A Blast from the Past: The Upcoming Durban III Conference (September 2011)

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The 2001 Durban World Conference against Racism was abused by Muslim, Arab and other states and anti-Israel non-governmental organizations to single out Israel in what became an anti-Semitic and anti-Israel hate-fest, permanently tainting the name of the Durban conference. As such, the conference failed to deal with the genuine problems of racism.

The damage caused by the singling-out of Israel at the Durban conference laid the groundwork for a concerted campaign in the international community to delegitimize the State of Israel.

The UN and its High Commissioner for Human Rights have attempted to re-legitimize the Durban process through a Review Conference (Durban II) in Geneva in 2009, but the anti-Israel and anti-Zionist slanders were repeated at the opening session by the President of Iran, and several key states boycotted the conference. The conference outcome document reaffirmed the Durban I declaration, singling out Israel.

A further attempt to re-legitimize Durban will take the form of a ten-year anniversary commemoration of the Durban conference at the UN in New York on 22 September 2011.

This event will coincide with the Palestinian attempt to have the UN recognize and accept a unilateral declaration of a Palestinian state, in violation of the peace negotiation process. This juncture of events confirms and endorses the interconnection between the Durban process and the ongoing international campaign to delegitimize Israel.

Introduction

There is no doubt that the necessity to fight racism, racial discrimination, xenophobia and intolerance is one of the major challenges of the organized international community. In fact, this has been a central and principal aim of the United Nations since its establishment, and is even enunciated in the first article of the UN Charter setting out the purposes of the organization as, inter alia, “promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion.”1 One might thus assume that this task would be taken seriously and handled by the organization with all due reverence and consideration.

However, one of the most regrettable, disappointing, and damaging phenomena of the first decade of the third millennium has been the utter failure of the international community in general, and the United Nations in particular, to deal in a genuine and sincere manner with the evils of racism.

Even more regrettable is the fact that the one attempt by the international community to deal with racism, at the 2001 Durban Conference, was allowed to be usurped, politicized, and manipulated into becoming a bitter, racist, anti-Semitic and anti-Israel hate-fest that left a permanent stain on any such attempts by the international community to deal with the substantive issue of racism.

But no less damaging was the endorsement given at the Durban event to a global campaign to delegitimize the State of Israel within the international community. This damage is immeasurable, and its effects continue to the present day.

Durban I

The 2001 Durban Conference,2 the very forum that might perhaps have originally been intended to deal with these issues in a substantive and serious manner, has sadly and irreparably become a by-word for bitter racism, intolerance, hatred, anti-Semitism, and Israel-bashing, and nothing more.

Indeed, what should have ostensibly been a serious and well-meaning get-together of the leadership and experts of virtually all countries of the world at the first major international diplomatic conference of the third millennium, convened on the African continent which has suffered so much from slavery and racism, tragically became indelibly stained and ruined because of an irrepressible and irresistible urge by the leaders of Arab and Muslim states, Iran, the PLO, and a group of non-governmental organizations with an anti-Israel agenda. This group deliberately set out to hijack the conference and treat it as if it were a routine UN General Assembly session, turning it into an anti-Israel and anti-Semitic hate-fest, at the expense of all the other substantive, relevant, and important agenda items, and under the nose of a naïve and lethargic international community.

The initial conference documentation,3 developed through a series of regional conferences, expert seminars, and a formal preparatory committee, and placed before the conferees at the opening of the conference, contained a series of bracketed paragraphs dealing with “Zionist racist practices against Semitism,”4 describing Israel as a “racist, apartheid state,”5 accusing Israel of “ethnic cleansing of the Arab population in historic Palestine,” calling for revoking legislation in Israel based on racial or religious discrimination, such as the Law of Return,6 and downgrading of the term “Holocaust” with multiple references to “holocausts” suffered by other peoples, including the Palestinians7 – a clear affront to the memory of the Jewish victims of the Nazi Holocaust. Similarly, the Draft Program of Action called to end the “foreign occupation of Jerusalem by Israel, together with all its racist practices” and called upon all states to refrain from recognizing Jerusalem as the capital of Israel.8

If these were not sufficient indications of the inherent and prevalent bias that had been injected into the very substantive theme of the conference, one need only review the official opening statements made by several world leaders in order to grasp the extent to which the conference, from the start, had been tainted and polluted.

Yasser Arafat appeared at this official UN diplomatic conference as both “President of the State of Palestine” (in contravention of the UN resolution determining the observer status of the Palestinian representation) and President of the Palestine “National” Authority (in stark violation of the terms of the 1995 Israel-Palestinian Interim Agreement). Despite having signed the Oslo Accords with Prime Minister Yitzhak Rabin only six years prior to this conference, Arafat couched his criticism of Israel in such hostile, demagogic, and pugnacious terms as “a racist colonialist conspiracy of aggression, forced eviction, usurpation of land and infringement upon Christian and Islamic holy places,” and a “colonialist challenge against international legitimacy,” “moved by a mentality of superiority that practices racial discrimination, that adopts ethnic cleansing and transfer.”9

Other paragons of international virtue such as Fidel Castro of Cuba, Kamal Kharrazi, Iran’s foreign minister, and Amr Moussa, Secretary-General of the Arab League, called respectively to “put an end to the ongoing genocide against the Palestinian people,” defined Zionism as “the most vivid manifestation of institutionalized racism,” and condemned “Israeli colonial settlement in Palestine and Arab territories” attempting to “impose an alleged supremacy of one people over other peoples,” which he termed the “worst form of racism.”

Even Assad Shoman, the UN Ambassador of Belize, of all countries, found himself joining the lynch, declaring:

No one can deny that the lives of Palestinians under occupation are as much ruled by racism as were the people of South Africa under apartheid, with the added aggravation that many Palestinians have been expelled completely from their land and denied the right to return.

In the name of the Palestinian and the Israeli people, Arabs and Jews alike, let us now take up the Palestinian cause as we did the anti-apartheid cause, for by doing so we will be helping both Palestinians and Israelis to rid themselves of this scourge, and we will be advancing the cause of all peoples who suffer from racism and discrimination.

After both Israel and the U.S. walked out of the Durban I conference on its fourth day, and following extensive criticism leveled by other countries that chose not to walk out, especially the Europeans, Australia and Canada, the organizers of the conference decided, in consultation with European and other responsible states, to redraft the conference documentation with a view to removing the offensive references and restoring the accentuation on the substantive and genuine issues of combating racism.

Ultimately, in the final adopted texts,10 all references to Zionism, degrading of the Holocaust, and other anti-Semitic elements were removed, despite the strong and vocal opposition of Iran, Syria, and others. Instead, the conference called upon the international community never to forget the Holocaust11 and acknowledged the increase in anti-Semitism and Islamophobia.

However, at the insistence of the Arab and Muslim delegations, one provision was nevertheless inserted, clearly singling out and directed against Israel:

We are concerned about the plight of the Palestinian people under foreign occupation. We recognize the inalienable right of the Palestinian people to self-determination and to the establishment of an independent State and we recognize the right to security for all States in the region, including Israel.12

Several states expressed their reservations to this singling out of Israel and specifying a single state situation. Canada registered its strongest objections and disassociated itself integrally from all texts directly or indirectly relating to the situation in the Middle East: “We state that this text is ultra vires; it is outside the jurisdiction and mandate of this conference.”13

While the official conference document was, subject to the one direct reference to Israel, “cleansed” of the offensive anti-Semitic content (if only to prevent an utter failure of the conference and to ensure a positive outcome and the adoption of the Durban Declaration and Program of Action), such was not the fate of the informal NGO conference that took place in parallel to the diplomatic conference.

As befitting the prevailing circus atmosphere in Durban, and the ambiance of lynch and Israel-baiting within and around the Durban conference (including violent anti-Israel demonstrations in the streets of Durban), the parallel NGO conference, a wild and outrageous event, adopted in its own declaration such formulations on Israel as a “colonial military occupant,” a “racist, apartheid state in which Israel’s brand of apartheid is a crime against humanity.” It declared Israel guilty of “racist crimes including war crimes, acts of genocide and ethnic cleansing.” Its Program of Action called for implementation of measures against Israel as employed previously against the South African apartheid regime, deployment of an independent international protection force, reinstatement of the UN Zionism=Racism Resolution 3379, the repeal by Israel of its Law of Return, the establishment of a special UN committee to deal with Israeli apartheid and other racist crimes, the launch of an international anti-Israel apartheid movement, and a call to the international community to totally isolate Israel.14

While this NGO declaration and program of action were neither accepted nor recommended by the organizers of the diplomatic conference, and were criticized by the UN Secretary General and High Commissioner for Human Rights, its content remains on the record, and as such has entered into history as one of the main outcomes of the Durban conference.

In an attempt to “re-legitimize” the Durban process through an exercise of reviewing progress on the substantive issues surrounding racism that were discussed at the original Durban conference, the UN General Assembly decided in 200615 to convene a Durban Review Conference in 2009 in Geneva (commonly termed “Durban II”).

As if to determine in advance the character and anticipated outcome of this review conference, and true to form, the UN Human Rights Council, evidently forgetting the debacle of 2001, chose to elect, of all countries, the representative of Libya to chair the Preparatory Committee, assisted by representatives of Iran and Cuba.

In early 2008 it was already evident that several states intended to boycott this review conference, both on the strength of the negative reputation emanating from the 2001 Durban conference and follow-up to it, as well as the refusal by the organizers to invite Jewish NGOs to the preparatory meetings, and their insistence on having sessions during the Passover festival.

Thus, in January 2008 the Canadian government announced its intention to boycott the Durban II conference:

Canada has a long and proud history of fighting racism, discrimination and intolerance in all its forms….For this reason, and our promise of concerted global action against racism, we participated in the 2001 World Conference against Racism…in Durban, South Africa. Unfortunately, that conference degenerated into open and divisive expressions of intolerance and anti-Semitism that undermined the principles of the United Nations and the very goals the conference sought to achieve.

[We] had hoped that the preparatory process for the 2009 Durban Review Conference would remedy the mistakes of the past. We have concluded that, despite our efforts, it will not. Canada will therefore not participate in the 2009 conference.16

In a later statement in January 2009, Canadian Minister for Citizenship, Immigration and Multiculturalism Jason Kenney explained Canada’s position as follows:

A year ago this month…I announced on behalf of our government that Canada would withdraw, and has withdrawn, from the Durban 2 process. We did so deliberately. We did so after having participated in the initial preparatory meetings. We did so being fully conscious of Canada’s tradition as an international champion of tolerance, pluralism and mutual respect. And that’s precisely why we withdrew from the Durban process.

We withdrew from a process that sees Iran sitting on the organizing committee, a country whose president has repeatedly engaged in inciting genocide against the Jewish nation, a conference in which Libya plays a central role on the organizing committee, a conference where many of the key organizing meetings were set, no doubt coincidentally, on Jewish high holidays to diminish the participation of Israeli and Jewish delegates, a process which re-invited to participate all of the NGOs that turned the original Durban conference into the notorious hate-fest, including those responsible for circulating copies of the Protocols of the Elders of Zion and organisations which outside the conference venue held up portraits of Adolf Hitler, and a conference which as well re-invited those NGOs made it difficult or impossible for Jewish NGOs to come as observers.17

The UK Minister for Europe stated in May 2008:

I wish to be clear that the UK government will play no part in a gathering that displays such behavior. We will continue to work to make sure that the conference is a success, but we will play no part in an international conference that exhibits the degree of anti-Semitism that was disgracefully on view on the previous occasion.18

Israel, the U.S.,19 Australia, Poland, New Zealand, Netherlands, the Czech Republic, Germany, and Italy also boycotted the Durban II conference.

True to expectations, and unable to shed the negative reputation that had been built up in Durban, the Durban II conference rapidly descended into a mode of utter hostility vis-à-vis Israel and anti-Zionism, with the formal opening address by Iranian President Ahmadinejad being a call for the eradication of Zionism, attributing all the ills of the world to Zionism and Israel. “The word Zionism personifies racism that falsely resorts to religion and abuses religious sentiments to hide their hatred and ugly faces.”20 This outrageous Iranian statement prompted many delegations to leave the room.

Even the chief Palestinian delegate to the United Nations in Geneva, Ibrahim Khraishi, expressed the view that the Iranian president had harmed their own position and status. Similarly, the representative of the Lutheran World Federation and the World Council of Churches, in his statement to the conference, expressed regret that “controversies over one single situation have so consumed the attention and energy of the Durban process, from 2001 until now.”21

While a final document was approved by the conference22 without offensive references or specific singling out of Israel as such, the reaffirmation of the original Durban Declaration and Program of Action by Durban II was nevertheless understood by all as a reaffirmation and re-legitimization of the original singling out of Israel.

Durban III

Pursuant to resolutions adopted at the 2009 and 2010 sessions of the UN General Assembly,23 a one-day plenary event at the level of heads of state and government is to be convened on 22 September 2011 as a follow-up to, and commemoration of the tenth anniversary of, the 2001 Durban conference.

While the preparatory documentation for this “commemorative” session, including a political statement to result from it, indeed deals with genuine issues of racism and xenophobia, including protection of children, migration, employment, incitement, and the like, and despite declared efforts by Ms. Navi Pillay, the UN High Commissioner for Human Rights, a native of Durban, South Africa, to rescue the name of Durban and to “re-legitimize” the Durban declaration,24 a number of states have already announced their intention not to participate.

Canadian Minister for Citizenship, Immigration and Multiculturalism Jason Kenney has called upon the UN High Commissioner for Human Rights to “stop the process and realize that the poison at Durban I has placed the entire process under a permanent cloud.” The official Canadian government announcement dated 25 November 2010 stated: “Our government has lost faith in the Durban process. We will not be part of this event, which commemorates an agenda that promotes racism rather than combats it.”25

In June 2011 the U.S. informed the UN of its decision to boycott the session, stating: “The United States will not participate in the Durban Commemoration. In December, we voted against the resolution establishing this event because the Durban process included ugly displays of intolerance and anti-Semitism, and we did not want to see that commemorated.”26

In a similar vein, the Czech Foreign Ministry announced on 21 July 2011 that it will not attend the session. “Prague is dissatisfied with the Durban process as it has been often abused for a number of unacceptable statements with anti-Jewish connotations.”

Similar decisions to boycott the forthcoming session have been made by Italy, the Netherlands, and Israel.27

Conclusion

Whether coincidentally or not, it now appears that the tenth anniversary commemoration session of the Durban conference, scheduled to take place on 22 September 2011, will occur at the same time as the Palestinian unilateral action to seek recognition and acknowledgment by the UN of a Palestinian state “within the 1967 borders,” and to upgrade its status in the UN to that of a non-member state.

Perhaps this ominous juncture of events is all the more indicative of the real damage that was generated by the Durban I conference as the major precursor of ongoing and widespread attempts to delegitimize Israel and its basic rights as a nation-state in the international community.

By adopting a declaration at an international conference that was intended to be devoted to the blight of racism, and by singling out and pointing to Israel among all the nations of the world, the international community itself contributed to the indelible pollution and soiling of the Durban process, and leant its hand to the launching of a campaign of delegitimization of Israel.

As long as the international community in general and the UN High Commissioner for Human Rights in particular, continue to attempt to reinstate and re-legitimize the forever-stained “Durban process,” whether by review conferences or by anniversary commemorations, the genuine struggle against racism will suffer. The damage cannot be repaired.

Durban must be set aside and forgotten, and the international community must set about dealing with racism, racial discrimination, xenophobia, and the like in a genuinely serious, a-political and non-hypocritical manner, far from Durban.

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Notes

1. United Nations Charter, Article 1, Para. 2.

2. World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, Durban, South Africa, 31 August – 8 September 2001.

3. Draft Declaration, A/CONF.189/4 and Draft Program of Action A/CONF.189/5, 20 August 2001.

4. Ibid., Draft Declaration at Para 67-68.

5. Ibid., Draft Declaration at Para 33.

6. Ibid., Draft Program of Action at Para 41.

7. Ibid., Draft Plan of Action at Para 96.

8. Ibid., Draft Program of Action, see Para 221-222.

9. Opening Statement by Arafat, see Final Document of the conference.

10. See A/CONF.189/12 and Corr.1 of 8 September 2001.

11. Ibid., at Para. 58.

12. Ibid., at Para. 63.

13. Ibid., at Chapter VII on Adoption of the Final Document and the Report of the Conference.

14. For the full text of the NGO declaration and program of action, see http://www.adl.org/durban/durban\_ngo.asp

15. Resolution 61/149 of 19 December 2006.

16. http://w01.international.gc.ca/MinPub/Publication.aspx?isRedirect=True&Language=E&publication\_id=385786&docnumber=16, January 23, 2008.

17. http://network.nationalpost.com/np/blogs/fullcomment/archive/2009/02/18/241984.aspx

18. http://www.thejc.com/home.aspx?ParentId=m11s18&SecId=18&AId=60256&ATypeId=1

19. http://www.state.gov/r/pa/ei/mideastdigest/2008/jan/102944.htm

20. http://webcast.un.org/ramgen/ondemand/conferences/DurbanConference/2009/durban090420pm1-eng.rm?start=00:05:30&end=00:39:30; see also

http://www.jpost.com/servlet/Satellite?cid=1239710821252&pagename=JPost%2FJPArticle%2FShowFull

21. http://www.oikoumene.org/en/resources/documents/wcc-programmes/unity-mission-evangelism-and-spirituality/just-and-inclusive-communities/dalits/24-04-09-oral-intervention-at-un-durban-review-conference.html, April 24, 2009.

22. http://www.un.org/durbanreview2009/pdf/Durban\_Review\_outcome\_document\_En.p

23. Resolution 64/148 of 18 December 2009 and Resolution 65/240 of 24 December 2010.

24. http://www.nydailynews.com/opinions/2011/08/10/2011-08-10\_meet\_the\_uns\_antiisrael\_antidiscrimination\_czar\_navi\_pillay.html

25. http://network.nationalpost.com/np/blogs/fullcomment/archive/2009/02/18/241984.aspx

26. http://www.jta.org/news/article/2011/06/01/3087972/us-wont-participate-in-durban-iii-state-dept-says

27. http://www.ynetnews.com/articles/0,7340,L-4002649,00.html