized in Geneva a round table on racism and discrimination within the criminal justice system, together with the then-named organization International Human Rights Law Group (subsequently renamed Global Rights). The aim of the meeting was to encourage dialogue and exchange of information among European and North American organizations working on the issue of racism and discrimination within the criminal justice system. Through the publication of studies dealing with specific issues of racism and discrimination within the criminal justice systems, PRI has also tried to contribute to general awareness-raising. In 2003, PRI initiated research on “Discrimination in relation to death penalty sentences in Jordan”, “Analysis of international law prohibitions against racial discrimination”, and “Compilation of good practices against racial disparities in police work”. In addition, PRI is preparing an information guide for foreigners in prison. The work conducted by PRI includes training programmes held worldwide for judges, prison staff, civil society and prisoners to strengthen compliance with international human rights standards and to foster good prison management. The inclusion of racism and discrimination as a topic within training programmes brings this issue to the attention of key actors within the criminal justice systems in all areas where PRI is active. Many of the prison-based training activities undertaken by PRI focus on the needs of vulnerable groups, such as women, juveniles, minorities, indigenous peoples and foreigners.

Notes

¹ Namely the Joint United Nations Programme on HIV/AIDS (UNAIDS), the United Nations Educational, Scientific and Cultural Organization, the Office of the United Nations High Commissioner for Refugees, the International Labour Organization, the Economic Commission for Latin America and the Caribbean, the European Commission and the Council of Europe.

² Namely, the American Friends Service Committee, Organizing Asian American Communities, the Global Afro-Latino Caribbean Initiative, the International Human Rights Law Group, the International Indian Treaty Council, International Possibilities Unlimited, Women of Color Resource Center, the Anti-Defamation League, B’nai Brith, the Canadian Race Relations Foundation, the Federal Institution Afrumbandista, the Colombian Commission of Jurists,

National Action Committee for the Rights of Children and Women, the World Amazigh Congress, the Asia Pacific Forum on Women, Law and Development, Penal Reform International, Brahma Kumaris World Spiritual University, UNITED for Intercultural Action, the Centre for Human Evolution Studies, the Sikh Human Rights Group, Movement against Racism, Anti-Semitism and Xenophobia, the National Bureau against Racial Discrimination, the NGO Committee against Racism and Racial Discrimination, Migrants Rights International, the U.S. National Network for Immigrant and Refugee Rights and Casa Diritti Sociali.

³ Namely, International Possibilities Unlimited, Nucleo de Estudos Negros, the Young Men's Christian Association of El Salvador, the U.S. National Coalition to Abolish the Death Penalty, the Canadian Race Relations Foundation, the Asian Youth Network, the Indian Committee of Youth Organizations, the Youth Board of Cyprus, Young Women from Minorities, the South African Foundation for Tolerance Education, the Youth Network of the Americas, the Kuna Youth Indigenous Movement, Asociación de la Juventud Indígena Argentina, the Afro-descendant Youth Network of Latin America and the youth chapter of Mundo Afro.
